

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL MEETING**  
**MARCH 20, 2012 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
2012-2014 Resolution with the Illinois Department of Transportation for Village Work Upon State Maintained Rights of Way	✓ Resolution Ordinance Motion Discussion Only	Nan Newlon, P.E. Director of Public Works

**SYNOPSIS**

A resolution has been prepared authorizing the Village of Downers Grove to perform work upon State maintained rights of way with the Illinois Department of Transportation.

**STRATEGIC PLAN ALIGNMENT**

The Goals for 2011-2018 identified *Top Quality Infrastructure*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the March 20, 2012 consent agenda.

**BACKGROUND**

Chapter 121 of the Illinois Revised Statutes requires that any person, firm or corporation desiring to do work on State maintained rights of way must obtain a written permit from the Illinois Department of Transportation (IDOT). This includes scheduled as well as emergency work, such as the repair of watermains, buffalo-boxes and storm sewers. A surety bond is required with each permit application to insure that all work is completed in accordance with State specifications and that the right of way is properly restored. In lieu of providing a surety bond, municipalities are allowed to provide this resolution when the work is performed by their employees.

The resolution will be valid for a period of two years, after which time a new resolution would be presented for consideration. Once the resolution is adopted and signed, a certified copy will be returned to the State.

**ATTACHMENTS**

Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING WORK UPON  
STATE MAINTAINED RIGHTS OF WAY**

WHEREAS, THE Village of Downers Grove, DuPage County, Illinois (the “Municipality”), located in the County of DuPage, State of Illinois, desires to undertake in the years 2012 and 2014, the location, construction, operation and maintenance of driveways and street returns, watermain, sanitary and storm sewers, street light, traffic signals, sidewalks, landscaping, etc., on State highways within said Municipality, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois (the “Department”), and,

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

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove as follows:

1. That the Municipality hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the Department, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person(s) or property due to accidents otherwise by reason of the work which is to be performed under the provision of said permit.
2. That all authorize officials of the Municipality are hereby instructed and authorized to sign said working permit on behalf of the Municipality.
3. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.
4. That this Resolution shall be in full force and effect from and after its passage as provided by law.

\_\_\_\_\_  
Mayor

Passed:

Attest: \_\_\_\_\_

Village Clerk



# Illinois Department of Transportation

Division of Highways/Region One / District One  
201 West Center Court/Schaumburg, Illinois 60196-1096

## PERMITS

Resolution for Construction on State Highway

February 9, 2012

The Honorable Martin T. Tully  
Mayor  
Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, IL 60515

Dear Mayor Tully:

Chapter 121 of the Illinois revised statutes requires that any person, firm or corporation desiring to do work on state maintained rights of way must first obtain a written permit from the Illinois department of transportation. This includes any emergency work on broken watermains or sewers.

A surety bond is required with each permit application to insure that all work is completed in accordance with state specifications and that the right of way is properly restored.

For permit work to be performed by employees of a municipality a resolution is acceptable in lieu of the surety bond. This resolution does not relieve contractors hired by the municipality from conforming with the normal bonding requirements nor from obtaining permits.

The resolution should be enacted for a period of two years. This procedure will save time and effort as well as reduce the annual paperwork associated with an annual resolution.

In order to expedite the issuance of permits to your municipality during the next two calendar years the attached sample resolution should be adopted and a signed and certified copy thereof returned to this office. This resolution does not constitute a blanket permit for work in the State system. A separate application must be made in each instance. In the case of an emergency, verbal authority may be given prior to receipt of the written application. After normal working hours or weekends, this authority can be obtained from our Communications Center at (847)705-4612.

February 9, 2012  
Page two

We would appreciate the cooperation of your community in withholding the issuance of building permits along State highways until the builder shows evidence of a State highway permit having been obtained. Our permit staff would be willing to answer any questions you may have regarding current policies or practices and to work with your planning commission on any new developments within your municipality.

Do not hesitate to contact Ms. Beverly Hawley, Office Coordinator at (847) 705-4142.

Very truly yours,

Diane M. O'Keefe, P.E.  
Deputy Director of Highways,  
Region One Engineer

By:   
Thomas G. Galenbach, P.E.  
Traffic Permits Engineer

RESOLUTION

Whereas, the \_\_\_\_\_, hereinafter referred to as MUNICIPALITY, located in the County of \_\_\_\_\_, State of Illinois, desires to undertake, in the years 20\_\_ and 20\_\_, the location, construction, operation and maintenance of driveways and street returns, watermain, sanitary and storm sewers, street light, traffic signals, sidewalk, landscaping, etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as Department, and,

Whereas, an individual working permit must be obtained from the Department prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY.

NOW, THEREFORE, be it resolved by the MUNICIPALITY:

FIRST: That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the Department, and to hold 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 it to be performed under the provision of said permit.

SECOND: That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

I, \_\_\_\_\_, hereby certify the

above to be true copy of the resolution passed by the

MUNICIPALITY. Dated this \_\_\_\_\_ day

Of \_\_\_\_\_ A.D. \_\_\_\_

Corporate Seal

By: \_\_\_\_\_