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R.O.W. BONDS **Information Sheet**

(revised 6.18.09)

This Information Sheet on Right-Of-Way Bonds gives a summary of the requirements and procedures of the Village to help you plan your construction project.

The purpose of these requirements is to make sure that any damages to the street or right-of-way; such as cracked pavement, rutted swales, or smashed culverts; that occur during the construction process are repaired in a timely manner. A ROW Bond is payable along with other permit fees by a check in the amount of \$3,500. After the permitted construction is completed and the final construction inspections have been approved, the Owner or Contractor calls the Building Department for a right-of-way inspection. The Public Works Department then makes an inspection and determines if there is any damage. If repairs are needed, the Village will contact the Owner and Contractor with information on how and when the contractor should make the repairs. Upon finishing the repairs, the Contractor calls for another inspection. When the repair work is approved, the Village issues a check to the Owner or Contractor refunding the ROW Bond, which usually takes 3-4 weeks. If the repairs are not completed by the Contractor, the Village can use the ROW Bond to complete the repairs and invoice the Owner to pay costs above \$3,500, if any.

We appreciate your cooperation. You are encouraged to contact us with your questions.

Village Code Section 1444.11 **DEPOSIT REQUIRED**

A) The application for a permit for the construction of or addition to a building or structure, or the construction of, addition to or alteration of a landfill or landcut, shall, in addition to the payment of all other applicable fees required by this Code, deposit with the Village Clerk either cash or a letter of credit in the amount of three thousand five hundred dollars (\$3,500.00) to cover the cost of repair of damage to street foundations or surfaces, sidewalks, sewers, conduits, culverts, ditches or other Village property or utilities that may result, directly or indirectly, from such construction, addition or alteration. Each building or structure so constructed or added to, and each landfill or landcut so constructed, added to or altered, shall require a separate deposit. (Ord. 2001-19. Passed 5-14-01)

B) Upon completion of the work authorized by such permit, the Commissioner of Streets and Public Improvements shall determine the amount of damage, if any, which has resulted, directly or indirectly, from the work completed pursuant to such permit. If it is determined that damage has resulted, then the cost of restoring the street foundation or surface, sidewalk, sewer, conduit, culvert, ditch or other Village property or utility, to a condition equal to that which existed before the issuance of the permit, shall be deducted from the amount deposited with the Clerk and shall thereupon be paid into the Village Treasury. The balance of the deposit, if any, shall be refunded to the applicant. If it is determined that no damage has resulted, the full amount of the deposit shall be refunded to the applicant.

C) Of the amount of such deposit is not sufficient to pay the costs of restoration, or if evidence of latent damage to sewers, conduits, culverts or underground utilities is found within one year of the work, then the amount of such deficiency or damage shall be certified by the Commissioner of Streets and Public Improvements to the Village Treasurer, who shall collect the same from the applicant. (Ord. 1953-4, Passed 10-12-53.)