



Legislation Text

File #: 21-0223, **Version:** 1

TO: Mayor Richard C Irvin

FROM: L. Eric Schoeny, P.E. Superintendent of Water and Sewer Maintenance

DATE: March 19, 2021

SUBJECT:

A Resolution Authorizing the Execution of Permits with the State of Illinois for Maintenance and Construction on State Highways.

PURPOSE:

To authorize the execution of permits with the State of Illinois for maintenance and construction on State highways. Illinois State Statutes require that any entity desiring to do work within any State of Illinois maintained right-of-way first obtain a written permit from the Illinois Department of Transportation. A surety bond is normally required with each permit application to insure that the work is done in accordance with the approved plans and specifications and that the right-of-way is properly restored. This resolution is acceptable in lieu of the surety bond for work to be performed by City forces.

BACKGROUND:

This is a recurring requirement by the State of Illinois and will be in effect for a period of two years.]

DISCUSSION:

The Illinois Department of Transportation allows municipalities to pass an appropriate resolution in lieu of the surety bond for permit work to be performed by municipal employees.

This resolution does not relieve contractors employed by the municipality from the bonding requirements.

This resolution does not relieve the municipality of the obligation to secure permits from the Illinois Department of Transportation.

IMPACT STATEMENT:

This resolution will reduce the time, effort and expense for obtaining permits to perform work within the Illinois Department of Transportation right of way by City of Aurora forces.

RECOMMENDATIONS:

We respectfully request that this resolution be considered for adoption.

cc: Infrastructure and Technology Committee



CITY OF AURORA, ILLINOIS

RESOLUTION NO. _____
DATE OF PASSAGE _____

A Resolution Authorizing the Execution of Permits with the State of Illinois for Maintenance and Construction on State Highways.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City of Aurora, Illinois located in the counties of Kane, DuPage, Kendall and Will, desires to undertake in the years 2021 and 2022, the location, construction, operation and maintenance of driveways and street returns, watermains, sanitary and storm sewers, street lights, traffic signals, sidewalks, landscaping, etc., on State highways, within the City of Aurora, which by law and /or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois; and

WHEREAS, an individual working permit must be obtained from the Department of Transportation of the State of Illinois prior to any of the aforesaid installations being constructed either by the City of Aurora or by a private person or firm under contract and supervision of the City of Aurora.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, as follows: that the City of Aurora hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit(s) to be granted by the Department of Transportation, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accidents or otherwise by reason of the work which is to be performed under the provisions of said permit(s), and that the authorized officials of the City of Aurora are hereby authorized to sign said working permit(s) on behalf of the City of Aurora.