

ORDINANCE NO. 8586-85

AN ORDINANCE REPEALING CERTAIN SECTIONS
OF THE URBANA CITY CODE RELATING TO CONTRACTOR'S BONDS

BE IT ORDAINED BY THE URBANA CITY COUNCIL, that:

Section 1. Section 5-37 of the Urbana City Code is hereby repealed in its entirety and the following is enacted in its place:

"(a) All contractors or other persons doing or proposing to do work requiring a building permit from the City of Urbana shall, before such permit may be issued, submit to the building official a statement that such person undertakes to restore the city streets, all sidewalks and parkways to as good condition after the work is completed as the same were before such work was undertaken, and further that the person to whom such permit is issued shall indemnify and save harmless the City of Urbana from all liability for damages to persons or property caused or asserted to have been caused on account of anything growing out of the doing of any work for which the permit was issued.

(b) Additionally, all contractors or other persons doing or proposing to do work in the City of Urbana, which work may reasonably be expected to cause any physical disturbance of the public right-of-way including but not limited to any excavation, shall in addition to a building permit (if necessary) obtain a right-of-way permit from the city engineer. Before the said right-of-way permit may be issued, the contractor or other person must post a bond as set forth under Section 20-71 below.

(c) Private Property Owner. However, any property owner who plans to do his/her own work on such owner's own property, or on city property adjacent to such owner's property, between his/her property and the paved portion of the street shall not be required to furnish such a bond. Any work on the public right-of-way will require approval and a permit from the city engineer."

Section 2. Section 5-210 of the Urbana City Code is hereby repealed in its entirety and the following is enacted in its place:

"Electrical permits shall be issued without a bond as required under Section 20-71 as long as the plans do not indicate that the work to be performed under the permit may be reasonably expected to cause any physical disturbance of the public right-of-way. If the plans indicate any disturbance of the public right-of-way,

including but not limited to an excavation, said electrical permit shall be issued by the electrical inspector when the contractor provides evidence of having a right-of-way permit from the city engineer and has obtained the necessary bond required by Section 20-71 below."

Section 3. Section 5-211 of the Urbana City Code is hereby repealed.

Section 4. That portion of Section 5-285 of the Urbana City Code relating to Section 14.4.1(b) is repealed in its entirety and in its place is enacted the following:

"Plumbing permits shall be issued without a bond as required under Section 20-71 as long as the plans do not indicate that the work to be performed under the permit may be reasonably expected to cause any physical disturbance of the public right-of-way. If the plans indicate any disturbance of the public right-of-way, including but not limited to an excavation, said plumbing permit shall be issued by the plumbing inspector when the contractor provides evidence of having a right-of-way permit from the city engineer and has obtained the necessary bond required by Section 20-71 below."

Section 5. Section 5-476 of the Urbana City Code is hereby amended to read as follows:

"Every person applying for a permit under this division shall submit with the application a bond with at least two sureties thereon to be approved by the mayor, conditioned upon the compliance by the applicant with all the provisions of this division, including the payment for repair of all damages to public property or public improvements which damages may arise out of the moving of such building and conditioned upon the person applying for a permit removing any debris which falls on the public right-of-way as a result of the structure being moved."

Section 5. Section 20-71 of the Urbana City Code is hereby amended to read as follows:

"Bond required for work in the public right-of-way. Before issuing any permit for any excavation or work involving physical disturbance of the public right-of-way, the person seeking such a permit shall submit a

bond in the minimum amount of ten thousand dollars (\$10,000.00) as required by this Section, which shall be approved by the city engineer if it meets the requirements hereunder. The condition of the bond shall be that the person to whom such permit is issued shall restore the city streets, parkways, and any other city owned utility to as good condition as the same were before any such work was done including any public right-of-way facilities constructed of brick, which shall be restored to its original condition by using the same or similar brick, and further, that the person to whom such permit issued shall indemnify and save harmless the city from all liability for damages to persons or property caused or asserted to have been caused on account of anything growing out of the doing of any work for which a permit was issued. The bond shall be form that is commonly used in this area by commercial bonding companies and shall have good and adequate securities thereon. The city engineer may withhold approval of such bond if the city has an unsatisfied judgment against the principal on such tendered bond. The bond shall be in force for one year from date of completion of the work performed pursuant to the permit. No person shall be required to deliver to the city more than one 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 city engineer 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 year next preceding that date on which such determination of aggregate work is made.

Contractors posting surety bonds on city contracts involving improvement upon city right-of-way shall not be required to post any bond required by this Section."

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.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the Members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of May, 1986.

PASSED by the City Council on this 19th day of May, 1986.

Ruth S. Brookens
Ruth S. Brookens, City Clerk

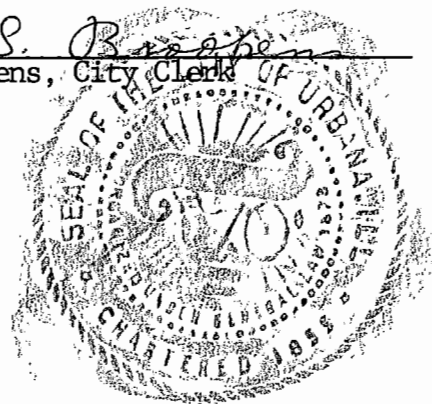
APPROVED by the Mayor this 2nd day of June, 1986.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 9th day of June, 1986; corrected on the 16th day of June, 1986, and a Certificate of Publication is attached hereto.

Ruth S. Brookens
Ruth S. Brookens, City Clerk



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- (b) Additionally, all contractors or other persons doing or proposing to do work in the City of Urbana, which work may reasonably be expected to cause any physical disturbance of the public right-of-way including but not limited to any excavation, shall in addition to any building permit (if necessary) obtain a right-of-way permit from the city engineer. Before the said right-of-way permit may be issued, the contractor or other person must post a bond as set forth under Section 20-71 below:
- (c) Private Property Owner. However, any property owner who plans to do his/her own work on such owner's own property, or on city property adjacent to such owner's property, between his/her property and the paved portion of the street shall not be required to furnish such a bond.

CERTIFICATE OF PUBLICATION

IN

The News-Gazette

The undersigned, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by M. S. Duca, its controller, 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:

- June 9, A. D. 19 86
- _____, 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] Controller

PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ 101.64

CITY OF URBANA, ILL.
RECEIVED

JUN 12 1986

CITY CLERK'S OFFICE

1664 PD 6/20/86

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consecutive weeks in said newspaper, namely on the following dates: _____

June 16, A. D. 1986
Correction, 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] Controller
PUBLISHER OF THE NEWS-GAZETTE

Publisher's fee \$ no chg

~~CONFIDENTIAL~~

CITY OF URBANA, ILL.
RECEIVED

JUN 19 1986

CITY CLERK'S OFFICE