

A SPECIAL ORDINANCE AMENDING CHAPTER 13  
OF THE CODE OF ORDINANCES OF THE  
CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. Chapter 13, Article III, Division 2, Section 13-71(b) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the second sentence in its entirety and inserting in lieu thereof the following:

**“From the time the public right of way is excavated, the permit holder shall have seven (7) work days (weather permitting) to complete all work, including the permanent pavement patch.”**

Section Two. Chapter 13, Article III, Division 2, Section 13-74 of the Code of Ordinances is hereby amended by deleting “forty eight (48) months” in the second sentence and inserting in lieu thereof **“four (4) years”**, and by deleting the word “months” in the fourth sentence and inserting in lieu thereof **“years”**.

Section Three: Chapter 13, Article III, Division 2, Section 13-75 of the Code of Ordinances is hereby deleted in its entirety and the following inserted in lieu thereof:

**“Sec. 13-75. Backfilling and Resurfacing – By Others:**

**The excavation permit holder shall be responsible for backfilling, resurfacing and safeguarding excavations in the city right of way, and also backfilling and safeguarding excavations made on boulevards or other city property. The excavation permit holder shall be liable for the maintenance of backfilling and resurfacing for a period of four (4) years after the date the permit is issued for the excavations, and shall hold the city harmless for all claims for damages that may result because of excavations during that period. The excavation permit holder shall be responsible for the permanent repairs for a period of four (4) years after the date the repair is completed. This responsibility shall include all costs for reopening the street/excavation, correcting the cause of the problem and replacing the permanent repair. Backfilling and resurfacing shall be done in accordance with specifications provided by the city engineer. Permanent repairs may only be conducted by a licensed, bonded contractor in accordance with Chapter 13, Article V.**

**Inspection Request:**

**The excavation permit holder shall notify the Engineering Department 24 hours in advance of any work to be done in order that an inspection may be scheduled.**

**All temporary pavement patch repairs shall be completed as follows:**

- (1) Backfill Within Two (2) Feet of Streets, Alleys, Sidewalks, Driveways and Other Paved Surfaces:** With the exception of the top eight inches (8") of the excavation, the backfill material shall be sand meeting Illinois Department of Transportation gradation FA-6 or an equivalent approved by the city engineer. The backfill material shall be thoroughly compacted by methods approved by the city engineer.
- (2) Backfill for Areas More Than Two (2) Feet from Paved Surfaces:** The entire excavation should be backfilled with earthen material free from broken concrete, asphalt, large rocks or other debris. The backfill material shall be thoroughly compacted by methods approved by the city engineer.
- (3) Surface Restoration; Paved Surfaces:** The excavation permit holder shall be responsible for placing a temporary pavement patch and/or permanent pavement patch on all pavement excavations as soon as the repair has been completed. The temporary patch shall conform to the following minimum standards:
- a. Street and Alley Patches:** Two inches (2") of well compacted, cold mix asphalt placed on six inches (6") of well compacted stone.
  - b. Driveways and Sidewalks:** Two inches (2") of well compacted, cold mix asphalt.
  - c. All temporary pavement patches completed between December 1 – April 1 should be completed using six inches (6") of PCC Pavement placed on six inches (6") of well compacted stone.**

The excavation permit holder is responsible for maintaining the temporary patches until the permanent patch has been completed. During this maintenance period, the permit holder shall make any repairs as soon as possible after notification from the city. If the permit holder fails to make the necessary repairs within 24 hours, the city will make the repairs and charge the permit holder for all the costs, including any barricading and signing necessary to protect the public.

**(4) Surface Restoration Outside Paved Areas:** All areas disturbed by the construction shall be resodded or reseeded at the discretion of the adjacent property owner. Unless other arrangements can be documented, the permit holder is responsible for watering the restored area until the new growth is well established."

Section Three. Chapter 13, Article IV, Section 13-92(a) of the Code of Ordinances is hereby amended by deleting the first sentence in its entirety and the following inserted in lieu thereof:

**"No person shall construct a sidewalk, driveway entrance or curb or cut a curb on a public right of way in the city without first having obtained a written permit therefor issued by the director of public works or his designated representative, and unless such person shall hold a valid concrete flat work license in accordance with Chapter 13, Article V."**

Section Four. Chapter 13, Article IV, Section 13-93 of the Code of Ordinances is hereby deleted in its entirety.

Section Five. Chapter 13 of the Code of Ordinances is hereby amended by adding the following Article V, Sections 13-116 and 13-117:

**“ARTICLE V. FLATWORK LICENSES**

**Sec. 13-116. Licenses for Sidewalks, Driveways, Curb Cuts, Excavation Repairs:**

**No person shall construct a sidewalk, driveway entrance or curb, cut a curb, or conduct a permanent excavation repair on a public right of way in the city unless such person shall hold a valid concrete flat work license, which may be obtained from the director of public works or his designated representative by filing a concrete flat work license application along with a current concrete flat work bond and a license application fee of seventy five dollars (\$75.00).**

**Sec. 13-117. Concrete Flat Work Bonds:**

**Every person engaging in the business of the construction of concrete walks, driveway entrances or curbs, conducting permanent utility repairs, or any property owner installing his own sidewalks, driveway entrances or curbs before entering upon the construction of any such concrete flat work in or upon any public street or avenue in the city, shall file with the director of public works a bond in the penal sum of ten thousand dollars (\$10,000.00) running to the city with sureties to be approved by the director of public works, conditioned upon obligated satisfactory performance of all duties required by the ordinances, rules and regulations of the city council, and that he will suitably guard and protect any excavation or obstruction and defend, save, keep harmless and indemnify the city from all actions, costs, damages and expenses whatsoever, including attorney fees, which shall or may at any time happen to come to it for or on account of any injuries or damages received or sustained by any person or persons, caused by any negligence in either the execution or protection of the work being done, and guarantee the material and workmanship of the concrete flat work for a period of four (4) years ensuing after the date of its acceptance by the public works department. The bond shall be approved by the director of public works or his designated representative before being filed. The bond shall be on file in the public works department and shall be renewed from year to year during the time of work of concrete flat work as above referred to.”**

Section Six: All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Seven: This ordinance shall be in full force and effect 10 days from its passage and approval, as required by law.

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MAYOR OF THE CITY OF ROCK ISLAND

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_