

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 12 (STREETS AND SIDEWALKS), CHAPTER 12.04 (EXCAVATIONS), 12.04.020 (INSURANCE, BOND OR CASH DEPOSIT REQUIRED) OF THE CITY OF CREST HILL CODE OF ORDINANCES

WHEREAS, the City of Crest Hill is authorized by Section 11-60-1 of the Illinois Municipal Code to fix the amount, terms and manner of issuing, regulating and revoking licenses (65 ILCS 5/11-60-1); and

WHEREAS, the City of Crest Hill has previously exercised said authority by adopting Chapter 12.04 Excavations, including Sections for permit requirements and insurance, bond, and deposit requirements; and

WHEREAS, pursuant to its express authority granted by the Illinois Municipal Code, the City of Crest Hill has from time to time deemed it necessary to amend its Code of Ordinances; and

WHEREAS, the City Council has determined that the City of Crest Hill Code should be amended to by modifying Section 12.04.020.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, as follows:

SECTION 1: PREAMBLE. The preamble of this Ordinance is declared to be true and correct and is incorporated by reference as if fully set forth in this Section 1.

SECTION 2: APPROVAL. Section 15.04.020 is hereby changed, with all other sections of Chapter 12.04 remaining unchanged:

CHAPTER 12.01: EXCAVATIONS

Section

12.04.010	Construction permit required
12.04.020	Insurance, and bond or cash deposit required

12.04.010 CONSTRUCTION PERMIT REQUIRED.

Whenever any person desires to work upon the streets within the city, which work requires removing material, digging or cutting into street material, the person, firm or corporation shall first obtain a permit from the ~~city~~ **City Clerk**.

12.04.020 INSURANCE, ~~AND BOND OR CASH DEPOSIT~~ REQUIRED.

(A) Each ~~resident~~ applicant requesting a permit shall furnish the City Clerk with proof of liability insurance coverage for the benefit of the city in the amount of \$100,000 for bodily insurance to any one individual; \$300,000 coverage for any one occurrence;

and property damage in the amount of \$25,000. Evidence of coverage shall be in the form of a certificate of insurance naming the city as an additional insured.

Contractors must be registered pursuant to Section 5.60 of this Code and must furnish to the City Clerk proof of liability insurance coverage in the amounts set forth in Section 5.60.040. Evidence of coverage shall be in the form of a certificate of insurance naming the city as an additional insured.

- (B) The filing of an ~~an annual~~ street obstruction and/or street opening bond in the amount of ~~\$1,000~~ 5,000 shall be required of each applicant. ~~This shall be held by the City Clerk.~~
- (C) ~~In the alternative to division (B) of this section, any person or firm may deposit \$500 in cash with the City Clerk for each street opening, which funds shall be held in escrow by the City Clerk~~ The bond shall be held by the City Clerk until the ~~Superintendent of Streets~~ Public Works Director or their designee notifies the City Clerk in writing that the street has been restored in accordance with his directions in a good and workmanlike manner. All street opening work shall be completed within six months of the issuance of a permit, or such additional time as may be granted by the City Council.
- (D) If it appears to the ~~City Clerk~~ Public Works Director or their designee that street work or opening is of an extra-hazardous nature or of an unusual nature, he shall notify the City Engineer and City Attorney, and they will require additional liability insurance and/or bond.
- (E) For purposes of this chapter and for all purposes within this code unless expressly stated to the contrary, *STREET* shall include all the area between the right-of-way lines in which the street is located, and shall not just include the paved portion thereof. The requirement for restoration of the street in a good and workmanlike manner set out in division (C) of this section shall equally apply to parkways and sidewalks where the parkways and sidewalks are inside the street right-of-way line and not on private property.

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Ordinance.

SECTION 4: REPEALER. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect immediately upon its passage and publication according to law.

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ASSESSED THIS _____ DAY OF _____, 2024.

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk