Office of the City Clerk

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Legislation Details (With Text)

File #:	O2011-6564		
Type:	Ordinance	**Status:**	Failed to Pass
File created:	7/28/2011	**In control:**	City Council
		Final action:	5/20/2015
Title:	Amendment of Municipal Code Section 10-20-150 to further regulate breaking or disturbing of bituminous surface in public way or place		
Sponsors:	Mell, Richard F., Austin, Carrie M., Suarez, Regner Ray, Waguespack, Scott		
Indexes:	Ch. 20 Work On & Under Public Ways		
Attachments:	1. O2011-6564.pdf		

Date	Ver.	Action By	Action	Result
5/20/2015	1	City Council	Failed to Pass	Fail
7/28/2011	1	City Council	Referred	

ORDINANCE

BE IT ORDAINED BY THE CITY OF CHICAGO CITY COUNCIL OF:

SECTION 1. Chapter 10-25-150 of the Municipal Code of the City of Chicago is hereby amended by adding new language that is underlined, boldfaced and italicized as follows:

10-20-150 Permit - Fees - Issuance.

(a) It shall be unlawful for any person to make an opening in, or to construct or repair any pavement in, any public way or other public place without first obtaining a public way work permit from the commissioner of transportation; provided, however, that any such opening, construction or repair may be performed by a person holding the public way work license required by this article, who is not a permittee under this section but who is acting as subcontractor for, or otherwise acting under instructions from, as agent for, on behalf of, or in concert with, a permittee under this section. A permit fee shall be required for creating any opening in, or for constructing or repairing any pavement in, the public way. Beginning on January 1, 2009, the permit fee for creating a pavement opening or for pavement construction or repair shall be $337.00 for each such opening to be created or each such construction or repair project. Beginning on January 1, 2009, the permit fee for creating an opening, or for construction or repair, in any parkway or unimproved portion of the public way shall be $169.00 for each such opening to be created, or each such construction or repair project. All permit fees required under this section shall be increased by five percent per annum beginning January 1, 2010. The fee for any permit issued during the time periods specified in subsection (b) of this section shall be twice the normal fee.

(Omitted language unaffected by this ordinance)

(e) Before a permit that contemplates the breaking or other disturbance of a

bituminous surface shall be granted to open, or conduct construction or repair on, any public way or public place for any purpose, the permit applicant shall as part of the application either (1) commit to restoring the bituminous surface after completion of the work and restoration of the pavement, or (2) request that the City of Chicago restore the bituminous surface after completion of the work and restoration of the pavement. If the applicant selects option (2), the commissioner of transportation shall assess the applicant a restoration fee, as calculated by the commissioner of transportation, sufficient to cover the City of Chicago's cost to restore the bituminous surface. This restoration fee shall be calculated on a per-square-yard basis, based on current construction costs established through average bid prices in the City ofChicago. In the event that the City of Chicago's cost to restore the bituminous surface is less than the restoration fee, the amount of the surplus shall be returned to the permittee. If three (3) or more separate openings are required for service or maintenance by the same utility, agency or company on any specific city block within a four (4) consecutive month period, the bituminous surface shall be required to be restored in one continuous surface to the outermost edges of all openings through one of the aforementioned options.

(Omitted language unaffected by this ordimmce)

Section 2. This ordinance shall be in full force and effect uponms passage ind publication.

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