

ORDINANCE NO. 8990-7

AN ORDINANCE  
AMENDING SECTIONS 20-68 AND 20-71 OF THE  
CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

That Section 20-68, entitled "Application", and Section 20-71, entitled "Bond required for work in the public right-of-way", of Chapter 20, entitled "Streets, Sidewalks, and Other Public Places", of the Code of Ordinances, City of Urbana, Illinois, be and the same are hereby amended to provide as follows:

**Sec. 20-68. Application.**

Any person desiring a permit under this division shall first apply to the director of public works for a permit to do so, which application shall state the place where such work is proposed to be done and the manner in which such work is proposed to be constructed, together with a plan thereof, and shall be accompanied by the requisite fee. When an excavation is to be made in any portion of the public right-of-way constructed of brick, the permit shall provide for restoration of the public right-of-way to its original condition by replacement of any removed material with brick, provided, however, that in connection with sidewalks constructed of brick, any such replacement may be made as specified in Section 20-30 of this chapter if both of the following conditions are found to exist:

(1) The particular section of sidewalk constructed of brick to be replaced is not located within a "significant brick sidewalk block", and

(2) The owner of the property immediately adjacent to the section of sidewalk constructed of brick makes a request in writing to do so.

For the purposes of this section, a "significant brick sidewalk block" is a length of sidewalk located on one side of the public right-of-way from one intersecting right-of-way to another in which sixty percent (60%) or more of such sidewalk area is constructed of brick.

**Sec. 20-71. 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 (except as otherwise provided in Section 20-68 of this chapter in connection with sidewalks constructed of 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 a 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 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 regular meeting of said City Council.

1989. PASSED by the City Council this 17<sup>th</sup> day of July,

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

1989. APPROVED by the Mayor this 24<sup>th</sup> day of July,

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor