

## EXCAVATION PERMIT

DATE OF APPLICATION \_\_\_\_\_  
Village PERMIT NO.: # \_\_\_\_\_

\_\_\_\_\_  
(NAME OF APPLICANT)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_, hereinafter referred to as the Permittee, requests permission and authority  
(STATE AND ZIP)  
to occupy, and to do certain Work herein described, on, across or along the Village street, easement, alley, right-  
of-way or roadway known as \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_  
\_\_\_\_\_ in the Village of Dupo, St. Clair County, Illinois. The work is described in detail below  
and/or on the attached sketch or plans. \_\_\_\_\_

No permit shall be issued unless and until the permittee has deposited with the Clerk a Performance Guarantee as outlined in the Revised Code of Ordinances, Section 17-1-26 to insure the permittee makes the proper restoration of the ground and laying of the pavement. The required Certificate of Insurance must also be filed with and acknowledged by the Zoning Administrator.

The Work to be authorized by this permit shall be completed within \_\_\_\_\_ days after the date of approval by the Director of Public Works of the Village of Dupo, otherwise the permittee will forfeit the Performance Guarantee.

This permit covers the operation and presence of specified equipment, material or facility on the right-of-way which may be related to the authorized Work.

If granted, this permit is subject to the conditions and restrictions set forth in the attached Ordinance No. \_\_\_\_\_, which the permittee states he has read and agrees to comply with all of its contents.

\_\_\_\_\_  
NAME OF CONTRACTOR

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
Village STATE ZIP

\_\_\_\_\_  
SIGNATURE OF PERMITTEE

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Village STATE ZIP

This permit allowing occupancy and work on the Village street or roadway is hereby approved on this \_\_\_\_\_ day of \_\_\_\_\_.

ACKNOWLEDGMENT OF GUARANTEE, INSURANCE  
OR WAIVER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

VILLAGE OF DUPO

\_\_\_\_\_  
ZONING ADMINISTRATOR

By: \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS

VILLAGE OF DUPO, ILLINOIS

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ORDINANCE NO. 99-1

AN ORDINANCE AMENDING CHAPTER 17 ARTICLE I  
GAS REGULATIONS SECTION 17-1-22

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ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF DUPO, ILLINOIS  
THIS 15 DAY OF March, 1999

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Published in pamphlet form by  
authority of the Village Board  
of Trustees of the Village of  
Dupo, St. Clair County, Illinois,  
this 15 day of March, 1999.

ORDINANCE NO. 99-1

AN ORDINANCE OF THE VILLAGE OF DUPO, ILLINOIS AMENDING CHAPTER 17 GAS SYSTEM, ARTICLE I GAS REGULATIONS, SECTION 17-1-22, EXCAVATION REGULATION FOR PROTECTION OF NATURAL GAS FACILITIES, OF THE REVISED CODE OF ORDINANCES OF THE VILLAGE OF DUPO, ILLINOIS.

BE IT ORDAINED by the Mayor and Village Council of the Village of Dupo, Illinois as follows:

SECTION 1: The Chapter 17, Article I - GAS REGULATIONS, SECTION 17-1-22, EXCAVATION REGULATION FOR PROTECTION OF NATURAL GAS FACILITIES, of the Revised Code of the Village of Dupo, Illinois is hereby amended by replacement of the entire article with the following:

SECTION 17-1-22 et. seq. - EXCAVATIONS AND  
UNDERGROUND DAMAGE PREVENTION

- 17-1-22     **DEFINITION** Work, excavations, drilling, boring, construction, demolition or surface removal or penetration in any manner of Village owned property, streets, alleys, easements, or public lands within the corporate limits.
- 17-1-23     **PERMIT REQUIRED** It shall be unlawful for any person, firm or corporation to do any Work, excavation, drilling, boring, construction or demolition in any street, alley or public place in the Village without having obtained a permit as is herein required, or without complying with the provisions of this Article or in violation of or variance from the terms of any such permit.
- 17-1-24     **APPLICATIONS** Applications for such permits shall be initiated with the Zoning Administrator, and shall describe the location of the intended Work, construction, demolition, excavation, type of work, equipment to be used, the size thereof, the purpose therefore, and the person, firm or corporation for whom or which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. The permit may be issued only with the approval of the Director of Public Works.
- 17-1-25     **FEES** The fee for such permits shall be \$10.00. Only the Village Council may waive the fees in this section.
- 17-1-26     **PERFORMANCE GUARANTEE** No permit for any Work, construction, demolition or excavation on Village owned property, shall be issued by the Village of Dupo unless the person applying therefore or the contractor shall have filed with the Zoning Administrator a performance guarantee. Said guarantee shall be a minimum of one thousand dollars (\$1,000.00). When, in the opinion of the Public Works Director, the excavation is sufficiently hazardous to require a higher guarantee, a maximum of ten thousand dollars (\$10,000.00) is therefore required. Said guarantee shall be in the



form of cash, Letter of Credit from a bank doing business in that State of Illinois, or Certificate of Deposit. If, in the opinion of the Public Works Director, an excavation requires a performance guarantee more than ten thousand dollars (\$10,000.00), it first must be approved by the Dupu Village Council before a permit can be issued.

Said performance guarantee shall be received by the Zoning Administrator, conditioned upon the applicant or contractors completing the excavation, drilling, boring, construction or excavation in a proper and workmanlike manner and indemnifying and saving the Village harmless for any and all damage to any property of the applicant or to the property of the Village or the property of any third party from failure to restore any road, ditch, easement, pavement or portion thereof damaged during the construction, demolition or excavation so as to insure that such property of the Village or such property of the applicant, together with such road, ditch, easement, pavement or portion thereof damaged are left in as good condition as the applicant or contractor found them. Only the Village Council may waive the performance guarantee.

17-1-27

**LIABILITY INSURANCE** No permit for excavation, drilling, boring, construction or demolition shall be issued by the Village of Dupu or its authorized representatives unless the person applying therefore or the contractor shall have first procured insurance which meets the minimum insurance requirements outlined below. When in the opinion of the Mayor, Director of Public Works or the Budget Director, the service being provided is sufficiently hazardous to require higher requirements they may require higher limits and/or requirements than those indicated below:

Applicants shall furnish the Village with Certificates of Insurance that verifies the contractor has insurance that meets the following minimum requirements:

A.	Workers' Compensation	Statutory
B.	Employers Liability	\$1,000,000
C.	General Liability - per occurrence	\$1,000,000
	- general aggregate	\$2,000,000
D.	Auto Liability	\$1,000,000

17-1-28

**PRECEDENT REQUIREMENT** In addition to the filing of the applications, and the furnishing of a performance guarantee and insurance, the applicant shall have followed all rules of the JULIE System and Illinois law and shall have accomplished all of the following to the satisfaction of the Director of Public Works or his authorized representative before the permit is approved by the Director and proceeding with the actual work.

- A. Submit a dimensional drawing to be attached to the permit showing the location and details of the proposed work horizontally and vertically.
- B. Manually excavate and expose every buried facility to be crossed or within 10

feet horizontally of the proposed route of the work. Notify the Director of Public Works after the exposures and 24-hours (weekday) before the permit may be approved before the work may begin.

- C. Where Horizontal Directional Drilling (HDD) is used, a tracking device must be used to continually identify the horizontal and vertical location of the drilling head.

17-1-29

**RELOCATION AND PROTECTION OF UTILITIES** The applicant will be responsible for determining the location of and protecting all buried facilities, and will be responsible for the cost of repair or replacement of any such facilities damaged as a result of the work covered herein.

The permittee shall not interfere with any existing facility without the written consent of the Public Works Director and the owner of the facility. If it becomes necessary to relocate an existing facility, this shall be done by its owner. The facility owned by the Village shall be moved to accommodate the permittee if such work is borne by the permittee. The cost of moving privately owned facilities shall be similarly borne by the permittee unless other arrangements are made with the person owning the facility. The permittee shall support and protect, by timbers or otherwise, all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work, and do everything necessary to support, sustain and protect them under, over, along or across said work. The permittee shall secure approval of method of support and protection from the owner of the facility.

No injury shall be done to any pipes, cables or conduits in the making of such excavations or tunnels; and notice shall be given to the persons maintaining any such pipes, cables or conduits or to the Village department or officer charged with the care thereof, which are or may be endangered or affected by the making of any such excavation or tunnel before such pipes, cables or conduits shall be disturbed. In case any of said pipes, conduits, poles, wires or apparatus should be damaged, and for this purpose, pipe coating or other encasement or devices are to be considered as a part of a substructure, the permittee shall promptly notify the owner thereof. All damaged facilities shall be repaired by the agency or person owning them and the expense of such repairs shall be charged to the permittee. It is the intent of this section that the permittee shall assume all liability for damage to facilities and any resulting damage or injury to anyone because of such facility damage and such assumption of liability is a contractual obligation of the permittee. The only exception will be such instances where damage is exclusively due to the negligence of the owning utility. The Village shall not be made a party to any action because of this section. The permittee shall inform itself as to the existence and location of all underground facilities and protect the same against damage. No installations may be made nearer than 24 inches to a natural gas main, service, valve or other component.



17-1-30

**PROTECTION OF ADJOINING PROPERTY** The permittee shall, at all times, and at his or its own expense, preserve and protect from injury, any adjoining property by providing proper foundations and taking other measures suitable for the purpose. Where, in the protection of such property it is necessary to enter upon private property for the purpose of taking appropriate protective measures, the permittee shall obtain such consent, the Public Works Director may authorize him to enter the private premises solely for the purpose of making the property safe.

At the permittee's own expense, all buildings, walls, fences, or other property likely to be damaged during the progress of the excavation work shall be shored up and protected, and the permittee shall be responsible for all damages to public or private property or highways resulting from failure to properly protect and carry out the work. The applicant shall not trim, or cut or in any way disturb any trees, shrubbery, or the roots thereof, along the Village street, roadway or within easements without the approval of the Director of Public Works or his duly authorized agent.

17-1-31

**PRESERVATION OF MONUMENTS** Any monument set for the purpose of locating or preserving the lines of any street or property subdivision or a precise survey reference point or permanent survey bench mark within the Village shall not be removed or disturbed or caused to be removed or disturbed without first obtaining permission in writing from the Village Council to do so. Permission to remove or disturb such monuments, reference points or bench marks shall only be granted upon condition that the person applying for such permission shall pay all expenses incident to the proper replacement of the monument by the Village.

17-1-32

**CLEARANCE FOR VITAL STRUCTURES** The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, valve housing structures, and all other vital equipment as designated by the Public Water Director.

17-1-32

**PROTECTIVE MEASURES** It shall be the duty of every person cutting or making an excavation in or upon any public place to place and maintain barriers and warning devices necessary for the safety of the general public and to at all times conduct the work in such a manner as to minimize hazards to the public, to adjacent buildings, to all buried facilities as well as vehicle and pedestrian traffic. All signs, barricades, flaggers, etc., required for traffic control and public safety shall be furnished by the applicant.

A. Barriers, warning signs, and lights shall conform to the requirements of all applicable provisions of this Code. Warning lights shall be electrical markers or flashers used to indicate a hazard to traffic from sunset of each day to sunrise of the next day.

B. Electrical markers or flashers shall emit light at sufficient intensity and

frequency to be visible at a reasonable distance for safety. Reflectors or reflecting material may be used to supplement, but not to replace light sources.

- C. Warning signs shall be placed far enough in advance of the construction operation to alert traffic within a public street and cones or other approved devices shall be placed to channel traffic in accordance with the instructions of the Public Works Director.
- D. If any excavation is made across any public street, alley or sidewalk, adequate crossings shall be maintained for vehicles and for pedestrians.

17-1-33 **SIDEWALKS** If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed or provided which shall be safe for travel and convenient for users. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, a passageway of at least one-half of the sidewalk width shall be maintained along such sidewalk line. The temporary sidewalk is subject to inspection by the Public Works Director and shall not be open for use until approved by him or his duly authorized representative.

17-1-34 **PROTECTION AND ROUTING OF TRAFFIC** The permittee shall maintain safe crossings for two (2) lanes of vehicle traffic at all street intersections where possible and safe crossings for pedestrians at intervals of not more than three hundred feet (300'). The contractor is also restricted to open-cutting half the roadway surface at any one time.

The permittee shall take appropriate measures to assure that during the performance of the excavation work, traffic conditions as nearly normal as possible shall be maintained at all times so as to minimize inconvenience to the occupants of the adjoining property and to the general public. When traffic conditions permit, the Public Works Director may, by written approval, permit the closing of streets and alleys to all traffic for a period of time prescribed by him if, in his opinion, it is necessary. Such written approval may require that the permittee give notification to various public agencies and to the general public. In such cases, such written approval shall not be valid until such notice is given.

17-1-35 **MANNER OF EXCAVATING** It shall be unlawful to make any such excavation or tunnel in any way contrary to or at variance with the terms of the permit therefore. Proper bracing shall be maintained to prevent the collapse of adjoining ground; and in excavations, the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

It shall be unlawful to make any excavation in any portion of a street or sidewalk in the Village which is paved with a concrete or asphalt paving. Where necessary, and where a proper permit has been secured, tunnels may be driven or excavated under



any such pavement, provided that upon completion of the work involved, the tunnel shall be backfilled with compacted sand.

The maximum length of open trench permissible at any time shall be in accordance with existing codes and regulations; however, at night no more than fifty (50) feet may be open with proper barriers.

17-1-36

**BREAKING THROUGH PAVEMENT**

- A. Heavy-duty breakers may be prohibited by the Public Works Director when the use endangers existing substructures or other property.
- B. Saw cutting of Portland cement concrete may be required when the nature of the work or the condition of the street warrants. When required, the depth of the cut shall not be less than one inch (1"); however, depths greater than one inch (1") may be required by the Public Works Director when circumstances warrant. Saw cutting may be required by the Public Works Director outside the limits of the excavation over cave-outs, overbreaks and small floating sections.
- C. Approved cutting of bituminous pavement surface ahead of excavations may be required by the Public Works Director to confine pavement damage to the limits of the trench.
- D. Sections of sidewalks shall be removed to the nearest score line or joint.
- E. Unstable pavement shall be removed over cave-outs and over breaks and the subgrade shall be treated as the main trench.
- F. Pavement edges shall be trimmed to a vertical face and neatly aligned with the centerline of the trench.
- G. Cutouts outside of the trench lines must be normal or parallel to the trench line.
- H. Boring or methods to prevent cutting of new pavement may be required by the Public Works Director.
- I. The permittee shall not be required to repair pavement damage existing prior to excavation unless his cut results in small floating sections that may be unstable, in which case, the permittee shall remove and pave the area.

17-1-37

**PLACEMENT OF EXCAVATED MATERIAL** All materials excavated from trenches and piled adjacent to the trench or in any street shall be piled and maintained



in such a manner as to eliminate danger to those working in the trench, pedestrians or users of the streets, and so that as little inconvenience as possible is caused to those using streets and adjoining property. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, such as might be the case in a narrow alley, the Public Works Director shall have authority to require that the permittee haul the excavated material to a storage site and then rehaul it to the trench site at the time of backfilling. It shall be the permittee's responsibility to secure the necessary permission and make all necessary arrangements for all required storage and disposal sites.

17-1-38      **NOISE, DUST AND DEBRIS**      Each permittee shall conduct and carry out excavation work in such a manner to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce to the fullest extent practicable in the performance of excavation work, noise, dust and unsightly debris and between the hours of 10:00 p.m. and 7:00 a.m., shall not use any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property.

17-1-39      **BACKFILLING**      Fine material, free from lumps and stone, selected from the soil shall be thoroughly compacted around and under the substructure to the upper level of such substructure. Above the upper level of the substructure, backfill material shall be placed to the subgrade of the pavement in lifts consistent with the type of soil involved and the degree of consolidation specified by the Village Council. Broken pavement, large stones, roots and other debris shall not be used in the backfill.

The number and size of each lift shall be dependent upon the type of soil involved. Such backfill shall be done in a manner that will permit the restoration of the surface to a density condition not less than that existing prior to excavation unless otherwise specified. The Public Works Director may require soil tests to be furnished by a recognized soil testing laboratory or registered professional engineer specializing in soil mechanics when, in his opinion, backfill for any excavation is not being adequately compacted. In order for the resurfacing to be permitted, such tests must show that the backfill material meets the minimum requirements as prescribed by the Village Council. All expense of such tests shall be borne by the permittee.

17-1-40      **CLEAN-UP**      Clean-up of the Village's street, easements or roadway shall immediately follow construction operations as the job progresses; and shall not be left until all construction is completed. Maintenance of trenches, filling of settlement, cleaning out eroded dirt from ditches and drainage structures, shall be a continuous operation. The permittee shall, before the close of the work day, restore the damaged portions of the street, alley, easement or roadway to satisfactory condition similar or equal to that existing before the commencement of the described work, including any seeding or sodding necessary. All clean-up operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be



completed to the satisfaction of the Public Works Director. From time to time as may be ordered by the Public Works Director, and in any event, immediately after completion of the work, the permittee shall, at his or its own expense, clean-up and remove all refuse and unused materials of any kind resulting from the work and upon failure to do so within twenty-four (24) hours after having been notified to do so by the Public Works Director, said work may be done by the Public Works Director and the cost thereof charged to the permittee and the permittee shall also be liable for the cost thereof under the performance guarantee provided hereunder.

17-1-41

**SURFACE RESTORATION** Upon completion of the work covered by this permit, final grading, reseeding, resodding, or any other requirements to restore the right-of-way, easement or street to a condition equivalent to that which existed prior to the commencement of work shall be completed. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall be left in the ground. Any opening in a paved or improved portion of a street shall be repaired and the surface relaid by the applicant in compliance with the regulations of the Village and under the supervision of the Public Works Director. Whenever it may be necessary for the permittee to trench through any lawn area, said area shall be reseeded or the sod shall be carefully cut and drilled and replaced after ditches have been backfilled as required in this Article. All construction and maintenance work shall be done in a manner calculated to leave the lawn area clean of earth and debris and in a condition as nearly as possible to that which existed before such work began.

Shall repairs be deemed necessary, the permittee will receive notification from the Director of Public Works by certified mail. If said repairs are not satisfactorily completed within ten (10) days of the date of mailing, the Village will take corrective measures, including but not limited to, obtaining funds from the performance guarantee.

17-1-42

**ABANDONMENT SUBSTRUCTURES** Whenever the use of a substructure is abandoned, except the abandonment of service lines designed to serve single properties, the person owning, using, controlling, or having an interest therein shall, within thirty (30) days after such abandonment, file with the Public Works Director a statement in writing giving in detail the location of the substructure so abandoned. If such abandoned substructure is in the way or subsequently becomes in the way of an installation of the Village or any other public body, which installation is pursuant to a governmental function, the owner shall remove such abandoned substructure or pay the cost of its removal during the course of excavation for construction of the facility by the Village or any other public body.

17-1-43

**CONDITIONS AND RESTRICTIONS**

- A. The applicant represents all parties in interest and shall furnish material, do all work and pay all costs.



- B. After an excavation is commenced, the permittee shall prosecute with diligence and expedition all excavation work covered by the excavation permit and shall promptly complete such work and restore the street to its original condition, or as near as may be so as not to obstruct the public place or travel thereon more than is reasonable necessary.
- C. The proposed work shall be located and constructed to the satisfaction of the Director of Public Works or his duly authorized representative. No revisions or additions shall be made to the proposed work without the written permission of the Director of Public Works or his duly authorized representative.
- D. The Village reserves the right to make such changes, additions, repairs and relocations to the facilities constructed under this permit or their appurtenances on the Village street, easement or roadway as may be considered necessary to permit the relocation, reconstruction, widening or maintaining of the Village street, easement or roadway. The applicant, upon written request by the Director of Public Works, shall perform such alterations or change of location of the facilities, without expense to the Village. Should the applicant fail to make satisfactory arrangements to comply with this request within a reasonable time, the Village reserves the right to make such alterations and the applicant agrees to pay for the cost incurred.

17-1-44

**URGENT WORK** When traffic conditions, the safety or convenience of the traveling public or the public interest require that the excavation work be performed as emergency work, the Public Works Director shall have full power to order, at the time the permit is granted, that a crew of men and adequate facilities be employed by the permittee twenty-four (24) hours a day to the end that such excavation work may be completed as soon as possible.

17-1-45

**EMERGENCY ACTION** Nothing in this Article shall be construed to prevent the making of such excavations as may be necessary for the preservation of life or property or for the location of trouble in conduit or pipe, or for making repairs, provided that the person making such excavation shall apply to the Public Works Director for such a permit on the first working day after such work is commenced.

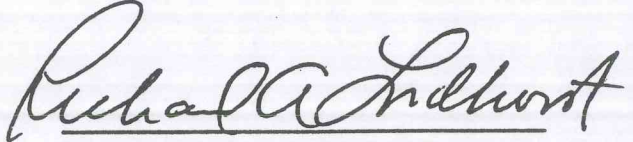
17-1-46

**LOCATION RECORDS** Every public utility, after the enactment of this Article, shall maintain records showing the location of all of its underground facilities except relatively minor facilities which connect a particular premise or building to a facility serving more than one premise or building and except oil or gas-gathering or field lines. Every public utility shall maintain equipment which can locate such facilities in the field.

SECTION 2: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form, as provided by law.

**PASSED** by the Village Council and **APPROVED** by the Mayor this 15 day of March, 1999.

APPROVED:

  
RICHARD A. LINDHORST, Mayor

ATTEST:

  
VILLAGE CLERK

AYES:

NAYS:

ABSENT:

**PUBLISHED** in pamphlet form on the 15 day of March, 1999.