

ORDINANCE NO. 7071-54

AN ORDINANCE TO AMEND SECTION 29.11
OF THE URBANA CITY CODE

BE IT ORDAINED BY THE URBANA CITY COUNCIL THAT:

Within the City of Urbana, no person shall plow, dig up, drill out, or remove any trees or stumps or any material or dirt from or excavate, strip, sap or undermine any street, alley, public ground or public easement without a written permit issued by the Commissioner of Public Works for such work except that an owner or tenant may dig not deeper than 8 inches for the purpose of maintaining landscaping or a garden on any private property under his control bearing a public easement or on a street immediately adjacent to his private property.

The permit fee is \$10.00 for the first location and \$1.00 for each additional location covered by the permit. A fee is not required when an excavation is for a sewer connection or water service installed under a valid Urbana plumbing permit.

Notwithstanding any other provisions of this Ordinance, planting of trees on street rights-of-way and public easements is permitted without fee provided the property owner has received approval of location from the Commissioner of Public Works or City Engineer, so as to avoid interference with sewer lines or other underground utilities, or with planned sidewalk construction.

In addition to the appropriate fee, the following items must be submitted to secure a permit:

(a) A written application on form furnished by the Commissioner of Public Works.

(b) An executed written undertaking and agreement to save and hold harmless the City of Urbana, a Municipal Corporation of the State of Illinois, from any and all liabilities or claims of liability arising out of or in connection with the performance of work pursuant to such permit and to include any and all legal costs including attorney's fees incident to the defending against such claim whether such claim be groundless or not.

(c) A certificate of insurance showing general liability coverage conditioned upon 10-day notice to the City of Urbana in the event of material change, cancellation or termination.

(d) A bond issued in a form satisfactory to the City Council of Urbana, payable to the City of Urbana, in the amount of \$10,000.00 to secure the repair and replacement of any City property or facilities and for the payment of any fine or penalties for any violation of this Ordinance or arising out of the work performed under any permit issued hereunder. The said

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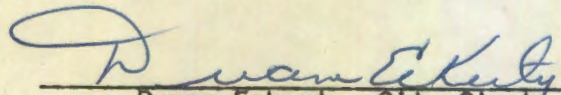
bond shall be in force for one (1) year from date of completion of the work performed pursuant to the said permit. Provided further, however, that no person shall be required to deliver to the City more than one (1) bond for work under permits issued under this section regardless of the number of permits issued while such bond is in full force and effect. Provided further, however, that the Commissioner of Public Works may require the substitution of a bond in higher amount whenever the aggregate work under one permit or several permits exceeds the limit of the bond on file. The amount of such higher bond shall not exceed the estimated cost of replacement and repair of public property and/or facilities. Aggregate work, as herein used, shall be defined as the total amount of work in progress added to the total amount of work completed less than one (1) year next preceding that date on which such determination of aggregate work is made.

It shall be a violation of this Ordinance for any person, or corporation, to commence any work which would require a permit under this Section without having first obtained such permit; further, it shall be a violation of this Ordinance for any person or corporation to make any material false statement in the application for a permit hereunder. Violations of this Ordinance shall subject the violator to the penalties set out in Section 1.6 of the Urbana City Code.

Former Section 29.11 of the Urbana City Code is hereby repealed when this Ordinance of Amendment shall be in full force and effect.

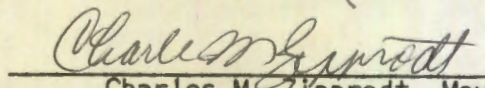
This Ordinance shall be effective immediately upon its adoption and approval by the Mayor and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

ADOPTED by the City Council of Urbana this 2nd day of November, 1970.



Duane Eckerty, City Clerk

APPROVED by the Mayor of the City of Urbana this 2nd day of November, 1970.



Charles M. Zipprott, Mayor



AN ORDINANCE AMENDING SECTION 29.11 OF
THE URBANA CITY CODE

BE IT ORDAINED BY THE URBANA CITY COUNCIL THAT:

The Ordinance entitled "An Ordinance To Amend Section 29.11 of the Urbana City Code", passed and approved on October 5, 1970, be further amended to add the words following, after the last word of the second paragraph thereof:

"Notwithstanding any other provisions of this Ordinance, planting of trees on street rights-of-way and public easements is permitted without fee provided the property owner has received approval of location from the Commissioner of Public Works or City Engineer, so as to avoid interference with sewer lines or other underground utilities, or with planned sidewalk construction."

So that the entire second paragraph shall then read as follows:

The permit fee is \$10.00 for the first location and \$1.00 for each additional location covered by the permit. A fee is not required when an excavation is for a sewer connection or water service installed under a valid Urbana plumbing permit. Notwithstanding any other provisions of this Ordinance, planting of trees on street rights-of-way and public easements is permitted without fee provided the property owner has received approval of location from the Commissioner of Public Works or City Engineer, so as to avoid interference with sewer lines or other underground utilities, or with planned sidewalk construction.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

PASSED by the City Council of Urbana this 2nd day of November, 1970.

Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 2nd day of November, 1970.

Charles M. Zippodt
Charles M. Zippodt, Mayor

