



# AURORA TOWNSHIP HIGHWAY DEPARTMENT

*Aurora Township  
Highway Commissioner  
Jason Owens*

*220 Butterfield Road  
North Aurora, IL 60542  
[www.ATHD.org](http://www.ATHD.org)*

*Office: 630-892-0246  
Fax: 630-892-0266  
[info@athd.org](mailto:info@athd.org)*

## Aurora Township Utility Permit

In accordance with Illinois Compiled Statutes 605 ILCS 5/9-113 \_\_\_\_\_ hereby requests permission to contract, operate and maintain a buried/aerial \_\_\_\_\_ in Kane County, Aurora Township, Section \_\_\_\_\_ along Township Road \_\_\_\_\_. The method of construction shall be by \_\_\_\_\_. A location map and a sketch or drawing of the proposed work, including its location in relation to the highway right-of-way and roadway surface, shall be included with this permit.

This permit is subject to Section 9-113 of the Illinois Highway Code and grants a license only to undertake certain activities on the rights-of-way under Aurora Township jurisdiction described herein. This permit does not create a property right or grant authority to the applicant to impinge on the rights of others who may have an interest in the right-of-way.

This permit shall only grant permission of the Aurora Township Highway Commissioner and DOES NOT grant permission of any other government entities or landowners who own the underlying fee simple interest in the right-of-way. Rights of abutting and underlying property owners are protected under common law and Section 9-113 of the Illinois Highway Code. The applicant will address these rights prior to initiating activities on the right-of-way by seeking permission from adjacent right-of-way landowners. The Aurora Township Highway Commissioner will not be a party to any negotiations between the utility and abutting property owners. In no case shall the permit give or be construed to give the applicant any easement, leasehold, or other property interest of any kind in, under, upon, above or along the right-of-way.

The following conditions and restrictions apply to the operation and presence of specified equipment, material or facility on the right-of-way that may be related to the authorized work:

- ) The applicant, its successors, grantees, and assigns shall assume all risks and liabilities for all accidents and damages that may occur to person or property as a result of the work performed pursuant to this permit. Applicant shall indemnify, defend, and hold harmless Aurora Township Highway Commissioner (including the Township/County), their officers, agents, volunteers, and attorneys from and against any and all suits, claims, demands, losses, damages, costs, and expenses of any nature whatsoever incurred in connection with the work performed by applicant pursuant to this permit.
- ) A copy of this permit must be present when crews or equipment occupy the right-of-way.
- ) The public right-of-way shall be returned to its original condition in a timely manner at the expense of the applicant. The applicant shall not trim, cut, or in any way disturb any trees or shrubbery located in the right-of-way without the approval of the Aurora Township Highway Commissioner.
- ) Any drainage structure disrupted, damaged, or destroyed by the said construction shall be repaired at the applicant's expense.
- ) Any relocation of existing utility facilities will be completed at the sole expense of applicant.
- ) Any proposed buried utility installation shall be sleeved in its entirety.

- J The applicant shall avoid conflicts with any existing underground or above-ground facilities on or near the right-of-way. Both the Kane County Engineer and J.U.L.I.E. are to be contacted for assistance during the application process.
- J No open cuts shall be allowed across Township Roads.
- J The proposed work shall be located and constructed to the satisfaction of the Aurora Township Highway Commissioner or their duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without written permission of the Aurora Township Highway Commissioner or their duly authorized representative. The Aurora Township Highway Commissioner shall have unrestricted access to inspect the applicant's work at all times.
- J The applicant shall at all times conduct work in such a manner as to minimize hazards to vehicular and pedestrian traffic. All signs, barricades, flaggers etc. required for traffic control shall be furnished by the applicant.
- J The applicant shall comply with all other applicable laws relating to the placement of utility lines, with all applicable provisions of the Illinois Highway Code and its regulations, and with all other applicable laws.
- J These conditions and terms will apply to all contractors including sub-contractors hired by the applicant to perform various functions of installation.
- J This permit is valid only from sunrise to sunset, seven days a week, unless further restricted by the Aurora Township Highway Commissioner upon its issuance. This permit is void when visibility is impaired due to rain, snow, fog, or for any other reason, and also when the pavement is wet or covered in whole or in part, or at any other time when travel conditions are considered to be unsafe by the Aurora Township Highway Commissioner, with or without notice. In no event shall any failure of the Aurora Township Highway Commissioner to advise of such unsafe travel conditions be construed as a waiver of applicant's or any contractors of applicant's obligations under this paragraph.
- J Applicant and/or any contractor shall obtain and thereafter keep in force the following insurance coverage provided by an insurance company deemed acceptable to the Aurora Township Highway Commissioner and authorized to transact business under Illinois law. The Aurora Township Highway Commissioner does not warrant the adequacy of the types of insurance coverage or the limits of liability specified below, nor shall any such decision with respect to the type of insurance coverage obtained by applicant limit the indemnification provision of this permit.
  - o Commercial General Liability: (a) General Aggregate Limit, \$2,000,000.00; (b) Products-Completed Operations Aggregate Limit, \$2,000,000.00; (c) Each Occurrence Limit, \$1,000,000.00;
  - o Automobile Liability (covering owned, non-owned, and hired vehicles), Bodily Injury and Property Damage Liability Limit Each Occurrence: \$1,000,000.00;
  - o Worker's Compensation: in such amounts and consistent with the provisions of the Illinois Worker's Compensation Act, as amended; and
  - o Employer's Liability: (a) Each Accident, \$500,000.00; (b) Disease-Policy Limit, \$500,000.00; (c) Disease-Each Employee, \$500,000.00.
- J The applicant and/or any contractor may purchase insurance for the full limits required or by a combination of primary policies for less limits and remaining limits provided by an umbrella insurance policy. All insurance coverage shall remain in force during the period covering the work performed pursuant to this permit and at all times thereafter when the applicant and/or contractors may be correcting, removing, or replacing defective work and restoring damaged property.
- J This permit is subject to revocation by the Aurora Township Highway Commissioner upon violation of the terms and conditions governing its use.

Work shall begin on or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and shall be completed on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Application submitted by:

Name: \_\_\_\_\_

Representing: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Work to be done by:

Contractor: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Emergency Phone: \_\_\_\_\_

Administration Fee (\$500) collected on: \_\_\_\_\_

Permit approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Aurora Township Highway Commissioner