

ORDINANCE NO. 7273-49

AN ORDINANCE REGULATING ENCROACHMENT ON PUBLIC  
RIGHT-OF-WAY IN THE CITY OF URBANA  
CHAMPAIGN COUNTY, ILLINOIS

WHEREAS, the CITY of Urbana hereinafter known as the CITY and STATE of Illinois, acting by and through its Department of Transportation, Division of Highways have entered into an agreement relative to the improvement of University Avenue from Goodwin Avenue to Coler Avenue (SBI Route 25, Section 28WZ-SI, City Section 179-CS) and,

WHEREAS, in order to facilitate said improvement, it is necessary for the CITY to adopt an ordinance regulating encroachments on the right-of-way of said improvement in accordance with the following definitions:

Roadway Right-of-Way is defined as those areas existing or acquired by dedication or by fee simple for highway purposes; also, the areas acquired by temporary easement during the time the easement is in effect;

Project Right-of-Way is defined as those areas within the project right-of-way lines established jointly by the CITY, STATE, and the Federal Highway Administration which shall be free of encroachments except hereinafter defined:

Encroachment is defined as any building, fence, sign, or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located or maintained in, on, under or over any portion of the project right-of-way or the roadway right-of-way where no project right-of-way line has been established.

Permissible Encroachment is defined as any existing awning, marquee, advertising sign or similar overhanging structure supported from a building immediately adjacent to the limits of the platted street where there is a sidewalk extending to the building line and which does not impair the free and safe flow of traffic on the highway; the permissive retention of overhanging signs is not to be construed as being applicable to those signs supported from poles constructed outside the project right-of-way line and not confined by adjacent buildings;

Construction Easement Area is defined as that area lying between the project right-of-way limits and the platted street limits within which the CITY, by concurrence in the establishment of the project right-of-way lines,

will permit the STATE to enter to perform all necessary construction operations;

and

WHEREAS, representatives of the CITY, and the STATE and the Federal Highway Administration have, by visual inspection, cooperatively established project right-of-way lines and have mutually determined the disposition of encroachments.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS :

Section 1. It shall be unlawful for any person, firm or corporation to erect or cause to be erected, to retain or cause to be retained, any encroachment as hereinabove defined within the limits of the project right-of-way or roadway right-of-way where no project right-of-way lines have been established.

Section 2. This ordinance is intended to and shall be in addition to all other ordinances, rules and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinance or part of any other ordinance unless in direct conflict therewith.

Section 3. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction, be fined not less than One Dollar (\$1.00) nor more than Two Hundred Dollars (\$200.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

Section 4. That the City Clerk be, and he is hereby, authorized and directed to cause this ordinance to be published as by law prescribed whereafter the same shall be in full force and effect as by law provided.

PRESENTED, PASSED, APPROVED & RECORDED this 20<sup>th</sup> day of Nov, 1972.

Charles J. Givens  
MAYOR

ATTEST:

Dwain E. Kelly  
CITY CLERK

PUBLISHED this 29 day of November 1972.

\_\_\_\_\_  
CITY CLERK

2560

# Certificate of Publication

### COPY OF ADVERTISEMENT

ORDINANCE NO. 7273-49  
AN ORDINANCE REGULATING  
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RIGHT-OF-WAY IN THE CITY OF  
URBANA

CHAMPAIGN COUNTY, ILLINOIS  
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Construction Easement Area is defined as that area lying between the project right-of-way limits and the platted street limits within which the city, by concurrence in the establishment of the project right-of-way lines, will permit the STATE to perform all necessary construction operations;

and  
WHEREAS, representatives of the CITY, and the STATE and the Federal Highway Administration have, by visual inspection, cooperatively established project right-of-way lines and have mutually determined the disposition of encroachments.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS:

Section 1. It shall be unlawful for any person, firm or corporation to erect or cause to be erected, to retain or

STATE OF ILLINOIS }  
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation, hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed and published in the City of Urbana, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said newspaper at least once each week for

1 successive weeks in each and every copy and impression

thereof; that the date of the first newspaper containing said publication was Nov.

29 A.D. 19 72, and that the date of the last newspaper containing said

publication was \_\_\_\_\_ A.D. 19 \_\_\_\_\_; and that \_\_\_\_\_

Darlene L. Marshall by resolution of the Board of Directors of said CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this cer-

tificate to be executed in its name by said Darlene L. Marshall

this 29th day of Nov. A.D. 19 72.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 16-10

By Darlene L. Marshall

LS-6

**CERTIFICATE OF PUBLICATION**

**in  
THE COURIER  
URBANA, ILLINOIS**

In the Matter of

**Ordinance No. 7273-49**

Solicitors or  
Attorneys

**Atty Genl**

31 — 30  
OFFICE 500 square feet. Heat, water,  
air-conditioning, parking. 1106 S. Vine.  
\$150. Call 356-6431.

31 — 29  
PARKING, MANY CONVENIENCES.  
Furnished offices. building reception-

7273-49

ORDINANCE NO. 7273-49

CITY OF URBANA  
CHAMPAIGN COUNTY, ILLINOIS

# CERTIFICATE OF PUBLICATION IN The News-Gazette

WHEREAS, the CITY of Urbana hereinafter known as the CITY and STATE of Illinois, acting by and through its Department of Transportation, Division of Highways have entered into an agreement relative to the improvement of University Avenue from Goodwin Avenue to Coler Avenue (SBI Route 25, Section 28WZ-S1, City Section 179-CS) and,

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Section 2. This ordinance is intended to and shall be in addition to all other ordinances, rules and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinance or part of any other ordinance unless in direct conflict therewith.

Section 3. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction,

The undersigned, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by [Signature], its secretary, does hereby certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for \_\_\_\_\_ consecutive weeks in said newspaper, namely on the following dates:

Nov 29, A. D. 1972

\_\_\_\_\_, A. D. 19

\_\_\_\_\_, A. D. 19

\_\_\_\_\_, A. D. 19

\_\_\_\_\_, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

## The Champaign News-Gazette, Incorporated

By [Signature] Secretary  
PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 1936

ORDINANCE NO. 7273-49

CITY OF URBANA  
CHAMPAIGN COUNTY, ILLINOIS

# CERTIFICATE OF PUBLICATION IN The News-Gazette

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- \_\_\_\_\_ , A. D. 19
- \_\_\_\_\_ , A. D. 19
- \_\_\_\_\_ , A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By *[Signature]* Secretary  
PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 1936

No. \_\_\_\_\_

In the \_\_\_\_\_ Court  
of Champaign County, Illinois.

CERTIFICATE OF PUBLICATION  
IN  
*The News-Gazette*

\_\_\_\_\_  
Attorneys.

FORM 51-1M-2-71

ne deluxe, residential area  
was a bean field.  
His children, Timothy, 10 and  
Bridget, 8, are handsome and  
Coco flouts his feel-  
as