

See changes  
Page 2

Superseded by  
ord # 214

Combine  
with 214

42-28

ORDINANCE

ORDINANCE OF THE VILLAGE OF BELLEVUE,  
PROBIA COUNTY, ILLINOIS, REGULATING  
THE USE OF RIGHTS-OF-WAY DESIGNATED  
FOR PUBLIC HIGHWAY OR SIDEWALK USE  
WITHIN THE CORPORATE LIMITS OF SAID  
VILLAGE.

BE IT ORDAINED by the President and Board of  
Trustees of the Village of Bellevue:

SECTION 1. All ditches and trenches now or  
hereafter dug or excavated, or now unfilled or in the  
process of being filled, within any Right-of-Way desig-  
nated for Public Highway or Sidewalk purposes within  
the Corporate Limits of the Village of Bellevue, for  
the purpose of laying pipe, sewer pipe, conduit or wire  
or for any other purpose, except ditches or trenches law-  
fully dug or excavated for the purpose of draining sur-  
face water, shall be filled to the pre-existing level  
with ~~the material excavated therefrom~~ and shall, from  
time to time, be re-filled, if settling occurs, until  
the pre-existing level shall be permanently established.

Compacted  
granular  
material  
?

SECTION 2. All ditches and trenches, designat-  
ed in Section 1 hereof, shall be filled with dispatch, as  
provided in Section 1 hereof, by the Contractor or other  
person, firm or corporation who dug or excavated or who  
directed or controlled the digging or excavation of the  
same and all persons, firms and corporations who have  
heretofore dug or excavated or who may hereafter dig or  
excavate any such ditch or trench, designated in Section  
1 hereof, or who shall have controlled or directed the digging  
or excavation of the same and who shall fail to fill or

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*Change Section  
2 to agree with  
Section 3 and not  
of ordinance*

fail to cause to be filled any part thereof, as provided in Section 1 of this Ordinance, for a period of more than twenty-four (24) hours, shall be deemed prima facie to be guilty of a violation of this Ordinance.

SECTION 3. All persons, firms and corporations who shall dig or excavate or control or direct the digging or excavation of any such ditch or trench, designated in Section 1 hereof, shall, at all times, properly barricade the same, and during a period from one hour before Sunset to Sunrise, following, and during all other periods of reduced visibility, shall properly mark or light the same by flares, pot torches or other lighted devices in such a manner as properly to warn all persons who may pass near or along such ditch or trench of the presence, location and size of the same and so as properly to protect such persons and their property against injury and damage on account of the existence of the same.

SECTION 4. All persons, firms and corporations who shall now or hereafter use any portion of any Right-of-Way, designated for Public Highway or Sidewalk purposes, for the digging or excavation of any such ditch or trench, as designated in Section 1 hereof, or who shall use or be in the process of using any portion of any such Right-of-Way for the construction, maintenance, laying or repair of any pipe, sewer pipe, conduit or wire, or for any other purpose, or who shall direct or control the digging or excavation of the same, shall be personally liable to any and all persons, firms or corporations whose person or property may be injured or damaged as a result thereof and every such person, firm or corporation, who shall so use or be in the process of

using any portion of such Right-of-Way, or who shall direct or control such use thereof, as aforesaid, shall, by so doing, be automatically deemed to have agreed to indemnify and save harmless the Village of Bellevue and all of its Officers against any and all loss, resulting to said Village of Bellevue or its said Officers, as a result of such use of any such Right-of-Way or portion thereof.

SECTION 5. It shall be unlawful for any person, firm or corporation to place, or cause to be placed, any leaves, lawn clippings, brush, trash, garbage or other refuse, rubbish or noxious material of any kind in or upon any Highway, Gutter, Ditch, Culvert or Bridge, located within any Right-of-Way for Public Highway or Sidewalk purposes within the Village of Bellevue or in such a manner that the same shall be obnoxious to the sight, smell or health of others, or so that the same stops, obstructs or diverts or causes to be stopped, obstructed or diverted the free passage of water in, through, under or upon any such Gutter, Ditch, Culvert or Bridge so located.

SECTION 6. Whenever any person, firm or corporation shall be convicted of a violation of this Ordinance, such person, firm or corporation so convicted shall be fined not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars for each such offense. Each day that any such person, firm or corporation shall violate any provision of this Ordinance shall be deemed a separate offense and shall be punishable accordingly.

Passed and approved by the President and Board  
of Trustees of the Village of Bellevue, Illinois this  
11 day of Jan, A. D. 1944.

Approved:

\_\_\_\_\_  
President.

Attest:

\_\_\_\_\_  
Village Clerk.

STATE OF ILLINOIS        )  
                              )  
COUNTY OF PEORIA        ) SS.  
                              )  
VILLAGE OF BELLEVUE     )

I, \_\_\_\_\_, the duly elected,  
qualified and acting Clerk of the Village of Bellevue, do  
hereby certify that the above and foregoing Ordinance was  
duly passed and approved by the President and the Board of  
Trustees of the said Village at a regular meeting of the said  
Board of Trustees on the \_\_\_\_\_ day of \_\_\_\_\_,  
A. D. 1944 and that, in pursuance to the Statute, in such cases  
made and provided, no newspaper being published in the said  
Village, I posted a copy of said Ordinance in three Public  
Places in the Village, as follows:

One copy at \_\_\_\_\_  
\_\_\_\_\_;