

ORDINANCE NO. _____

**AN ORDINANCE AMENDING PART TEN, TITLE TWO
AND PART FOURTEEN, TITLE FOUR, CHAPTER 1444 OF
THE PALOS PARK VILLAGE CODE IN REGARD TO DRIVEWAYS**

BE IT ORDAINED by the Village Council of the Village of Palos Park, Cook County, Illinois, as follows:

SECTION 1: That Part Ten, Title Two of the Palos Park Village Code is hereby amended by adding a new Chapter 1025 thereto, which shall read in its entirety as follows:

“CHAPTER 1025 – DRIVEWAYS

1025.01 PERMITS

No person shall construct, reconstruct or resurface (exclusive of sealcoating) a driveway, which provides access from public or private property to a public right-of-way or public roadway easement, without first having applied for and obtained a permit, pursuant to Section 1025.02 of this Code, from the Village’s Public Works Department.

1025.02 APPLICATION, FEE AND BOND.

- (a) The fee for a driveway permit shall be sixty-five and no/100 dollars (\$65.00), which includes two (2) inspections by the Village. Any reinspection(s) required due to nonconformity, incomplete work or any other reason shall be charged to the permit applicant at the rate of thirty-two and 50/100 dollars (\$32.50) per reinspection, with said reinspection fee to be paid to the Village prior to the reinspection being performed. In addition to the permit fee, the provisions of Chapter 208 of this Code, in regard to cost recovery, shall also be applicable to any driveway permit application.
- (b) The application for a driveway permit shall be on a form supplied by the Village’s Public Works Department, and shall be accompanied by the following:
 - (1) A drawing of the proposed driveway, which includes measurements for said driveway and the location thereof on the property to be served by said driveway;

- (2) A cross-section of the driveway construction proposed, or an explanatory note on the drawing referenced in (1) above, detailing the proposed construction, including the materials to be used and the thickness of each layer of material;
 - (3) A statement as to whether a culvert is to be installed, repaired or replaced in conjunction with the driveway, and, if so, the diameter of the culvert, the material that the culvert is/will be constructed of, and the proposed cover over the culvert.
 - (4) The name and address of the contractor(s) that will be constructing the driveway, with said contractor(s) having to be licensed by the Village; and
 - (5) Copies of any permits issued by either the Cook County Highway Department (CCHD) or the Illinois Department of Transportation (IDOT) if the driveway construction will be within right-of-way under the jurisdiction of either the CCHD or IDOT.
- (c) In addition to the permit fee set forth above, the permit applicant shall post a bond in the amount of three thousand five hundred and no/100 dollars (\$3,500.00) with the Village if any excavation work relative to said driveway will be done in the public right-of-way/public roadway easement. The purpose of said bond shall be to insure that no damage is done to the public right-of-way/public roadway easement, and that the public right-of-way/public roadway easement is restored to its pre-driveway construction condition upon completion of the driveway. Provided that an inspection by the Village shows that the permit applicant has complied with the conditions applicable to the bond, the bond shall be refunded/returned to the permit applicant.
- (d) A driveway permit, once issued, shall be valid for twelve (12) months.

1025.03 CONSTRUCTION REQUIREMENTS/STANDARDS

- (a) All driveways shall be constructed in compliance with construction requirements/standards as established by the Village's Public Works Department, and approved by the Village Council. In this regard, the driveway construction requirements/standards, as attached as Exhibit A to Village Ordinance Number _____, adopted _____, 2008, are hereby approved as the construction requirements/standards for driveways within the Village.
- (b) In addition to the driveway construction requirements/standards referenced in subsection (a) above, all driveways shall be constructed in compliance with all other applicable provisions of the Village Code.

- (c) At least three (3) copies of the driveway construction requirements/standards, as referenced in subsection (a) above, are on file in the office of the Village Clerk, the Building Department and the Public Works Department, and shall be made available by the Village Clerk, the Director of Public Works and the Director of Community Development for public use, inspection and examination.
- (d) Where the driveway construction, reconstruction or resurfacing (exclusive of sealcoating) involves a culvert or drainage ditch, over which the driveway is/will be located, the provisions of Chapter 1024 of this Code shall also be applicable to said construction, reconstruction or resurfacing.
- (e) Where the driveway construction, reconstruction or resurfacing (exclusive of sealcoating) involves an existing culvert, and the Village's Public Works Department, after assessing the condition of the existing culvert, determines that the existing culvert is of an inadequate size to convey the flow of stormwater or is structurally unsound, the Village's Public Works Department shall so advise the driveway permit applicant, and said applicant shall be required to repair or replace said culvert, in full compliance with the requirements of Chapter 1024 of this Code.
- (f) Where the driveway construction or reconstruction relates to the construction of a new building or structure, or addition thereto, the driveway base shall be installed at the time of the installation of the foundation, must be in place prior to the issuance of, or construction activity in furtherance of, the general building permit and must be indicated on a spotted survey to be filed with the Village's Public Works Department."

SECTION 2: That Part Fourteen, Title Four, Chapter 1444 of the Palos Park Village Code is amended by adding a new Section 1444.16 thereto, which shall read in its entirety as follows:

"1444.16 DRIVEWAY PERMITS.

Driveway permits shall be applied for and issued in accordance with the provisions of Chapter 1025 of this Code."

SECTION 3: That the driveway construction requirements/standards, attached hereto as Exhibit A and made part hereof, are hereby approved as the construction

requirements/standards for all driveway construction within the Village, as referenced in Part Ten, Title Two, Chapter 1025, Section 1025.03(a) of the Village Code.

SECTION 4: In light of the urgency to impose the driveway and driveway permit requirements, given the construction season having started, this Ordinance shall be in full force and effect immediately from and after its adoption by a two-thirds (2/3rds) vote of the Corporate Authorities and approval as provided by law.

ADOPTED this ____ day of _____, 2008 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2008.

John F. Mahoney,
Mayor

ATTEST:

Carol A. Bryson,
Village Clerk

Published by me in pamphlet form this ____ day of _____, 2008.

Carol A. Bryson,
Village Clerk

Exhibit A

Driveway Construction Requirements/Standards

(see attached)