

**City of St. Charles, Illinois**

**Ordinance No. 2007-M-5**

**An Ordinance Amending Chapter 12.08 "Driveways  
and/or Parking Areas in Public Parkways," of the St.  
Charles Municipal Code**

**Adopted by the  
City Council  
of the  
City of St. Charles  
January 16, 2007**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, January 19, 2007**

  
**City Clerk**



DATE OF PUBLICATION: 4/19/07  
FORMER PAMPHLET

NUMBER FOR  
SERIES 1/16/07  
PAGE

ORDINANCE NO. 2007-M- 5

AN ORDINANCE AMENDING CHAPTER 12.08 "Driveways and/or Parking Areas in Public  
Parkways."  
OF THE ST. CHARLES MUNICIPAL CODE

---

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,  
KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Chapter 12.08.080 "Driveways and/or Parking Areas in Public Parkways," is hereby amended by adding the following therefore:

"Restoration obligations. In the event it becomes necessary for the City or its contractors to perform any maintenance or repairs within the City right of way (R.O.W.), the owner agrees that by taking out a permit, the city or its contractors may remove or dig up the 'nonstandard pavement' defined as brick pavers or stamped concrete/bituminous asphalt without notice to the owner. In this event, neither the City or its contractors have any obligation to replace, repair or otherwise reconstruct the "nonstandard pavement": the responsibility and the cost thereof shall be the obligation of the owner. The Director of Public Works or his designee may, however authorize a partial cost reimbursement which would reflect the City's cost to repair only the disturbed portion of the "nonstandard pavement." Said reimbursement will be based on the current city secured unit cost for asphalt or concrete based on existing conditions.

The owner understands, acknowledges and accepts any and all responsibility for repair, restoration and any and all other work necessary to restore Non-Standard Pavement as a result of City damage during use or access of public R.O.W. shall be owner's responsibility. The City shall have no responsibility under any condition for repair or restoration of Non-Standard Pavement."

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this 16 day of January, 2007.

**PASSED** the City Council of the City of St. Charles, Illinois, this 16 day of January, 2007.

**APPROVED** by the Mayor of the City of St. Charles, Illinois, this 16 day of January, 2007.

  
ATTEST  
Nancy Garrison  
CITY CLERK

Ronald P. R. Little  
MAYOR

**COUNCIL VOTE:**

AYES	<u>10</u>
NAYS	<u>0</u>
ABSENT	<u>-</u>

State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on January 16, 2007, the Corporate Authorities of such municipality passed and approved Ordinance No. 2007-M-5, entitled

"An Ordinance Amending Chapter 12.08 "Driveways  
and/or Parking Areas in Public Parkways," of the St.  
Charles Municipal Code,"

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

The pamphlet form of Ordinance No. 2007-M-5, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 19, 2007, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 16 day of January 2007.

  
Municipal Clerk

