

## ORDINANCE NO. \_\_\_\_\_

### **AN ORDINANCE ADOPTING DRIVEWAY/SIDEWALK PERMIT PROCESS**

**WHEREAS**, the Village of Winnebago currently lacks a formalized application process for driveway and sidewalk permits, leading to inconsistencies in construction practices and potential increased costs for the village in correcting improper installations; and

**WHEREAS**, the adoption of a Unified Development Ordinance (UDO) established specific requirements for driveway and sidewalk construction, aiming to ensure uniformity, safety, and compliance with village standards (Sections 12.14 and 9.03.06); and

**WHEREAS**, the Village Public Works Department has recommended the implementation of a formal Driveway/Sidewalk Permit process to enforce these standards and reduce the need for corrective actions; and

**WHEREAS**, bonding requirements are necessary to protect village interests and ensure completion of projects in accordance with established guidelines;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Winnebago, as follows:

#### **SECTION 1. PERMIT REQUIREMENT**

1. **Permit Requirement:** No individual, contractor, or developer shall commence work on the construction, repair, or replacement of any driveway or sidewalk within the Village of Winnebago without first obtaining a permit from the Village.
2. **Application Process:** The Village shall develop and maintain an application form for the Driveway/Sidewalk Permit, which shall include:
  - Applicant information
  - Contractor information
  - Property details
  - Project description and specifications
  - Compliance with all Village Ordinance and UDO requirements (Sections 12.14 and 9.03.06)
  - Bonding requirements (as outlined in Section 2)
3. **Administrative Changes:** Administrative changes may, from time to time, be made to the permit application form with the written approval of the Village Administrator without the requirement of further amendment to this ordinance.
4. **Inspections:** All driveway and sidewalk inspections associated with the Permit will be conducted by the Village of Winnebago Public Works Department.

## **SECTION 2. BONDING AMOUNT**

1. **Bond Amount:** Prior to issuance of a Driveway/Sidewalk Permit, the applicant shall post a bond with the Village of Winnebago. The bond amount shall be at a minimum equal to the estimated cost of the driveway or sidewalk project, but not less than \$5,000.00.
2. **Adjustment of Bond Amount:** The Public Works Director, in consultation with the Building Official and/or Village Engineer, and with the written approval of the Village Administrator, may adjust the bond amount based on the complexity of the project and potential impact on public infrastructure.

## **SECTION 3. SEVERABILITY**

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid or unconstitutional, the remainder of this ordinance shall remain in full force and effect.

## **SECTION 4. REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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Franklin J. Eubank, Jr.,  
Village President

**ATTEST:**

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Sally Jo Huggins, Village Clerk

**PASSED:**

**APPROVED:**

**PUBLISHED IN  
PAMPHLET FORM:**