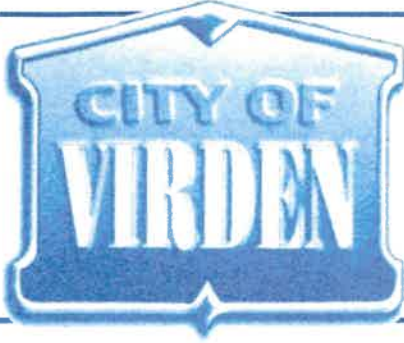




101 WEST JACKSON ST.
VIRDEN, ILLINOIS 62690

PHONE (217) 965-5805 - FAX (217) 965-3577

May 6, 2025

To Whom It May Concern,

Attached please find the City of Virden Boring Permit Application along with a copy of the City's Ordinance No. 2022-7 and Ordinance No. 2024-10, an Ordinance Amending and Supplementing Chapter 1 of Title 6 of the City Code of Ordinances for your review.

Should you have any questions or concerns regarding said permit/application process or the ordinance please contact the Mayor, George Murphy at 217-494-4354.

Sincerely,

A handwritten signature in black ink that reads "Karen Burgess". The signature is written in a cursive, flowing style.

Karen Burgess
City Office Manger

City of Virden Boring Permit / Application

For clarity, "Applicant" is intended to request the information for the owner of the entity that shall own and maintain responsibility over the utility lines being placed.

Applicant Name: _____

Contact: _____

Address: _____

Phone: _____

Email: _____

Role in Project: _____

Please Complete Below for Every Entity Involved in Project (attach additional sheets as necessary):

Contractor: _____

Contact: _____

Address: _____

Phone: _____

Email: _____

Role in Project: _____

Contractor: _____

Contact: _____

Address: _____

Phone: _____

Email: _____

Role in Project: _____

Project Details: Please attach a detailed map of all locations involved in the Project

Purpose / Nature of Work: _____

Type of Excavation: _____

Method of Installation: _____

Estimated Timeline: _____

On-Site/Emergency Contact (Name and Phone): _____

Please include a signed certification attesting to the below for the applicant/owner and each entity identified as a contractor. Attach additional sheets as necessary:

I (Applicant/Owner) _____, hereby certify that I have read and understand the City Code provisions regarding boring and excavation and that, should this application be granted, I will comply with all applicable terms and conditions provided for by City Code.

Name and Title of Person Signing

Date

I (Contractor) _____, hereby certify that I have read and understand the City Code provisions regarding boring and excavation and that, should this application be granted, I will comply with all applicable terms and conditions provided for by City Code.

Name and Title of Person Signing

Date

Project completed to the satisfaction of the Public Works Director of the City of Virden as of

_____.

Signature: _____

Director of Public Works

Should the application be approved, the following items are to be submitted and approved prior to work beginning:

- 1) A deposit in the amount to be determined pursuant to Section 6-1-1B(D) of the City Code;
- 2) A Certificate of Insurance valid through two months the estimated completion date of the Project, naming the City as an additional insured, with the limits required by Section 6-1-1B(D) of the City Code;
- 3) A surety bond in the amount of \$20,000 to serve as security for the faithful performance of the Project, pursuant to the terms elaborated on in Section 6-1-1B(D) of the City Code;

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1 OF TITLE 6 OF
THE CITY CODE OF ORDINANCES**

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRDEN, ILLINOIS, AS
FOLLOWS:*

SECTION 1: ADDITION OF 6-1-1B

The Code of Ordinances is hereby supplemented with the addition of Section 6-1-1B, to
read as follows:

**6-1-1B DIRECTIONAL BORING AND PLOWING OF UTILITY
LINES:** In addition to the rules and regulations set forth in Section 6-1-1A, no
person shall perform boring or plowing of utility lines in a City street or alley except
in accordance with the following regulations:

- A. **Permit Required:** No boring or plowing of utility lines shall be performed in a
City right-of-way, street, or alley, except in accordance with a permit obtained
from the City Council.
- B. **Application for Permit:** Permit applications shall be in the form on file in the
City or other form specified by the Public Works Director. Applications shall
include the method of installation, as well as a map indicating where all utility
lines will be placed, and the location of all junction boxes and other above-
ground components of the utility installation.
- C. **Application Review:**
 - 1. Upon receipt of a complete application, the Public Works Director shall
submit the application to the Public Works Committee for its review.
 - 2. The Public Works Committee shall review the Public Works Director's
submission and recommend to the City Council whether the Council
should approve or deny the Permit.
 - 3. If the Application is approved, the City shall only issue a Permit upon
receipt of a Deposit in the amount outlined in Subsection D.
- D. **Permit Deposits:** Upon approval of an application from the City Council, the
applicant shall submit a deposit in the following amount to the Public Works
Director:

1. Five thousand dollars (\$5,000) for each line to be bored or plowed that covers ten blocks or less; and
2. Three hundred dollars (\$300) for each additional block to be plowed or bored.

E. Regulations

1. The Public Works Director or their designee shall have authority to stop any work if any ordinances, regulations, or laws, including JULIE regulations, are violated, and work shall not resume until all corrections have been made to the Public Works Director's satisfaction.
2. The Public Works Director or their designee shall have authority to not allow work to be done in areas where current ground conditions do not permit.
3. All improved public ways may only be crossed by boring.
4. All junction boxes and any other components of the project must be installed so that the upper most part of these items is below the elevation of the surrounding terrain, unless expressly allowed in the Permit.

F. Completing the Project

1. Clean up and ground restoration work must be started within the earlier of: six months from the date the Permit is issued, or thirty days from the date the project is completed.
2. Upon notification from the Permittee, the Public Works Director shall review the Project to ensure all work has been completed in compliance with City Code.
3. Upon certification by the Public Works Director that all work was completed in compliance with City Code, the deposit shall be returned to the Permittee.

- G. 6-1-1A and 6-1-1B: To the extent any Sections of 6-1-1A and 6-1-1B contradict each other, the language of 6-1-1B shall be controlling.

SECTION 2: AMENDMENT OF 6-1-1

Section 6-1-1 of the City Code of Ordinances is hereby amended to be titled 6-1-1A.

Effective Date; Publication

AN ORDINANCE AMENDING TITLE 6 OF THE CITY CODE OF ORDINANCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRDEN, ILLINOIS, AS FOLLOWS:

SECTION 1: AMENDMENT OF SUBSECTION (D) OF SECTION 6-1-1B

Subsection D of Section 6-1-1B of the City Code of Ordinances is hereby amended to read as follows:

D. Requirements

Upon approval of an application from the City Council, the applicant shall submit the following to the Public Works Director for review and approval before beginning any work:

1. A deposit in the following amount, to be returned to the Permittee upon completion of the project and approval by the Public Works Director:
 - a. Five thousand dollars (\$5,000) for each line to be bored or plowed that covers ten blocks or less); and
 - b. Three hundred dollars (\$300) for each additional block to be plowed or bored;
2. A Certificate of Insurance valid through two months after the expected date of project completion demonstrating proof of Commercial General Liability Insurance, including premises operations, explosion, collapse, and underground hazard coverages, and products-completed operations coverage with limits not less than \$1,000,000 for bodily injury, death, and property damage, per incident or person, which names the City as an additional insured; and
3. A surety bond in the amount of \$20,000 that shall serve as security for the faithful performance by the permittee of all the requirements of City Code; any expenditure, damage, or loss incurred by the City as a result of the permittee's failure to comply with City Code, state law, or City directives; the payment of damages, claims, costs or expenses that the City may incur by reason of any action or nonperformance by permittee, including any damage to public property or restoration work that becomes necessary, that shall serve as security for the City for two years from the completion of the permittees project.

SECTION 2: AMENDMENT OF SUBSECTION (E) OF SECTION 6-1-1B

Subsection E of Section 6-1-1B of the City Code of Ordinances is hereby amended to read as follows:

E. Regulations and Violations

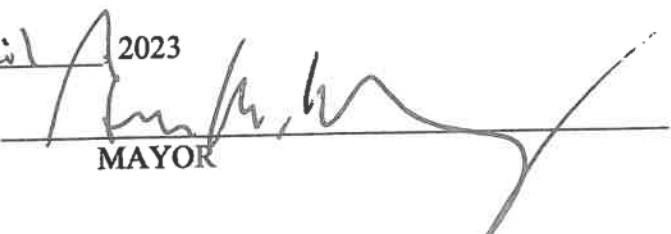
1. The Public Works Director or their designee shall have authority to immediately stop any work, suspend a permit, or revoke a permit if any regulations, ordinances, or laws, including JULIE laws, are violated. In the event of a Stop Work Order or Suspension, work shall not resume until all corrections have been made to the Public Works Director's satisfaction and written notice is provided to the permittee.
2. Work may only be performed by permittee's during normal City work hours on City workdays unless emergency situations develop that are brought to the Public Works Director's immediate attention.
3. The Public Works Director or their designee shall have authority to not allow work to be done in areas where current ground conditions do not permit.
4. All improved public ways may only be crossed by boring.
5. All junction boxes and any other components of the project must be installed so that the upper most part of these items is below the elevation of the surrounding terrain, unless expressly allowed in the Permit.

The remainder of Section 6-1-1B of the Code of Ordinances shall read the same without further amendment or supplementation.

SECTION 3: Effective Date; Publication

This Ordinance shall be effective upon its passage, approval and publication as provided by law. The Clerk shall forthwith publish this Ordinance in pamphlet form.

PASSED this 20 day of April 2023


MAYOR

ATTEST:


Clerk

AYES:

5

NAYS:

0

PASSED:

yes

APPROVED:

yes

ABSENT:

2

AN ORDINANCE AMENDING TITLE 6 OF THE CITY CODE OF ORDINANCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRDEN, ILLINOIS, AS FOLLOWS:

SECTION 1: AMENDMENT OF SUBSECTION (D) OF SECTION 6-1-1B

Subsection D of Section 6-1-1B of the City Code of Ordinances is hereby amended to include subsection (4), with no changes to the remainder of Subsection D:

4. Upon violation of the City Code, the City, in its sole discretion, may choose to submit a claim against the aforementioned insurance or surety bond, or bill against the deposit submitted with the application, or any combination thereof to remedy the violation. Such expenditures may include, but are not limited, costs and expenses incurred by the City in remediation work.

SECTION 2: AMENDMENT OF SUBSECTION (F) OF SECTION 6-1-1B

Subsection F(3) of Section 6-1-1B of the City Code of Ordinances is hereby amended to read as follows, with no changes to the remainder of Subsection F:

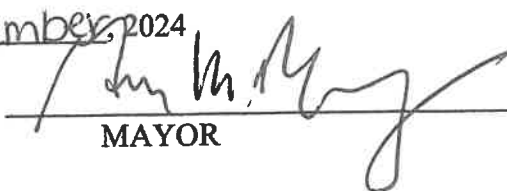
F. Completing the Project

3. Upon certification by the Public Works Director that all work was completed in compliance with City Code, the deposit shall be returned within 10 business days. Upon certification by the Public Works Director that all work was not completed in compliance with the City Code, the deposited shall be considered forfeited.

SECTION 3: Effective Date; Publication

This Ordinance shall be effective upon its passage, approval and publication as provided by law. The Clerk shall forthwith publish this Ordinance in pamphlet form.

PASSED this 3rd day of September, 2024


MAYOR

ATTEST:

Harold Burgess

Clerk

AYES: Calloway, Mottershaw, Weighbars, Baxter, Schnetzler, Donley & Mitchell

NAYS: Bertolino

PASSED: yes

APPROVED: YES

ABSENT: None

ORDINANCE CERTIFICATE

STATE OF ILLINOIS

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) SS.