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**ARTICLE II**  
**RULES AND DEFINITIONS**

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2.01 DEFINITIONS, GENERAL

For the purposes of uniform interpretation of these regulations, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

2.02 RULES

- A. Unless the context clearly indicates to the contrary, words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and plural the singular.
- B. The word "shall" is mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The masculine gender includes the feminine and neuter.
- E. The word "person" includes individual, partnership, firm, corporation or association.
- F. The word "lot" shall include the words "plot", "piece", and "parcel".
- G. The phrase "used for" shall include the phrases "arranged for", "designed for", "maintained for", and "occupied for".
- H. In the case of any difference of meaning or application between the text of these regulations and any caption or illustration, the text shall control.
- I. Terms not herein defined shall have the meaning customarily assigned to them.

2.03 WORDS AND TERMS DEFINED

**Adequate Public Facilities.** Facilities determined to be capable of supporting and servicing the physical area and designated intensity of the proposed subdivision as determined by the County Board based upon specific levels of service.

**Alley.** Public or private right-of-way primarily designated to serve as a secondary access to the side or rear of those properties whose principal frontage is on some other street.

**Applicant.** The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises.

**Base Flood.** The flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood is also known as the one hundred (100) year flood.

**Base Flood Elevation.** The elevation in relation to Mean Sea Level (MSL) of the crest of the base flood.

**Basement.** That portion of a building that is partly or completely below grade.

**Benchmark.** A definite point of known elevation and location and of more or less permanent character. The identity and elevation shall be based on United States Geological Survey (U.S.G.S.) Datum.

**Block.** A tract of land bounded by public highways, streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, streams, drainage channels, rural land or boundary lines of municipalities.

**Bond.** A good and sufficient security meeting the requirements of these regulations.

**Buffer.** See *External Buffer*.

**Building.** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

**Building (Setback) Line.** A line or lines on a plat designating the area outside of which buildings may not be erected, except landings, open porches and balconies, and roof overhangs, as permitted in the Zoning Ordinance.

**Central Sewerage System.** A community sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

**Central Water System.** A private water company formed by a developer to serve a new subdivision in an outlying area. It includes water treatment and distribution facilities.

**Clerk and Recorder.** The elected County Clerk and Recorder of Ogle County, Illinois.

**Collector Roads.** A road intended to move traffic from local roads to secondary arterials. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties face onto it.

**Common Ownership.** Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnership, entities, or unincorporated associations, in which a stockbroker, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

**Comprehensive Plan.** A plan for the County, including graphic and written elements, indicating the long-range physical development of the County or any of its parts, including any part of such plan separately adopted, any amendment to such plan and parts thereof, and/or any binding plan agreements with other jurisdictions adopted by the Ogle County Board.

**Concurrency.** Requirement that development applications demonstrate that adequate public facilities be available at prescribed levels of service concurrent with the impact or occupancy of development units.

**Congressional Survey Township.** An area approximately six (6) miles square identified by its unique Township and Range numbers with respect to a designated Principal Meridian and Base Line.

**Conservation Easement.** A non-possessory interest in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic or open space values of real property, assuring its availability for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the natural, historical, architectural, archaeological or cultural aspects of real property.

**Contiguous.** Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

**Conventionally Designed Subdivision.** Residential developments where all the land is divided into house

lots and streets, with the only open space typically being undevelopable wetlands, steep slopes, floodplains and storm water management areas.

**County.** Ogle County, Illinois.

**County Board.** The County Board of Ogle County, Illinois.

**County Engineer.** An official appointed by the Ogle County Board, under the Illinois Compiled Statutes.

**Critical (Unsuitable) Soils.** Soil materials that have been disturbed and/or have natural limitations extensive enough to require alternative sewage disposal systems or are perhaps so limited as to preclude the practicality of an on-site sewage disposal system.

**Cul-de-Sac.** A local street with only one outlet that terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement

**Culvert.** A transverse drain that channels water under a street or driveway.

**Curb Face.** The edge of the curb rising from the flow line of the gutter.

**Dedication.** Intentional transfer by the developer to the public ownership of, or an interest in land for a public purpose. Dedication may be effected by formal conveyance, or by any other method recognized by the laws of the State of Illinois.

**Department.** The Planning & Zoning Department of Ogle County, Illinois.

**Design Criteria.** Standards that set forth specific improvement requirements.

**Developer.** The owner of land proposed to be subdivided or its representative who is responsible for any undertaking that requires review and/or approval under these regulations. See **Subdivider**.

**Easement.** Authorization by a property owner for another to use the owner's property for a specified purpose.

**Engineer, Design.** A professional engineer, registered and licensed as such in the State of Illinois, responsible for the design of site improvement plans and specifications for a project or subdivision.

**Engineer, Project.** A professional engineer, registered and licensed as such in the State of Illinois, responsible for assuring that the site improvements are constructed and/or installed according to approved plans and specifications and according to best management practices.

**Escrow.** A deposit of cash with the local government or escrow agent to secure the promise to perform some act.

**External Buffer.** A naturally vegetated area or vegetated area along the exterior boundaries of an entire development processed in accordance with a multi-phase or phased subdivision application which is landscaped and maintained as open space in order to eliminate or minimize conflicts between such development and adjacent land uses.

**F.E.M.A.** The Federal Emergency Management Agency.

**Final Plat.** The map of a subdivision to be recorded after approval by the County Board and any accompanying material as described in these regulations.

**Frontage.** That side of a lot abutting on a street and ordinarily regarded as the front of the lot; but it shall not be considered as the ordinary side of a corner lot.

**Grade.** The slope of a road, street, or other public way specified in percentage terms.

**Health Department and Health Administrator.** The agency and person designated by the County Board to administer the health regulations of the County.

**Health, Safety, or General Welfare.** The purpose for which counties may adopt and enforce land use regulations for the prevention of harm or promotion of public benefit to the community; commonly referred to as police power.

**Highway.** See *Street*.

**Highway, Collector.** A rural road (and its extensions in or through villages or cities) which forms an interconnected network and provides service to communities, generally under the administration of the County.

**Highway Commissioner.** See *Township Highway Commissioner*.

**Highway Department.** The Ogle County Highway Department.

**Highway, Land Access.** A rural road, other than an area service, collector, major and trunk highway, and subdivision street, which provides access to farms and land used for agricultural or other low intensity uses, generally under the administration of the township road districts.

**Highway, Limited Access.** A freeway or expressway providing a traffic way for through traffic, in respect to which owners or occupants of abutting property on lands and other persons have no legal right to access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over the traffic way.

**Homeowners Association.** An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision--be it a lot, parcel site, unit plot, condominium, or any other interest--is automatically a member as a condition of ownership and each such member is subject to a charge or assessment for a pro-rated share of expense of the association which may become a lien against the lot, parcel, unit, condominium, or other interest of the member.

**I.D.O.T.** The Illinois Department of Transportation.

**Individual Sewage Disposal System.** A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

**Infill Development.** Development designed to occupy scattered or vacant parcels of land which remain after the majority of development has occurred in an area.

**Land Improvements.** All required improvements including, but not limited to, roads, road lighting, road signs, permanent monuments, grading and surface and subsurface drainage ways and facilities, storm water management facilities, soil erosion and sediment control, community water distribution systems and water supply facilities, community sewage systems, community sewage treatment plants and sanitary sewers,

fencing and required landscaping.

**Landscaping.** Acting with the purpose of meeting specific criteria regarding uses of outside space, including ground cover, buffers, and shade trees.

**Land Surveyor.** See *Registered Professional Land Surveyor*.

**Lot.** A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership, or possession, or for building development.

**Lot Area.** The area of horizontal plane bounded by the vertical planes through front, side and rear lot lines.

**Lot, Corner.** A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

**Lot Depth.** The average distance between the front and rear line of a lot measured in the general direction of its side lot lines.

**Lot, Double Frontage.** A lot having frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

**Lot Improvement.** Any building, structure, place, work of art, or other object situated on a lot.

**Lot, Interior.** A lot other than a corner lot.

**Lot, Reserve (Flag).** A lot, approved by the County, where access is obtained by way of a narrow strip of land (reserve strip) from a dedicated street only, where each lot shall contain a minimum of one (1) acre exclusive of the portion of the lot used as a reserve strip except where a zoning district requires more than one (1) acre of land. The minimum width of the reserve strip shall be not less than twenty feet. Reserve lots are allowed only in accordance with the provisions of Division 6, Section 6.05 of the *Ogle County Amendatory Zoning Ordinance*.

**Lot Width.** The horizontal distance between side lot lines, measured at the front building (setback) line.

**Master Preliminary Plat.** That portion of a preliminary plat submitted in connection with a multi-phase or phased subdivision application which provides the information and graphics meeting the requirements of this ordinance for the purpose of implementing an integrated development scheme for all phases of the proposed subdivision.

**Monument.** A physical structure which marks the location of a corner or other survey point as required by provisions contained herein.

**Non-Critical (Suitable) Soil.** Undisturbed soil materials, as determined by on-site comprehensive soil survey, that can support a conventional private sewage disposal system, where at least the lower portion of the soil absorption system can be installed in original, uncompacted soils.

**Off-Site.** Any premises not located within the area of the property to be subdivided, whether or not in the common ownership of the applicant for subdivision approval.

**Open Space.** Permanently preserved common land areas within a residential development to be used for recreation, conservation, agricultural uses, or preserved in an undeveloped state and/or natural condition.

**Open Space Subdivision.** Residential developments in which dwellings are grouped together on part or

parts of a parcel, with the remaining acreage preserved as open space. Open Space Subdivisions emphasize the preservation of natural resources and features as a basis for grouping of dwellings. Homes are separated from adjacent property or other groupings of dwellings by the substantial open space that is permanently protected from development.

**Ordinance.** Any legislative action, however denominated, of a local government which has the force of law, including any amendment or repeal of any ordinance.

**Owner.** A person having either a legal or an equitable interest in a piece of property (or the beneficiary of title that is held in a trust) and/or his designated representative such as developers, engineers, land surveyors, and other agents.

**Pedestrian Way.** An easement or right-of-way designated to facilitate pedestrian access to adjacent streets and/or properties.

**Performance Criteria.** Regulation of development based on open space ratio, impervious surface ratio, density, and floor area ratio.

**Performance Guarantee.** An irrevocable letter of credit or an escrow account issued in the name of Ogle County to cover one hundred and twenty percent (120%) of the estimated costs of improvements approved by the County as a condition to final plat approval.

**Person.** Any individual or group of individuals, or any corporation, general or limited partnership, joint venture, unincorporated association, or governmental or quasi-governmental entity.

**Personal Bond.** A bond executed by the promisor without a surety; a contract or promise to pay.

**Phased Subdivision Application.** An application for subdivision approval submitted pursuant to a Master Preliminary Plat, or at the option of the subdivider, pursuant to a specific plan in which the applicant proposes to immediately subdivide the property but will develop in one or more individual phase(s) over a period of time.

**Planned Development (PD) Zoning District.** A Planned Development Zoning District is authorized and regulated through the Ogle County *Amendatory Zoning Ordinance*. This zoning district is designed to allow greater flexibility in development of land in a manner not possible in conventional zoning districts or through strict adherence to these regulations. The Planned Development is a development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces and other features and improvements.

**Planning & Zoning Committee.** Formally, the Planning, Assessment & Zoning Committee of the Ogle County Board appointed by the Chairman of the County Board.

**Planning and Zoning Department.** The Ogle County, Illinois Planning & Zoning Department.

**Plat Act.** An act to revise the law in relation to plats, approved March 21, 1874, as amended (Illinois Compiled Statutes 1998, Chapter 765, Section 205/0.01 et seq.)

**Plat, Final.** A plat prepared for official recording and meeting the criteria of these regulations and the regulations of the Plat Act.

**Plat Officer.** The officer appointed by the County Board to administer these regulations and to assist administratively other Committees, Boards and Commissions. If no such officer is appointed, the Planning

& Zoning Administrator shall serve also as Plat Officer.

**Plat, Preliminary.** A preliminary map, and supporting data, indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for the review by the County Planning and Zoning Committee, meeting the requirements of these regulations.

**Plat, Sketch.** A sketch preparatory to the preliminary plat to enable the subdivider to save time and expense in reaching general agreement with the Planning and Zoning Committee as to the form of the plat and the objectives of these regulations.

**Police Power.** Inherent, delegated, or authorized legislative power for purposes of regulation to secure health, safety, and general welfare.

**Public Improvement.** Any drainage ditch, roadway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which a local government may ultimately assume the responsibility for maintenance and operation, or which may effect an improvement for which local government responsibility is established.

**Public Meeting.** A meeting of the Planning and Zoning Committee or County Board preceded by notice, open to the public and at which the public may, at the discretion of the body holding the public meeting, be heard.

**Reduced Building Envelope.** That portion of a lot that delineates the most suitable area of a lot for development to occur. Areas beyond the reduced building envelope areas are restricted against development in order to preserve the most suitable soils for treating sewage, and to protect unique natural areas, steep slopes, wetlands, floodplains and other similar areas from development encroachment. Reduced building envelopes are generally more restrictive than the typical building setback and yard area requirements pursuant to the *Ogle County Amendatory Zoning Ordinance*.

**Regional Superintendent of Schools.** The elected or appointed head of the Lee-Ogle County Educational Services Region.

**Registered Professional Engineer.** An Engineer properly licensed and registered in the State of Illinois.

**Registered Professional Land Surveyor.** A land surveyor properly licensed and registered in the State of Illinois.

**Re-Platting (Re-Subdivision).** The recombination or re-division of lots in an approved subdivision into larger or smaller lots.

**Right-of-Way.** A strip of land reserved or acquired by dedication, prescription, condemnation, gift, purchase, eminent domain or any other legal means occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for any other special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or

any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

**Road Bed.** The graded portion of a street within side slopes, prepared as a foundation for the pavement structures and shoulders.

**Road District.** Each township, for the purposes of these regulations, shall be and is called a road district for all purposes relating to the construction, repair, maintenance, financing and supervision of township roads, including land access highways.

**Sale or Lease.** Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or other transfer of an interest in a subdivision or part thereof, whether by metes and bounds or lot and block description.

**Sanitary Sewer.** A sanitary sewer is intended to receive and transport sewage.

**Security.** The letter of credit or cash escrow provided by the applicant to secure its promises in the subdivision improvement agreement.

**Septic System (Conventional).** An individual, conventional on-site sewage treatment system employing a septic tank and the soil treatment system commonly known as seepage trenches, that are partially or wholly in original soil material.

**Setback.** See **Building (Setback) Line.**

**Sidewalk.** A pedestrian walkway within a public road right-of-way or easement.

**Siltation Control.** The installation of such devices as sediment ponds, bales of straw, fencing, siltation webbing, sodding, seeding and mulching, or other devices and Best Management Practices to prevent silting of abutting properties and roadways during the period of construction and up to and including such time as permanent ground cover is attained.

**Slope.** The rate of deviation of the ground surface from the horizontal as expressed in percentages.

**Soil Classifier.** A professional soil classifier certified by the Illinois Soil Classifiers Association and/or ARCPACS who, by reason of his/her special knowledge of the physical, chemical and biological sciences applicable to soils, and of the methods and principles of soil classification as acquired by soils education and soil classification experience in the formation, morphology, description and mapping of soils, is qualified to practice soil classifying.

**Soil Scientist.** An individual with a minimum of a Bachelor's of Science Degree in soil science or a related field with at least 15 semester hours in soils, plus one year of soils field investigation and mapping for area(s) located in Northern Illinois.

**State's Attorney.** The elected or appointed State's Attorney of Ogle County, Illinois.

**Street (Highway).** A right-of-way, whether designated as a street, highway, road, lane, court, thoroughfare, parkway, freeway, expressway, boulevard, or avenue, other than an alley, usually affording the principal means of access to abutting property, and improved in accordance with the standards herein.

**Street, Collector.** Collector streets function as secondary land service streets in that they move traffic from the major streets, which distribute traffic regionally, to minor streets, which distribute the traffic to individual lots, parcels, and uses within the subdivision, area or neighborhood. Collector streets also may

serve individual lots, parcels and uses as a secondary or additional function. The Average Daily Traffic for collector streets is between 250 and 5,000 vehicles.

**Street, Dead-End.** A road or a portion of a road with only one (1) vehicular-traffic outlet.

**Street, Frontage or Service.** A minor street generally parallel to and adjacent to arterial streets and highways, which provides access to abutting properties and protection from through traffic.

**Street Line.** The dividing line between the street or highway right-of-way and a lot or parcel.

**Street, Loop.** A short, independent street which usually terminates along the same collector street of its origin.

**Street, Major (Arterial).** A street utilized for high vehicular speeds or for heavy volumes of traffic on a continuous route. Average Daily Traffic generally exceeds 5,000 vehicles.

**Street, Marginal Access (Frontage Road).** A local street or highway paralleling, adjacent to and having limited access to a freeway, expressway, collector highway, area service highway, or land access highway which provides direct access to abutting property and protection from through traffic.

**Street, Minor (Local).** Minor streets are exclusively land service facilities for access to abutting properties. These serve the local neighborhood and may be in the form of a cul-de-sac or loop street; provide, that Average Daily Traffic is less than 250 vehicles.

**Street, Multiple-Family Access.** A private way or driveway which affords a means of vehicular access to parking areas and bays and to abutting buildings in a multiple-family dwelling unit subdivision.

**Street, Partial.** That portion of the street right-of-way on either side of a tract boundary, generally parallel and adjacent to the boundary line of the tract, having a lesser right-of-way width than required for a full width street of the type involved.

**Street, Private.** An undedicated street which is privately owned and maintained.

**Street, Public.** Any street shown on a subdivision plat that is to be dedicated to public use.

**Street Right-of-Way Width.** The distance between property lines measured at right angles to the center line of the street.

**Structure.** Anything constructed or erected.

**Subdivide.** The act or process of creating a subdivision.

**Subdivider.** Any person who, holding either legal title or equitable interest in land, causes it directly or indirectly to be divided into a subdivision.

**Subdivision.** The subdivision of land into two (2) or more parts, any of which is less than five (5) acres in area exclusive of all right-of-way, for the purpose of transfer of ownership or possession, or building development; or if an easement of access or a new road is involved, any division of land. The term includes any division of land that attempts to avoid the requirements of these regulations. Where appropriate to the content, the term shall relate to the process of subdivision, or to the land subdivided, and shall include re-subdivisions. Subdivision platting is not required and the provisions of these regulations, unless otherwise stated below, shall not apply in any of the following instances:

- (1) The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access, such division not for agricultural purposes, provided the dedication of school site(s) or payment of fees in lieu thereof is made in accordance with Article VI of these regulations;
- (2) The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access provided the dedication of school site(s) or payment of fees in lieu thereof is made in accordance with Article VI of these regulations;
- (3) The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- (4) The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
- (5) The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
- (6) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- (7) Conveyances made to correct descriptions in prior conveyances;
- (8) The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access provided the dedication of school site(s) or payment of fees in lieu thereof is made in accordance with Article VI of these regulations;
- (9) The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any other requirements applicable to the subdivision of land and provided also that the dedication of school site(s) or payment of fees in lieu thereof is made in accordance with Article VI of these regulations;
- (10) A division for the purpose of the sale or transfer of ownership of one (1) lot which contains an existing residential building constructed prior to March 24, 1992 and said lot is not less than one (1) acre in area, with a minimum width of one hundred fifty (150) feet measured at the street or road right-of-way line, such division made in accordance with the requirements set forth in the Ogle County Amendatory Zoning Ordinance, Section 5.01.E(2). For the purposes of review, a plat of survey shall be required for said division. The Zoning Administrator's and Plat Officer's signature of approval shall be required on the plat of survey prior to recording.

**Subdivision Agent.** Any person who represents, or acts for or on behalf of, a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services.

**Subdivision, Major.** All subdivisions not classified as minor subdivision, including but not limited to subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of the local government facilities or the creation of any public improvements. Major subdivisions shall be submitted as an application for sketch plat stage review.

**Subdivisions, Minor.** Any subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance, or these regulations. Minor subdivisions may, at the Plat Officer's discretion, be exempted from the sketch plat review stage.

**Subdivision, Non-Residential.** A subdivision whose intended use is other than residential, such as commercial or industrial.

**Suitable Soil.** Undisturbed soil materials as determined by on-site comprehensive soil survey that can support a conventional private sewage disposal system, or sub-surface absorption system, where at least the lower portion of the soil absorption part of the system can be installed in original, uncompacted soils.

**Surety Bond.** See *Performance Guarantee*.

**Township Highway Commissioner.** In each township or multi-township road district, the elected Highway Commissioner, pursuant to the laws of the State of Illinois.

**Tract.** A lot. The term "tract" is used interchangeably with the term "lot," particularly in the context or subdivision, where a "tract" is subdivided into several lots, parcels, sites, units, plots, condominiums, tracts, or interests.

**Trust Indenture.** Any recordable instrument by which common ground is held or maintained or assessments in a subdivision are levied for the administration of specific obligations or both.

**Utility Company.** A person, firm or corporation who owns, controls, operates or manages any equipment, plant or property furnishing telephone, telegraph, electric, cable television, light, heat, power, water, sewerage, gas (by pipeline) or similar service for public use.

**Vested Rights.** Right to initiate or continue the establishment of a use which will be contrary to a restriction or regulation coming into effect when the project associated with the use is completed.

**Vicinity Map.** A drawing located on the sketch and preliminary plat which sets forth by dimensions or other means, the relationship of the proposed subdivision to other nearby developments, landmarks, community facilities or services.

**Wetland.** Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. In any case, the definition herein shall conform to the definition, as amended, adopted by the U.S. Army Corps of Engineers, the U.S. Department of Agriculture or other such agency with lawful jurisdiction.

**Zoning Ordinance.** As from time to time amended, which controls and regulates zoning for Ogle County, Illinois.