

April 6, 2018

Erik Sacks



Urbana, IL 61801

Mr. Sacks

I am an Engineering Technician with the City of Urbana. I am contacting you because of the grading activities and pavement removal that occurred in the alley behind your residence in April 2018. The alley is City Right-of-Way.

Right-of-Way (ROW) is City owned property that includes streets, alleys, sidewalks and certain parkways (usually, the property between streets and sidewalks). Activities in the City ROW are regulated by City Ordinances which require a permit for any grading or pavement removal activities that occur in the ROW. If you are unfamiliar with the ROW permitting requirements please see the attached ROW FAQ attachment.

Please refrain from having work done on the alley behind your residence without a ROW permit issued by the City.

The City is pursuing enforcement actions against the Contractor that did the grading and pavement removal work in the alley behind your residence.

Thank you for your cooperation in this matter. If you have any question regarding City's ROW permit requirements please do not hesitate to contact me.

Respectfully,

Ben Holzhausen
Engineering Technician
Public Works Department
City of Urbana

Brad Bennett, P.E.
Assistant City Engineer
Public Works Department
City of Urbana

April 6, 2018

Central Paving and Sealcoating
17940 Lakeview Dr.
Weldon, IL 61882

VIOLATION TICKET FOR PAVEMENT DAMAGE

Please take notice that a violation ticket has been issued to the above-named Contractor for violating Urbana City Code (“UCC”) Section 20-304 by damaging the existing pavement in the alley located between West High Street and West Illinois Street running from South Orchard Street to South McCullough Street.

The damage took place in the alley located between West High Street and West Illinois Street running from South Orchard Street to South McCullough Street. See attached exhibit. The grading work and alley pavement removal shall be restored to the pre-existing condition to the satisfaction of the City.

You must also obtain a ROW permit prior to the start of the restoration work.

The alley surface shall be restored by no later than May 11, 2018. On May 14, 2018, the City will inspect the alley and if the pavement restoration has not been completed the City will begin issuing failure to comply tickets against the Contractor identified in this Notice of Violation. Section 20-805 of the City Code authorizes the City to impose fines per day in accordance with the table below.

Schedule of fines for failure to comply tickets.		
Offense	Minimum fine if paid within 7 days	Minimum fine if paid after 7 days
First offense	\$100.00	\$200.00
Second offense	\$300.00	\$400.00
Third offense	\$500.00	\$600.00
Fourth offense	\$700.00	\$750.00
Subsequent offenses	\$750.00	\$750.00

The ordinance further authorizes the City to seek collection of the fines through court proceedings if not paid. **Finally, if you fail to restore the alley pavement as required by May 11 2018, Section 20-805 authorizes the City to restore the alley pavement and charge the costs for doing so to the Contractor named above.** Such costs can include labor and the cost of overhead as determined by the City's Finance Department.

Respectfully,

Ben Holzhausen
 Right of Way Technician
 City of Urbana Public Works Department

Brad Bennett
 Assistant City Engineer
 City of Urbana Public Works Department

cc:

City of Urbana Finance Department.
 City of Urbana Legal Department.

April 6, 2018

Central Paving and Sealcoating
17940 Lakeview Dr.
Weldon, IL 61882

VIOLATION TICKET FOR NOT OBTAINING ROW PERMIT

Please take notice that a violation ticket has been issued to the above-named Contractor for violating Urbana City Code (“UCC”) Section 20-400 by performing construction activities in the public right-of-way (ROW) without a permit from the City.

Grading work and alley pavement removal were done in the City Right of Way in April 2018 but a ROW permit was neither applied for nor issued. The work took place in the alley located between West High Street and West Illinois Street running from South Orchard Street to South McCullough Street. See attached exhibit. Please note that UCC Section 20-400 states: “No person shall construct any facility or perform any work on, over, above, along, upon, under, across, or within any city or state right-of-way except pursuant to a permit issued by the City.”

A ROW permit application must be submitted to and approved by the City no later than April 16, 2018. On April 17, 2018, the City will begin issuing failure to comply tickets against the Contractor named above if a ROW permit has not been obtained from the City. Section 20-805 of the City Code authorizes the City to impose fines per day in accordance with the schedule of fines provided below.

Schedule of fines for failure to comply tickets.		
Offense	Minimum fine if paid within 7 days	Minimum fine if paid after 7 days
First offense	\$100.00	\$200.00
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Ben Holzhausen
 Right of Way Technician
 City of Urbana Public Works Department

Brad Bennett
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City of Urbana Finance Department.
 City of Urbana Legal Division.