
**THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 09-055**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 07-060,
ENTITLED, "AN ORDINANCE ESTABLISHING STANDARDS
FOR CONSTRUCTION OF FACILITIES IN THE RIGHTS OF
WAY IN THE VILLAGE OF HOMER GLEN, ILLINOIS,"
ENACTED NOVEMBER 13, 2007**

**JAMES P. DALEY, Village President
GALE SKROBUTON, Village Clerk**

**MICHAEL COSTA
RUSSELL KNAACK
MARY NIEMIEC
MARGARET SABO
LAUREL WARD
GEORGE YUKICH**

Trustees

AN ORDINANCE AMENDING ORDINANCE NUMBER 07-060 ENTITLED, "AN ORDINANCE ESTABLISHING STANDARDS FOR CONSTRUCTION OF FACILITIES IN RIGHTS OF WAY IN THE VILLAGE OF HOMER GLEN, ILLINOIS," ENACTED NOVEMBER 13, 2007

WHEREAS, the Village of Homer Glen, Will County, Illinois (the "*Village*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

WHEREAS, the President and Board of Trustees (the "*Corporate Authorities*") have the authority to adopt ordinances and to promulgate rules and regulations governing the use of public rights-of-way and that protect the public health, safety, and welfare of the citizens of the Village; and

WHEREAS, the Corporate Authorities have determined that it is in the best interest of the health, safety, and welfare of the residents of the Village to amend Ordinance Number 07-060, enacted on November 13, 2007, to require notification by utility service providers, including those that provide electricity, telephone, natural gas, water, sewer, cable television and video service within the Village, when these utility service providers are going to perform any type of construction, repair, maintenance or other work on utility facilities located in the public right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. Recitals. The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Amendment. Section 6 of Ordinance 07-060 is hereby amended to add a subsection (g) entitled, Notification to Village, and shall read as follows:

"(g) Notification to Village. When no permit is required due to the nature of the maintenance or repairs being performed on utility facilities located on, over, above, along, upon, under, across, or within the rights-of-way within the jurisdiction of the Village, the utility service provider shall notify the Village Clerk in writing at least seven (7) days prior to the date when it intends to perform the maintenance or repairs to its facilities.

The notice shall describe with specificity the type of work to be performed, the location(s) of work to be performed, the proposed date(s) for performing the work, the approximate length of time expected to complete the work, the name, address, telephone number, email address and facsimile number of a person to be contacted at the utility concerning the proposed work, and such additional information as may reasonably be required by the Village, including but not limited to drawings and plans, if required, and a restoration plan, if required.

In the event of an emergency, the utility must file in writing with the Village a description of the repairs undertaken in the right-of-way within forty-eight (48) hours after an emergency repair. Restoration and clean-up of all work shall be performed in accordance with the requirements of Sections 12 and 21 of Ordinance 07-060.

Section 3. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 4. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

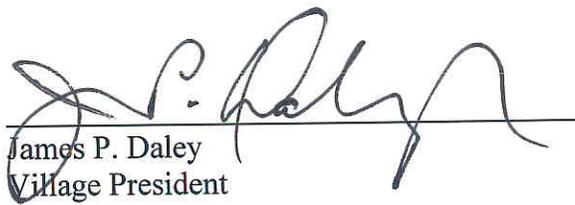
Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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Adopted this 28th day of JULY, 2009 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Costa	X			
Knaack	X			
Niemiec	X			
Sabo	X			
Ward	X			
Yukich	X			
Daley (Village President)	-			
TOTAL	6	0	-	-

APPROVED by the Village President on July 28th, 2009.


James P. Daley
Village President

ATTEST:


Gale Skroboton
Village Clerk