

CITY OF NOKOMIS, ILLINOIS

ORDINANCE NO. 2124

**AN ORDINANCE AMENDING SECTION 33-7-4 OF THE REVISED
CODE OF ORDINANCES OF NOKOMIS, ILLINOIS PERTAINING TO
SPECIFICATIONS FOR DRIVEWAYS**

**ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF NOKOMIS, ILLINOIS
THIS 8th DAY OF JULY, 2024**

Published in pamphlet form by the authority of the City Council of the City of
Nokomis, Montgomery County, Illinois, this 8th day of July, 2024.

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WHEREAS, the City of Nokomis, Illinois (the "City") an Illinois non-home rule municipal corporation pursuant to Article VII, § 8 of the 1970 Illinois Constitution, organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, pursuant to Section 1-2-1 of the Illinois Municipal Code, 65 ILCS 5/1-2-1, the Village "may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper"; and

WHEREAS, the City has determined that amendment of Section 33-7-4 of the Revised Code of Ordinances of Nokomis, Illinois, which pertains to specifications for driveways, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Nokomis, Illinois.

SECTION 2: Section 33-7-4 of the Revised Code of Ordinances is hereby amended to read as follows:

33-7-4 SPECIFICATIONS. Driveways across sidewalks shall be constructed in compliance with the specifications as required by the Street Superintendent. In developing specifications for proposed construction, the Street Superintendent shall consider:

(A) Current standards established by the Illinois Department of Transportation, including, but not limited to:

(1) Number 227-424026-03 (Entrance Alley Pedestrian Crossings),

(2) Standard Specifications for Road and Bridge Construction, and

(3) Title 92, Chapter I, Part 550 of the Illinois Administrative Code (Policy on Permits for Access Driveways to State Highways); and

(B) Any other standards or criteria deemed relevant to the proposed construction.

SECTION 3: All ordinances, resolutions, motions, or parts thereof in conflict with this Ordinance are hereby superseded to the extent of any conflict.

SECTION 4: If any section, clause, paragraph, or part of this Ordinance shall be found and determined to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance, which are hereby declared to be separable, and all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5: This Ordinance shall take effect upon its passage, approval, and publication as required by law.

SECTION 6: The Mayor is authorized and directed to sign and the Clerk is authorized and directed to attest to this Ordinance.

SECTION 7: The City Clerk shall publish this Ordinance in pamphlet form and shall see to its inclusion in the next published update of the Code.

Adopted this 8th day of July, 2024, by roll call votes as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Present</u>
Commissioner Arkebauer	X			X
Commissioner Morris			X	
Commissioner Glenn		X		X
Commissioner Stauder	X			X
Mayor Goldsmith	X			X

APPROVED by the Mayor of the City of Nokomis, Illinois this 8th day of July, 2024.


MAYOR

ATTEST:


CITY CLERK

STATE OF ILLINOIS)
COUNTY OF MONTGOMERY) SS.
CITY OF NOKOMIS)

CERTIFICATE

I certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois, and, as such, am the keeper of records and seal thereof; that the foregoing is a true, complete, and correct copy of Ordinance No. 2124 of said City; that said Ordinance, which is

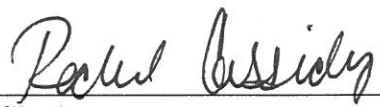
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was passed by the City Council of the City of Nokomis, Montgomery County, Illinois, by ye and nay vote on the 8th day of July, 2024; that said Ordinance was approved by the Mayor on the 8th day of July, 2024; and that said Ordinance was then deposited in the office of the City Clerk of said City and filed therein; and that the same was recorded in the Record of Ordinances of said City.

I further certify said Ordinance provided by its terms that it should be published in pamphlet form; that the pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof, was prepared; that a copy of such Ordinance was posted in the Nokomis City Hall, commencing on the 2nd day of July, 2024, to continue for at least ten (10) days thereafter; and that copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Nokomis, Illinois, this 8th day of July, 2024.

(SEAL)



City Clerk