

**VILLAGE OF LODA
IROQUOIS COUNTY, ILLINOIS**

ORDINANCE 2018-05

**AN ORDINANCE PERTAINING
TO EXCAVATIONS ON PUBLIC WAYS AND AMENDING THE
VILLAGE CODE OF THE VILLAGE OF LODA BY ADDING THERETO
ADDITIONAL SECTIONS BEING ENUMERATED AS SECTION 4-1-3**

BE IT HEREBY ORDAINED, by the President and Board of Trustees of the Village of Loda, Iroquois County, Illinois. That the Village Code of the Village of Loda be and is hereby Amended to add thereto an additional Section under Chapter 1 of the Chapters providing for Streets, Sidewalks and Public Ways to be enumerated as Section 4-1-3 to read in words and figures as follow:

SECTION I

Excavation and Public Ways:

4-1-3 A. (Excavations) It shall be unlawful to make any excavation in or tunnel under any public street, alley, sidewalk or any other public place, of the Village without having first secured a permit therefor. Applications for such permits shall be made to the Village Clerk, and shall specify the intended location and purpose of the excavation. Upon appropriate application permits shall be issued after approval of the Village President and the Village Board.

 B. All such excavation shall be promptly and properly refilled and any such person making any such excavation shall refill the same properly and shall restore the surface to its same condition before the excavation was made as soon as possible.

 C. (Permit Required) No person shall begin to construct, reconstruct, repair, alter, or grade any sidewalk, curb, curb-cut, driveway or street on any public streets without first obtaining a permit from the Village of Loda as herein provided, which permit shall issue only after a finding by the Village President and the Village Board, that the proposed work conforms to the Ordinances of the Village and does not interfere with existing structures then in place.

 D. (Application) An applicant for permit shall file with the Village Clerk an application showing:

(1) Name and address of the owner, or agent in charge, of the property abutting the proposed work area;

(2) Name and address of the party doing the work;

(3) Location of the work area;

(4) Attached plans showing details of the proposed alteration;

(5) Estimated cost of the alteration;

(6) Such other information as the Village shall find reasonably necessary to the determination of whether a permit shall be issue hereunder.

E. (Inspection) All such applications shall be under such supervision as the Village may be required and shall be supervised and inspected by the Officers, Agents, and Employees of the Village.

F. (Penalties) Any person, firm or corporation or other legal entity violating any of the provisions of this Section/Ordinance shall be guilty of an Ordinance violation, and upon conviction thereof shall be fined not less than One Hundred (\$100.00) and not more than Five Hundred Dollars (\$500.00) or in accordance. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. In addition to the penalties provided in this Section/Ordinance the Village may seek the abatement of any nuisance by suit or action in court and shall have the right to injunction prohibiting any activity violating the provision of this Section/Ordinance and such other appropriate remedies as may be provided by law.

SECTION II

This Ordinance shall be effective as of the date of its passage, adoption, and publication as provided by law that to the extent that this Ordinance conflicts with other provisions of the Ordinances of the Village of Loda, such Ordinances are hereby amended but otherwise to remain in full force and affect.

SECTION III

This Ordinance shall be effective as of its passage and approval and as provided by law.

PASSED AND ADOPTED by the President and Board of Trustees of the Village of Loda, Iroquois County, Illinois on the 14 day of March 2018.

APPROVED: Carol Arseneau
Carol Arseneau, Village Board President

[SEAL]

ATTEST:

Regina Ptacek
Regina Ptacek, Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF IROQUOIS)

SS

VILLAGE OF LODA

PROOF OF POSTING

I, Regina Ptacek, Clerk of the Village of Loda, Iroquois County, Illinois, DO HEREBY CERTIFY that a copy of the attached **Ordinance Pertaining to Excavations on Public Ways and Amending the Village Code of the Village of Loda By adding Thereto Additional Sections Being Enumerated as Section 4-1-3**, was posted by me on the _____ day of _____ 2018, at each of the following places in the Village of Loda, Illinois, to-wit:

1. _____

2. _____

3. _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Loda, this _____ day of _____ 2018.

Regina Ptacek, Village Clerk