

CHAPTER 3

CONSTRUCTION, MAINTENANCE AND REPAIR

6-3-1: Permit Required:

It shall be unlawful to construct or lay any pavement on, make any excavation in or tunnel under any street, right-of-way or other public place, or to repair the same without having first secured a permit therefor.

6-3-2: Application for Permit:

Applications for permits required by this Chapter shall be made to the Village Clerk and shall state the location of the intended work, the extent thereof, and the person or firm who is to do the actual construction work.

6-3-3: Approval of Permit:

No permit required by this Chapter shall be issued except on order of the Enforcement Officer.

6-3-4: Insurance Required:

Each applicant for a permit required by this Chapter shall file an insurance policy or certificate of insurance with public liability and property damage coverage in the amount of Five Hundred Thousand Dollars (\$500,000.00) naming the Village, its officers, employees and agents as additional insureds.

6-3-5: Cash Deposit:

No permit required by this Chapter shall be issued unless the applicant has also filed with the Village Clerk a cash deposit in an amount not less than One Thousand Dollars (\$1,000.00) and shall file such larger deposit as the Village President, or his or her designate, determines necessary to insure that the surface of such street, right-of-way or public place shall be restored to its original condition and in accordance with Section 6-3-9 of this Chapter upon completion of the work. If within three (3) months of the commencement of the work, the surface is so properly restored, the amount of the deposit shall be returned to the applicant or his assignee. If it is not restored within this time, the money shall become the property of the Village unless the applicant, within said three (3) months, returns the permit to the Village Clerk for cancellation and the Enforcement Officer, after inspection, determines that no work has been done at such street, right-of-way or public place. If work has been done on the street, right-of-way or public place but it has not been restored, the Village may, but shall not be obligated to restore the surface using the deposit to pay the cost thereof, and the applicant shall be liable for any such cost in excess of such deposit.

6-3-6: Compliance with Specifications:

All pavement construction and repairs, excavations, refills, tunneling and related resurfacing within street, right-of-ways and other public places shall conform to the standards specified in the McHenry County Subdivision Regulations, as amended from time to time, and other applicable provisions of this Chapter, including, but not limited to, those specifications for street construction, related to pavement and shoulder materials and thickness, road width, grade and required drainage structures.

6-3-7: Supervision of Work:

All repair work on pavements, new construction, all excavations, refills, tunneling and related resurfacing within roads, streets, right-of-ways, and other public places shall be under the supervision of the Enforcement Officer.

6-3-8: Barricades:

Any person laying or repairing any pavement on or within any road, street, right-of-way, or other public place or making any excavation therein shall maintain proper barricades and, at night, proper warning lights, to prevent injury of any person or vehicle by reason of the work. Such barricades shall comply with Section 648 of STSRB, as amended from time to time.

6-3-9: Refilling, Restoration of Surface:

Any person making any excavation within any road, street, right-of-way or other public place shall refill the same and shall restore the surface to its condition before the excavation was made, as soon as possible, in accordance with Section 620 of STSRB, as amended from time to time.

6-3-10: Obstructing, Altering Drainage Ditch or Other Drainage Structure:

It shall be unlawful for any person to alter or obstruct established or prescribed culverts, drainage ditches, storm drains, or other drainage structures within any road, street, right-of-way, or public place, or within any Village easement, without first having obtained a permit in accordance with this Chapter.

6-3-11: Owner to Maintain Village Parkways and Ditch:

Unless otherwise directed by the Village, the owners and occupants of the abutting private or public property shall be jointly and severally obligated to maintain unpaved portions of adjacent Village roads, streets and right-of-ways and easements, including but not limited to parkways, culverts, storm drains, ditches, and any and all other drainage facilities, unobstructed and free from foreign or natural materials or objects and said areas shall be maintained in accordance with all applicable standards and provisions of this Chapter.

6-3-12: Operation of Vehicles in Ditches Prohibited:

Except when constructing or improving a ditch or swale or other authorized improvements within a right-of-way pursuant to a permit and approval issued pursuant to this Chapter or for maintenance purposes as required by this Chapter, it shall be unlawful to drive or operate any vehicle or construction equipment within any such ditch or swale within any right-of-way or on the unpaved portion of any right-of-way except within and upon a driveway and over a culvert, which are in compliance with this Chapter.