

**INDEMNIFICATION AND HOLD HARMLESS**  
**With respect to the installation of**  
**FENCE IN UTILITY EASEMENTS**

In consideration for the Village of Mundelein issuing a permit to the undersigned for the installation of a fence on the property at:

\_\_\_\_\_, Mundelein, Illinois  
Street Address

the undersigned shall indemnify and hold harmless the Village of Mundelein, its employees and agents for any liability arising from the issuance of the above permit, including, but not limited to:

1. Any damage to pipes, conduits, wires and other apparatus in any utility easement in which such fence may be installed;
2. Any damage to the fence resulting from the installation, repair, removal, replacement, or other work done on such pipes, conduits or wires; and
3. Installation of the fence shall not obstruct natural drainage or storm water flow inside or outside of easements.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

Building Department

ADDRESS: \_\_\_\_\_

PERMIT NUMBER \_\_\_\_\_

**ORDINANCE NO. 89-7-31 Amended by 05-09-66 RELATING TO FENCES**

Fences may be installed or constructed across or upon certain utility or Drainage Easements, as define herein, located on the owner's property upon the issuance of a permit therefore from the Community Development Department provided that the following conditions are met:

- 1) No fence shall be installed or constructed across or upon any access easement or pedestrian walkway.
- 2) No drainage easement, storm water management easement, special "A" drainage easement, drainage swale, overland flow path, or storm inlet (individually and collectively referred to herein as " Drainage Easement") shall be altered or in any way impeded by such fence. A minimum clearance of three (3) inches from the bottom of the fence to the ground shall be maintained at all times on fences installed or constructed within the Drainage Easement.
- 3) Prior to digging postholes within the utility or Drainage Easement, the property owner or contractor shall notify J.U.L.I.E. (Joint Underground Location Information for Excavators) of the proposed work and obtain from J.U.L.I.E all information relating to the location and depth of all underground pipes, conduits, wires and other apparatus within the utility or Drainage Easement.
- 4) Prior to installing fence posts within the utility or Drainage Easement, the property owner or contractor shall notify the Community Development Department and request an inspection of the postholes.
- 5) All owners of the property on which the fence is installed or constructed and contractors performing work thereon shall be jointly and severally responsible for any damage to any pipes, conduits, wires and other apparatus within the utility or Drainage Easement.
- 6) No further improvements, additions, or alterations may be performed on such fence or within the utility or Drainage Easement, without first applying for and receiving a new permit therefore from the Community Development Department.
- 7) It shall be the property owner's obligation to promptly remove the fence or such portion of the fence as may be necessary upon notice from the Village or public utility company in order for the Village or public utility company to install, repair, remove, replace, maintain or do other work on such pipes, conduits, wires or other apparatus within the utility or Drainage Easement. If the property owner fails to do so in a timely manner or if there is an emergency as determined by the Village or public utility company, the Village or public utility company may remove the fence or such portion of the fence as may be necessary to do work within the utility or Drainage Easement.
- 8) The Village or public utility company and their contractors, employees and agents shall have no liability for the removal or damage to such fence in the course of performing any work on such pipes, conduits, wires or other apparatus within the utility or Drainage Easement and the property owner shall be responsible, at his cost, for the repair or reinstallation of any portion of the fence damaged or removed.
- 9) This Ordinance number shall be referenced in all fence permits regarding fences to be installed or constructed within a utility or Drainage Easement, as defined herein, and the permit shall state that it is conditioned on the property owner and his contractor fully complying with this Ordinance shall apply to the property owner applying for and receiving the fence permit and all subsequent owners of the property.

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I, \_\_\_\_\_ (OWNER CONTRACTOR) have read and understand these requirements and agree to be responsible.

PRINTED NAME

SELECT ONE

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SIGNATURE

DATE

Ordinance No. 89-7-31 – Amended by 05-09-66