

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 the State of Illinois, acting by and through its Department of Transportation, Division of Highways, have entered into an agreement relative to the improvement of the intersection of Florida Avenue and Philo Road (State Section 200 I, City Section 186-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 for 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 will 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, 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.

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

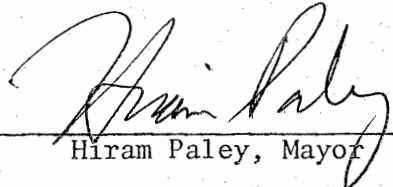
Section 1. It shall be unlawful for any person, firm or corporation to erect or cause to be erected, to retain or cause to be retained, any encroachment as hereinabove defined within the limits of the project right of way or roadway right of way where no project right of way lines have been established.

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 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 such 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 12 day of October, 1975.



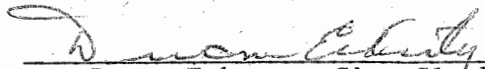
Hiram Paley, Mayor

ATTEST



Duane Eckerty, City Clerk

inc - v. lawner
Published this 11th day of Oct, 1975



Duane Eckerty, City Clerk

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Certificate of Publication

COPY OF ADVERTISEMENT

ORDINANCE NO. 7576-25
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 the State of Illinois, acting by and through its Department of Transportation, Division of Highways, have entered into an agreement relative to the improvement of the intersection of Florida Avenue and Philo Road (State Section 200 1, City Section 186-C5) 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 for 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 will 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 of 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, 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

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

one

successive weeks in each and every copy and impression

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

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A.D. 19

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, and that the date of the last newspaper containing said

publication was _____ A.D. 19 _____; and that _____

Barbara A. Rees

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 Barbara A. Rees

this 11th day of Oct. A.D. 19 75.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 19.98

By

Barbara A. Rees

LS-determined the disposition of encroachments.

CERTIFICATE OF PUBLICATION

in

THE COURIER

URBANA, ILLINOIS

In the Matter of

Ordinance regulation encroachment

on public right of way Ord. 7576-25

Solicitors or
Attorneys

City Clerk
