

**61-O-19**

**AN ORDINANCE**

**Amending Portions of City Code to Institute Permit Cancellation Fees**

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

**SECTION 1:** City Code Subsection 7-2-5-1, "Permit Required; Termination; Restrictions," of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

**7-2-5-1. - PERMIT REQUIRED; TERMINATION; RESTRICTIONS, REFUNDS.**

- (A) Unless specified otherwise or the context clearly requires, "public right-of-way" shall, for purposes of this Title, have the definition set forth for "right-of-way" in Section 3 of Chapter 17 of this Title.
- (B) Permits to occupy the public right-of-way for the purposes of building, construction, remodeling or maintenance, must first be obtained from the Director of Public Works or his/her designee and are intended only for imperative uses in connection with the actual erection, repair, maintenance, alteration, wrecking or removal of buildings, and shall terminate with the completion of such operation.
- (C) Refund requests for cancelled Occupation of Public Right of Ways (ROW) shall be assessed an administrative fee of \$25 for permits issued with a permit fee of \$150 or less and \$50 for permits issued with a permit fee greater than \$150. Administrative fee will be assessed to any issued ROW permit. Request shall include name, address, contact phone number or email address, permit number and reason for cancellation request.

It shall be unlawful to occupy any public right-of-way after the completion of the operation for which a permit has been issued by the Director of Public Works or his/her designee. It shall also be unlawful to occupy any public right-of-way, under authority of such permit, for the storage of articles not intended for immediate use in connection with the operation for which such permit has been issued.

**SECTION 2:** Subsection 7-2-6 of the Evanston City Code of 2012, as amended, is hereby further amended by the enactment of a new Subsection (H) thereof, "Permit Revocation and Permit Cancellation", to read as follows:

**7-2-6 (H) PERMIT REVOCATION AND PERMIT CANCELLATION**

(H) Cancellation of permits for Occupation of Public Right of Ways for Business Purposes resulting in a refund request will be assessed an administrative fee of \$25 for permits issued with a permit fee of \$150 or less and \$50 for permits issued with a permit fee greater than \$150. Administrative fee will be assessed to any issued Sidewalk Café, Sidewalk Sign, Valet Parking, Moving Vehicle Parking and Storage Container and other occupation of public ways for business permit types issued by Public Works Agency or Building & Inspection Services Division. Request shall include name, address, contact phone number or email address, permit number and reason for cancellation request.

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 5:** Ordinance 61-O-19 shall be in full force and effect after its passage and approval.

**SECTION 6:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: June 24th, 2019

Adopted: July 8th, 2019

Attest:

  
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Devon Reid, City Clerk

Approved:

July 17, 2019  
  
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Stephen H. Hagerly, Mayor

Approved as to form:

  
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Michelle L. Masoncup, Corporation  
Counsel