

AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF PEORIA PROVIDING FOR THE REGULATION OF LICENSING AND BONDING FOR DUMPSTER AND PORTABLE STORAGE CONTAINER CONTRACTORS

WHEREAS, the City of Peoria, Illinois is a home-rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and may exercise any power and perform any function pertaining to its government and affairs including regulating the public right-of-way;

WHEREAS, the City Council of the City of Peoria, Illinois desires to streamline the process for obtaining a dumpster or portable storage container permit; and,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois:

Section 1: Chapter 26 of the Code of the City of Peoria is hereby amended by adding the following underlined words and deleting the following stricken words:

Section 26-29. Consent to temporarily occupy right-of-way

(d) Fees.

(2) Use of the parking lane alone, with no disruption of pedestrian or vehicular traffic, for reasons including but not limited to, the storage of equipment, dumpsters or portable storage units, is subject to a \$20.00 fee for each 30 days. Application for permits shall be made by the entity placing the dumpster or portable storage container, not by the property owner.

Section 26-266. - License-Required

It shall be unlawful for any person to engage in the business of or to enter into a contract for:

(a) the building, rebuilding or repairing of sidewalks, driveways and driveway approaches within the city, or

(b) placing a dumpster or portable storage unit in the public right-of-way

without first obtaining a license therefor.

Sec. 26-267. - Same—Application; fee.

Any person desiring to obtain a license to engage in the business of sidewalk and driveway contractor or dumpster or portable storage unit contractor, as required by the preceding section shall make application therefor as provided in article I of chapter 18. The fee for a license ~~for a sidewalk and driveway contractor~~ shall be \$25.00 per calendar year.

Sec. 26-268. - Same—Bond.

(a) Any person desiring to engage in the business of a sidewalk and driveway contractor or dumpster/portable storage unit contractor shall execute a bond to the city, to be approved by the corporation counsel, in the sum of \$10,000.00, conditioned that he will indemnify and save

harmless the city from all accidents or damages caused by negligence in either the performance, execution or protection of any work done under or by virtue of any permit issued by the city, relative to the business in which such person is engaged, and that such licensee will comply with the provisions of any other ordinance which the city council may, from time to time, ordain, pertinent to the conduct of such business. This bond must be renewed annually.

(b) Such bond shall also be conditioned that all sidewalks, driveways, or driveway approaches built, rebuilt or repaired by such contractor will remain in good repair and condition and that in case any sign of disintegration appears or any defects occur within a period of one year from and after the completion thereof, such contractor shall be liable and responsible to correct such defects.

Section 2. This Ordinance shall be in full force and effect immediately upon its passage and publication thereof.

PASSED THIS _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel