



Village of Flossmoor

Mayor

Paul S. Braun

Village Manager

Bridget A. Wachtel

Trustees

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Diane Williams

Village Clerk

Pamela S. Nixon

STATEMENT OF POLICY

Occupation of Public Rights-of-Way with Private Improvements

Policy Approved by Mayor and Board of Trustees: October 20, 1980

PURPOSE

To clarify limits on the use of dedicated right-of-way and to alert private property owners of the absence of a public responsibility for any damage to private improvements, including underground facilities, within such right-of-way.

RATIONALE FOR POLICY

Public safety considerations and governmental responsibility for the maintenance, control, and use, of public streets and other right-of-way improvements (sidewalks, fire hydrants, parkway trees, signs, etc.) require that the Village limit the actions of private property owners or other parties in altering the right-of-way through landscaping, curb cuts, construction (above or below ground), the placement of obstacles, or other encroachments. Where a private party elects to proceed with any such work, even though legally permissible, and where such privately placed or constructed improvements are damaged or destroyed, the community as a whole should not be liable to that party for repairs, replacement, loss of value or in any other way, even if such damage results from Village government activities.

POLICY STATEMENT

1. Private property owners desiring to plant trees or other landscaping within the public right-of-way shall obtain prior written approval from the Village Forester.
2. Private property owners desiring to construct decorative adornments or to place other aboveground obstacles within the public right-of-way shall first obtain the written approval of the Public Works Director.
3. No person shall alter the color of a fire hydrant, move or deface a sign, or otherwise tamper with or damage public property within a street right-of-way.
4. Private property owners desiring to construct improvements, either above or below ground, within a public right-of-way, shall first obtain the written approval of the Public Works Director.
5. The Village shall not stand liable for any damage to above-ground or below-ground improvements or landscaping within a public right-of-way, even where such items are damaged or destroyed by Village field operations or other governmental functions. In particular, the Village assumes no responsibility for damage to underground sprinkling systems, whether or not the locations of same have been communicated to the Village.

PROPERTY OWNER ACKNOWLEDGEMENT AND RECEIPT

I acknowledge that I have read the above "Statement of Policy: Occupation of Public Rights-of-Way with Private Improvements" and that I fully understand its contents.

Property Owner Name (print): _____

Property Owner Signature: _____

Property Owner Address: _____

Date: _____