City of St. Charles
Right-Of-Way, Driveway or Street Cut Permit

Building & Code Enforcement Division
2 East Main Street
St. Charles IL 60174
630.377.4406 (Office)
630.443.4638 (Fax)
http://www.stcharlesil.gov

Please direct any and all questions to the City of St. Charles Building and Code Enforcement Division: Monday through Friday (8 AM to 4:30 PM) at 630.377.4406

A building permit is required prior to any work being done in the right-of-way; including streets cuts, the installation or replacement of a driveway, or the installation of a brick/stone enclosed mailbox. The following are guidelines and comments for obtaining a building permit.

Application and Drawings Procedures:

- ► An application is to be completed and submitted to the Building & Code Enforcement Division. Facsimiled copies are not accepted. The contact names, addresses, and phone numbers are to be filled out when submitting the application.
- ► Two-2 copies of the plat of survey highlighting the area in which the work is being conducted.
- ► Two-2 copies of the details of the proposed work.
- ► An original copy of a Permit Bond or Performance Bond in the amount of $10,000 with the City of St. Charles listed as beneficiary.
- ► An original copy of a Certificate of Liability Insurance with special provisions listing the City of St. Charles as additional insured.
- ► If you are using Non-standard pavement such as paving bricks, stamped concrete, colored concrete or stamped asphalt, prior to the submittal of the application the property owner is required to complete and file with the Kane County Recorder's Office a Covenant Running With the Land for Non-Standard Pavement. A copy is attached. USE BLACK INK ONLY.
- ► If you are installing a mailbox surrounded by a brick/stone enclosure ("Non-Standard Mailbox"), prior to the submittal of the application the property owner is required to complete and file with the Kane County Recorder's Office a Convenant Running With the Land for Non-Standard Mailbox. A copy may be obtained from Building and Code Enforcement Division. USE BLACK INK ONLY.
  - **COVENANT RUNNING WITH THE LAND**. This document is to be filled out completely by the property owner and notarized using BLACK INK ONLY. For a fee, the *Covenant Running with the Land* must be recorded, in person*, at the County Recorder's Office for the county in which you reside. The County Recorder's Office will stamp this document in the upper right hand corner with your County's recording number.

Kane County Recorder's Office
719 South Batavia Avenue Bldg C
Geneva, IL 60134
Phone: (630) 232-5935
Hours: 8:30 – 4:30 M-F
www.kanecountyrecorder.net

DuPage County Recorder's Office
421 North County Farm Road
Wheaton, IL 60187
Phone: (630) 407-5400
Hours: 8:00 – 4:30 M-F
www.dupageco.org

► Our goal is to complete the review of your building permit within (10) working days.

* **PLEASE NOTE**: For your convenience, the City will record the Covenant of Running With the Land on your behalf, but the Recording Fee, currently $32.00, must be paid in advance and may add up to (5) additional working days to the review time of your permit.

Application – Permit Fees: (All payments are to be made in either a check or cash)

► A filing fee is to be paid at time of submission of application and plans. Payment is to be submitted either in check, cash, or money order – no electronic payments accepted:
- Right-of-way permit and/or private driveways - $55.00 dollars
- Street Cut - $70.00 dollars
- (Optional Recording Fee) - $32.00 dollars

R.O.W. Permit:

Right-of-Way and/or private driveways:

► This type of permit will need to be obtained for all other R-O-W work that does not require open cutting a street or replacing a driveway.

R.O.W. Permit for Driveway:

► This type of permit will need to be obtained anytime a driveway is removed and replaced. As of June 1, 2009, the City of St. Charles requires a permit for all driveway removal and replacements.

► No access drive shall cover more than twenty-five (25%) of the front or exterior side yard in which it is located, except that circular driveways serving one and two family dwellings may cover a) up to fifty percent (50%) of the front yard, if both access points intersect with the front lot line, b) up to fifty percent (50%) of the exterior side yard, if both access points intersect with the exterior side lot line, or c) up to twenty-five percent (25%) of the total area of the front and exterior side yards, if one access intersects the front lot line and the other intersects the exterior side lot line. Notwithstanding this limitation on lot coverage for access drives, one driveway up to 16 feet wide generally perpendicular to the street is permitted for one and two family uses, and on driveway of up to 24 feet wind generally perpendicular to the street is permitted for other uses, regardless of the percentage of the yard it occupies.

R.O.W. Permit for Street Cut:

► This permit will need to be obtained for all R.O.W. work that is performed in or under a City owned street or alley.

Required Inspections by Permit Type:

R.O.W. Permit:

- Placement of sidewalk would require one inspection
  - Base, expansion joint and form inspection prior to sidewalk placement.
- Open trench and sidewalk repair would require two inspections:
  - Trench backfill
  - Sidewalk placement
- Open trench with no pavement or sidewalk would require one inspection:
  - Restoration
- Non-Standard Mailbox would require one inspection:
  - Footing form inspection prior to footing placement

R.O.W. Permit for Driveway:

- Replacement of existing driveway or installation of new driveway (or driveway addition) would require one inspection:
  - Inspect base, expansion joint material and forms prior to paving.
  - PLEASE NOTE: Second inspection could be required if curb cut is needed or requested.

R.O.W. Permit for a Street Cut:

- Any work performed within an existing road would require three inspections:
  - Trench backfill
  - Pavement base inspection prior to paving
  - Final

PLEASE NOTE: 24-hour notice will be required to schedule an inspection for any work performed in the City of St. Charles R.O.W., which include public sidewalk, driveways, and street repairs.

Design Requirements:

- Please refer to the City of St. Charles Engineering Design and Inspection Policy Manual and Details for construction and design requirements. It can be found at the following web-address:

  http://www.stcharlesil.gov/departments/PublicWorks/CityEngineeringOffice/policy-manual.html

Additional Design Requirements:

- All Concrete Forms must be a minimum of 6-inches in height. (1x6 or 2x6 wood or metal forms are allowed)
- Asphalt and Concrete Pavement Repairs: All pavement repairs must be made in accordance with the Pavement Patch Detail located in the Engineering Design and Inspection Policy Manual.
- Temporary Pavement Patch (cold patch is not permitted): Flowable fill placement, if used, should not exceed more than 3-inches below the bottom of the existing pavement. After the flowable fill sets it must be capped with CA-06 stone and existing pavement section must be

matched. The remaining void shall be filled with a temporary concrete patch. A layer of visquene shall be placed in-between the flowable fill and concrete patch to permit removal without disturbance to the flowable fill. The concrete shall be removed and replaced with bituminous material prior to the next May 1st.

- ► Curb cuts may be completed by removing the "barrier" portion of the existing curb. Approval of this method will be subject to inspection by the Development Engineering Office and completed at the owner's risk. Excessive spauling after saw cutting might require removal of the existing curb per the City's discretion at the applicant's expense.
- ► Any temporary road closures shall be completed with proper traffic control as mandated by Illinois Department of Transportation (IDOT).
- ► The contractor shall coordinate all closures with the City of St. Charles Police Department (630-377-4435) and Tri-Com (630-377-9011).

General Comments:

- ⇒ All inspections are to be scheduled with the Building and Code Enforcement Division Office (630.377.4406) a minimum of 24-hours in advance before bituminous, concrete or non-standard pavement is placed within the right of way. Scheduling these inspections is encouraged at the time your permit is issued.
- ⇒ All construction must be in accordance with the "Manual on Uniform Traffic Control Devices" (current edition).
- ⇒ All documents MUST be submitted to the Building and Code Enforcement Division, approved and a permit issued prior to any work beginning.
- ⇒ All construction must be in accordance with the St. Charles Municipal Code, the City of St. Charles Engineering Design and Inspection Policy Manual (current edition), the Illinois Department of Transportation "Standards Specifications for Road and Bridge Construction" (current editions) and all final "Supplemental Specifications" published as of the date of this permit.
- ⇒ Applicant is responsible for contacting JULIE for utility locations (800.892.0123). You will be given a Dig Number; it is very important to retain this number for any references on these locations. Color code for the JULIE marking are as follows:

▪ Electric Utilities	Red
▪ Comcast (Cable)	Orange
▪ Northern Illinois Gas (NICOR)	Yellow
▪ Sewer Utilities	Green
▪ Telephone Utilities	Orange
▪ Water Utilities	Blue

PLEASE NOTE: Underground traffic signal utilities are NOT located when contacting J.U.L.I.E. When working near traffic signals or suspected underground traffic signal utilities, please contact the City for the current contractor's contact information.

COVENANT RUNNING WITH THE LAND **Record** (Non-Standard Pavement)

THE DECLARATION OF COVENANTS made this _____ day of _____, 20____, by _____ (individually or collectively, the "Declarant(s)");

WITNESSETH THAT

WHEREAS, the Declarant(s) is/are the owner(s) in fee simple of certain real estate (the "Property") in St. Charles, Illinois, legally described as follows:

_____

_____

Parcel Number: _____

Commonly known as: _____

WHEREAS, the City of St. Charles ("City") regulates the public rights-of-way within its boundaries; and

WHEREAS, the Declarant(s) wish to install a Non- Standard Pavement in a public right-of-way; and public drainage easements: and

WHEREAS, the City is willing to allow such installation pursuant to the terms and conditions set forth in this Declaration.

NOW, THEREFORE, THE DECLARANT(S) DECLARE AS FOLLOWS:

1. The Declarant(s), their assigns and successors in title hereby shall install the Non-Standard Pavement in full compliance with the laws, ordinances, resolutions, rules and regulations of the City of St. Charles, Kane County, the State of Illinois or any other governmental unit or agency having jurisdiction, applicable thereto as amended from time to time. The Non-Standard Pavement shall be constructed and installed by the Declarant(s) at their expense and in strict accordance with plans and specifications that must be submitted and approved by the Development Engineering Department prior to the commencement of any construction and/or installation.

2. Upon construction and installation or removal of said Non-Standard Pavement, the Declarant(s) shall restore the surrounding area to its original condition immediately prior to construction and installation or removal. In the event the Declarant(s) do not restore the surrounding area, the City may restore the surrounding area and charge the costs thereof to the Declarant(s). Any such expense incurred by the City in connection with this paragraph shall create a lien against the Property.

3. The Declarant(s) and their assigns and successors in title hereby agree to and do hereby release the City, its officers, agents and employees from any obligation as a result of damages to the Non-Standard Pavement which may occur in the course of the installation, removal, maintenance or repair of any utility within said right-of-way, or as the result of street construction/repair, snow removal, or street cleaning by the City.

4. The Declarant(s), their assigns and successors in title hereby agree to indemnify and hold the City of St. Charles and the public utilities which are from time to time authorized to use said easements and public rights-of-way, and both groups' officers, agents and employees, harmless from any damages, injuries, and costs including damages to the utility equipment or public right-of-way, occasioned by the installation, maintenance, location, repair of the Non-Standard Pavement, said costs to include attorney fees and costs of litigation.

5. The Declarant(s), their assigns and successors in title hereby agree to indemnify and hold the City, its officers, officials, employees and agents harmless from any and all claims and causes of action (including, but not limited to, those brought, asserted or alleged by third parties), and liabilities or expenses, including judgments, costs and damages, and including any and all attorney's fees and costs incurred by the City, alleged to have occurred from the installation, construction, repair, maintenance, continued existence, or removal of the Non-Standard Pavement.
The Non-Standard Pavement shall at all times remain the property of the Declarant(s) and the City shall not be responsible for the continued maintenance or repair of the Non-Standard Pavement; provided, however, should the Declarant(s) fail to properly maintain or repair the Non-Standard Pavement, the City may at its option, perform the required maintenance or repairs and charge the Declarant(s) the costs and expenses incurred therein. Any such expense incurred by the City in connection with this paragraph shall create a lien against the Property.

This Declaration shall not give rise to any right of ownership in the City right-of-way to the Declarant(s); said right-of-way shall continue to be a public property held by the City in trust for the general public.

The Non-Standard Pavement shall be constructed, installed, maintained and used so as to not interfere with either the public use of the City right-of-way or the rights of abutting and adjoining landowners.

Should the City determine, in its sole discretion, that the Non-Standard Pavement should be removed, the Declarant(s), at their expense, shall remove the Non-Standard Pavement. If the Declarant(s) fail to do so within twenty one (21) days from notice of the City's determination the City may at its option, remove the Non-Standard Pavement and charge the Declarant(s) the costs and expenses incurred therein. Any such expense incurred by the City in connection with this paragraph shall create a lien against the Property.

Declarant(s) understand and agree that the City, public utilities and/or cable television companies, and their successors and assigns, may also have certain rights in, over, under, upon or across the City right-of-way and that this Declaration does not affect or diminish the rights of

those parties and that the construction, installation, repair, maintenance and/or use of the Non-Standard Pavement will not affect or diminish such rights.

Prior to installing the Non-Standard Pavement, the Declarant(s) shall deliver to the City a recorded copy of this Declaration.

This Declaration shall be binding upon and inure to the benefit of the respective heirs, successors and assigns of the parties hereto.

The provisions of this Declaration shall be enforceable by the City and any costs related to such enforcement, including attorney fees and court costs, shall be paid by the Declarant(s).

This Declaration shall not be terminated or modified without the written consent of the City.

IN WITNESS WHEREOF, the undersigned have executed this Declaration at_____, Illinois

_____	_____
Print Full Name	Print Full Name
_____	_____
Property Owner's Signature	Property Owner's Signature

STATE OF ILLINOIS)
) SS.
COUNTY OF)

I, _____, a Notary Public in and for said County, in the State of Illinois, do hereby certify that_____, personally known to me to be the same person(s) whose name(s) is/are subscribed in the foregoing instrument, appeared before me this day in person and acknowledged that _____ signed, sealed and delivered said instrument as his/her/their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and seal this _____ day of_____, 20_____.

_____
NOTARY PUBLIC

THIS DOCUMENT PREPARED BY
AND RETURN TO:

_____
City of St. Charles
Development Engineering Office
630.443.3677
Return to:
Building & Code Enforcement Division
Two East Main Street
St. Charles, IL 60174
Phone: 630.377.4406

CITY OF ST CHARLES
Application for Right-Of-Way, Driveway or Street Cut Permit

Department: Building & Code Enforcement Division Phone: (630) 377-4406 Fax (630) 443-4638

Application Date:_____ Parcel No. _____ Permit No_____

PLEASE PRINT ALL INFORMATION

I, _____, do hereby apply for a permit for the following described work

located at _____ Estimated Cost:_____

Description of proposed work: _____

I hereby apply for a permit to conduct the following: (check all that apply)

- ☐ **Right of Way**
- ☐ **Private Driveway**
- ☐ **Street Cut**

Check List for Submittal of Application:

- ❒ Building Permit Application – Completely Filled Out.
- ❒ Two-2 copies of the plat of survey highlighting the area in which the work being conducted.
- ❒ Two-2 copies of the details of the proposed work.
- ❒ An original copy of a Permit Bond or Performance Bond in the amount of $10,000 with the City of St. Charles listed as beneficiary.
- ❒ An original copy of a Certificate of Liability Insurance with special provisions listing the City of St. Charles as additional insured.
- ❒ If you are using Non-standard pavement such as paving bricks, stamped concrete, colored concrete or stamped asphalt, or installing a mailbox with a brick/stone enclosure the property owner is required to complete and file with the Kane County Recorder's Office a Covenant Running With the Land prior to the submittal of the application.

Owner of the Property:

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

Applicant:

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

General Contractor:

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

Contractor: _____

Name:_____

Address:_____

City/State/Zip Code:_____

Telephone NO._____

Application for Right-Of-Way, Driveway or Street Cut
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I, the undersigned, certify that if a permit is issued to me, I will comply with all applicable ordinances of the City of St. Charles and shall perform all work, or cause all work to be performed according to the provisions of said ordinances; the Illinois Department of Transportation "Standard Specifications" for Road and Bridge Construction" (current editions), and all final "Supplemental Specifications" published as of the date of this permit. I, or my agent, shall personally supervise the work and shall do, or cause to have done, said work according to plans, specifications and other written information supplied as a part of this application. I am familiar with the applicable ordinances and the provision thereof and in signing this application do willingly become responsible for all work accomplished under the permit by all contractors, tradesmen and workmen, and shall call for inspections as required at a minimum of 24-hours before they become due.

PRINT NAME: _____ SIGNATURE _____

REPORT OF THE BUILDING OFFICIAL

Remarks:_____

Accepted: _____ Rejected: _____ Date: _____

Signed:_____

For Office Use
Received _____
Fee Paid $_____
Receipt # _____
Check #