

38-O-96

AN ORDINANCE
Amending Sections 7-2-5-3 and 7-2-5-4
Revision of Bond and Insurance Requirements for Street Obstructions

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON,
COOK COUNTY, ILLINOIS:

SECTION 1: That Title 7, Chapter 2, Section 5, Paragraphs 3 and 4, of the City Code of the City of Evanston, as amended, is hereby further amended to read as follows:

7-2-5-3: PERMIT FEES: Permits for the obstruction of streets, alleys or sidewalks shall be paid for in proportion to the street frontage occupied, at the rate of:

Every 25 feet of frontage occupied,
or fractional part thereof \$20.00 per month

Nothing herein contained shall preclude the City from maintaining an action against the person to recover for damage done to any street or sidewalk. (1957 Code, sec. 42-134; amd. 1979 Code)

7-2-5-4: BOND AND INSURANCE REQUIREMENTS: No permit shall be issued until the applicant shall have executed and filed with the Director of Public Works the following:

- (1) A bond in the penal sum of twenty-five thousand dollars (\$25,000.00) or four percent (4%) of the value of the facility to be constructed, whichever is greater, with a responsible surety company as surety thereon, such surety to be approved by the Safety/Risk Management Administrator, and such bond to be approved as to form by the Corporation Counsel. Such bond to be conditioned to indemnify, save and keep harmless for the full period provided by the Statutes of Limitations of the State in such cases made and provided, the City and its officials, from any and all loss, cost, expense or liability of any kind or nature whatsoever, which the City or its officials may suffer or be put to, or which may be recovered from it or them by reason of the issuance of such permit, or by reason of any act or thing done or neglected to be done under or by virtue of the authority given in such permit and the requirements of the ordinances of the City.

(2) A certificate of insurance in the amount of \$1,000,000.00, naming the City of Evanston as additional insured. Said certificate shall be reviewed and approved by the Safety/Risk Management Administrator before acceptance by the City.

EXCEPTIONS: No bond or certificate of insurance shall be required for home or building repairs in value of two thousand five hundred dollars (\$2,500.00) or less made by an owner; however, a permit is required in accordance with Section 7-2-5-2. (1957 Code, sec. 42-135; amd. 1979 Code)

Further, no bond shall be required if the obstruction to be placed by a contractor is a dumpster; however, insurance shall be obtained as provided for by this Chapter.

SECTION 2: That ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

Introduced: April 9, 1996.

Adopted: April 22, 1996.

Approved: May 8, 1996

Lorraine A. Norton
Mayor

ATTEST:

Kuster Davis
City Clerk

Approved as to form:
[Signature]
Corporation Counsel