

VILLAGE OF CHAPIN
ORDINANCE NO. 2021- 7

AN ORDINANCE ESTABLISHING PERMIT REQUIREMENTS FOR CONSTRUCTION
CONTRACTORS

FOR THE
VILLAGE OF CHAPIN, MORGAN COUNTY, ILLINOIS

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF CHAPIN, MORGAN, COUNTY, ILLINOIS
THIS 8 DAY OF December, 2021

Published in pamphlet form on December 9, 2021 by order of the President
and Board of Trustees of the Village of Chapin, Morgan County, Illinois.

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ORDINANCE NO. 2021- 7

AN ORDINANCE ESTABLISHING PERMIT REQUIREMENTS FOR CONSTRUCTION CONTRACTORS

BE IT ORDAINED by the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois as follows:

Section 1: All contractors, subcontractors, and excavators shall, prior to commencing any construction work which may involve going upon, over or under a village street, alley, right-of-way, water and/or sewer line or main, apply for and receive from the village a permit allowing such construction work to proceed. The village shall provide a permit application form for this purpose. A non-refundable application fee of \$50.00 shall accompany the application. The applicant shall provide with its application sufficient plans and diagrams to enable the village to determine the exact location of the proposed work and to determine whether the work will go upon, over or under a street, right-of-way, water and/or sewer line or main. The application must also be accompanied with proof of liability insurance coverage in an amount sufficient to cover all costs associated with repairing any damage the applicant and/or its agents may cause to the village's property and improvements, including the village's attorney's fees and court costs. The village may condition the approval of any permit upon the applicant and/or its agents conforming its work to the specific requirements of the village and/or of the village's engineers.

Any permit issued shall be conditioned on the applicant agreeing to indemnify and hold harmless the village from any and all damages, personal injuries, death, damage to personal property, suits and causes of action, judgments, attorney's fees, and court costs arising from the actions of the applicant and its agents in the performance of their

construction activities. If the Village President finds the application to be complete, he/she will provide a permit to the applicant. The Village President, however, may refuse to grant a permit should he/she determine that the application is not complete and/or that the applicant will not perform the work in a manner that protects the property, rights, and interests of the village. Any contractor, subcontractor, or excavator may appeal the Village President's refusal to grant a permit within ten (10) days of the President's decision by providing a written request for a hearing before the Village President and Board of Trustees to the Village Clerk. The written request must provide the name and contact information of the party requesting the hearing and set forth the grounds for the appeal.

If a timely written request for a hearing is made, the Village President shall fix a time and place for a hearing and shall give written notice to the party requesting the hearing.

The hearing shall be scheduled for a date within fourteen (14) days of receipt of the request for hearing. The Village President shall preside over the hearing and the President and Board of Trustees shall hear testimony and accept any evidence relevant to the matter presented by the parties. The strict rules of evidence and procedure applicable to judicial proceedings shall not apply. At the conclusion of the hearing, the President and Board of Trustees shall make a determination on the basis of the evidence presented at the hearing, and shall notify the party requesting the hearing of the decision.

Any contractor, subcontractor, or excavator that engages in construction work without first receiving a permit from the village president shall be fined \$750.00 per day. In addition to a fine, the village may institute appropriate legal action or proceedings to enjoin and prohibit such construction work and the village shall be entitled to recover from the contractor, subcontractor, or excavator its attorney's fees and court costs it incurs in

enforcing this ordinance.

Section 2: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law. The Village Clerk is directed to publish this Ordinance in pamphlet form.

Passed and approved by the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois, this 8 day of December, 2021.



Rex Brockhouse, Acting Village President

(SEAL)

ATTEST:



Christina Courier, Village Clerk

Ayes: 5
Nays: 0
Absent: 0

STATE OF ILLINOIS)
)
COUNTY OF MORGAN) SS

I, Christina Courier, certify that I am Clerk of the Village of Chapin, Morgan County, Illinois.


I further certify that on the 8 day of December, 2021, the President and Board of Trustees of the Village of Chapin, Illinois, passed and approved Ordinance No. 2021-7, entitled:

AN ORDINANCE ESTABLISHING PERMIT REQUIREMENTS FOR CONSTRUCTION CONTRACTORS

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2021-7, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the Village Hall, commencing on the 9 day of December, 2021, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

Dated at Chapin, Illinois, this 23 day of December, 2021.



Village Clerk

(SEAL)