

13.22.004 – Permit required - applications and fees

- A. Permit Required. No person shall construct any facility on, over, above, along, upon, under, across, or within any City right-of-way which (1) changes the location of the facility, (2) adds a new facility, (3) disrupts the right-of-way, or (4) materially increases the amount of area or space occupied by the facility on, over, above, along, under across or within the right-of-way, without first filing an application with the Director of Public Works and obtaining a permit from the City therefore, except as otherwise provided in this Chapter. No permit shall be required for installation and maintenance of service connections to customers' premises where there will be no disruption of the right-of-way.
- B. Permit Application. All applications for permits shall be filed on a form provided by the City and shall be filed in such number of duplicate copies as the City may designate. The applicant may designate those portions of its application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly.
- C. Minimum General Application Requirements. The application shall be made by the utility or its duly authorized representative and shall contain, at a minimum, the following:
1. The utility's name and address and telephone and telecopy numbers;
 2. The applicant's name and address, if different than the utility, its telephone, telecopy numbers, e-mail address, and its interest in the work;
 3. The names, addresses and telephone and telecopy numbers and e-mail addresses of all professional consultants, if any, advising the applicant with respect to the application;
 4. A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed;
 5. Evidence that the utility has placed on file with the City:
 - a. A written traffic control plan demonstrating the protective measures and devices that will be employed consistent with the Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and
An emergency contingency plan which shall specify the nature of potential emergencies, including, without limitation, construction and hazardous materials emergencies, and the intended response by the applicant. The intended response shall include notification to the City and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Section unless the City finds that additional information or assurances are needed;
A written site sediment/soil erosion plan demonstrating the protective measures and devices that will be employed consistent with Article 3 of the Kane County Stormwater Ordinance as revised.
 6. Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans, and specifications comply with applicable codes, rules, and regulations;
 7. Evidence of insurance as required in Section 13.22.008 of this Chapter;
 8. Evidence of posting of the security fund as required in Section 13.22.010 of this Chapter;
 9. Any request for a variance from one or more provisions of this Chapter (See Section 13.22.021); and
 10. Such additional information as may be reasonably required by the City.
- D. Supplemental Application Requirements for Specific Types of Utilities. In addition to the requirements of Subsection C. of this Section, the permit application shall include the following items, as applicable to the specific utility that is the subject of the permit application:
1. In the case of the installation of a new electric power, communications, telecommunications, cable television service, video service or natural gas distribution system, evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the applicant is required by law to obtain, or that the applicant has elected to obtain, has been issued by the ICC or other jurisdictional authority;
 2. In the case of natural gas systems, state the proposed pipe size, design, construction class, and operating pressures;
 3. In the case of water lines, indicate that all requirements of the Illinois Environmental Protection Agency, Division of Public Water Supplies, have been satisfied;
 4. In the case of sewer line installations, indicate that the land and water pollution requirements of the Illinois Environmental Protection Agency and any other local or state entities with jurisdiction, have been satisfied;

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5. In the case of petroleum products pipelines, state the type or types of petroleum products, pipe size, maximum working pressure, and the design standard to be followed.
- E. Applicant's Duty to Update Information. Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the utility in writing to the City within thirty (30) days after the change necessitating the amendment.
- F. Application Fees. Unless otherwise provided by franchise, license, or similar agreement, all applications for permits pursuant to this Chapter shall be accompanied by a fee in the amount specified by the Director of Public Works from time-to-time. No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Act.