

City of Rockford, Illinois

Public Works Department
Construction and Development Services
425 East State Street, Rockford, IL 61104
Phone: (815) 987-5570 Fax: (815) 967-7052 TDD (815) 987-5718
Web: www.rockfordil.gov



Timothy Hanson
Director
Public Works Department

LANDSCAPING/PLANTER PERMIT APPLICATION
(To tunnel, bore, excavate, dig or other such work in City street, alley, sidewalk, terrace or other public right-of-way)

PERMIT #: _____

(DATE OF APPLICATION)

(APPLICANT NAME) (PLEASE PRINT)

UTILITY COMPANY OR CONTRACTOR OR HOMEOWNER
(IS APPLICANT) (CHECK ONE BOX)

(APPLICANT ADDRESS) (PLEASE PRINT)

(PHONE)

(APPLICANT SIGNATURE)

The above applicant hereby agrees to perform the work in accordance with the provisions and as set forth in Chapter 26 as revised, of the City of Rockford, Code of Ordinance.

(DESCRIPTION OF WORK)

(LOCATION OF PLANTER - HOUSE ADDRESS & STREET NAME)

PAVEMENT ALLEY SIDEWALK TERRACE CURB

(PLANTER IS LOCATED BETWEEN THESE TWO SIDE STREETS)

_____ THRU _____ a.m. _____ p.m.
(DATE WORK WILL BE DONE) (ESTIMATED WORK HOURS)

PROOF OF INSURANCE AND BOND WITH CITY REQUIRED
CONSTRUCTION: \$30.00

(APPROVED BY) (PUBLIC WORKS DEPT.) _____ \$ _____ (INTERNAL PAY CODE 1010 61403)
(DATE OF APPROVAL) (FEE)

(SPECIAL CONDITIONS)
CONTACT THE PUBLIC WORKS ENGINEERING DEPARTMENT FOR A FINAL INSPECTION AT 987-5570.

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AGREEMENT FOR MAINTENANCE OF LANDSCAPING AND/OR PLANTINGS IN THE CITY OF ROCKFORD RIGHT-OF-WAY

This Agreement is dated as of the ____ day of _____, 200 ____, by and between the CITY OF ROCKFORD, a municipal corporation, ("City"), and _____ ("Participant").

RECITALS:

WHEREAS, the Participant wishes to install landscaping, plantings, and/or a planter in the City of Rockford right-of-way; and

WHEREAS, the City wishes to permit such installation to encourage the beautification of the community, subject to the terms and conditions herein.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Installation. Participant will install the following:

<u>check one</u>	<u>description of landscaping/plantings</u>
___ landscaping/plantings _____	_____
(no planter container)	_____
___ planter w/plantings _____	_____

at the following location: _____

(List street address or corner **and** ROW description, i.e. median, sidewalk, etc.)

upon obtaining a permit to do so by the Department of Public Works. Participant agrees to abide by any conditions contained in the permit.

2. Maintenance. Participant agrees to maintain the landscaping/plantings, including weeding and watering. If a planter is being used, Participant agrees to maintain the planter in a clean and safe condition in the location approved.

3. Indemnification and Hold Harmless. Participant agrees to that it shall indemnify and hold harmless the City of Rockford from any obligations, claims, suits, judgments, attorney's fees or costs whatsoever arising from or growing out of the acts or omissions of Participant and any of its officers, agents, employees, members or volunteers, that occur while acting of behalf of Participant while installing or maintaining the landscaping/plantings and/of planter. Participant also agrees that he/she/it will be responsible for any damage to the public right-of-way caused by any planter. The City of Rockford agrees that if it receives notice of any suit or claim for which the City of Rockford intends to seek indemnity from the Participant the City shall within sixty (60) days of receipt of said suit of claim notify the Participant in writing thereof.

3. City's Remedies for Noncompliance. If in the opinion of the City Engineer or his designee the landscaping/plantings and/or the planter are not being maintained as required by this Agreement, the issued permit, and any applicable laws or regulations,

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the City Engineer or his designee may, upon notice described below, either: a. remove the landscaping/plantings and/or the planter, or b. elect to maintain the landscaping/plantings and/or planter, but may subsequently remove with no further notice required. The City shall not be liable to the Participant in any way for said removal or takeover, and shall not be required to return the planter to the Participant. Prior to taking such action the City Engineer or his designee shall notify Participant of the maintenance deficiency in writing at the address herein or at such address Participant has designated in writing to the City as Participant's current address. The notice shall advise the Participant that the Participant has fourteen (14) days to correct the deficiency.

4. Notices. All notice, requests, demands and other communication (collectively "Notices") hereunder shall be in writing and given by personal delivery or U.S. mail, postage prepaid, at the following addresses or at such other addresses as the parties may designate by Notice given in the above-described manner:

City:	Participant:
CITY OF ROCKFORD	_____
Department of Public Works	_____
City Engineer	_____
425 E. State Street	_____
Rockford, IL 61104	

Notice of suit or claim to:
CITY OF ROCKFORD
Legal Director
425 E. State Street
Rockford, IL 61104

Notice shall be effective upon receipt or upon attempted delivery if delivery is refused or impossible because the recipient has failed to provide a reasonable means for accomplishing delivery.

IN WITNESS WHEREOF, the City and Participant have executed this Agreement on the date above first written.

CITY OF ROCKFORD

PARTICIPANT

By: _____
City Engineer

By: _____
Its: _____



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Director
Public Works Department

Landscaping/Planter Boxes in the Right-of-Way

1. A permit is required to place landscaping within the City right-of-way. You may obtain this permit in the Public Works Department on the 6th floor of City Hall (425 East State Street). You may call Catherine Smoody at 815-967-7644 with any questions or concerns. Along with the permit a signed Agreement must be submitted. This Agreement can be obtained in the Public Works Department on the 6th floor of City Hall (425 East State Street).
2. A location map or sketch with dimensions shall be submitted for review. The planters must not be placed on the public sidewalk unless sufficient room (min. 5' wide) is maintained for pedestrian traffic. The Public Works Department must approve the location of the planters.
3. Planters may only be placed within the business districts unless otherwise approved by the Public Works Department.
4. Per Chapter 26, Sec. 26-12 of the "Streets and Sidewalks" Code of Ordinances, it shall be unlawful to deposit any loose papers or like materials, or any kind of dirt, rubbish, wood shavings, or chips in such a condition so that they may scatter or blow upon any of the alleys, streets, sidewalks or other public places.
5. The plantings shall coincide with the America in Bloom planters. Please contact Ruth Miller at Rockford Park District Foundation.