



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois/62764

January 10, 1990

#90-2

Transportation Legislation - Public Act 86-616

COUNTY SUPERINTENDENTS OF HIGHWAYS
MUNICIPAL ENGINEERS
CONSULTING ENGINEERS

Public Act 86-616, passed in the 1989 Session of the 86th General Assembly, added a new section (9-115.1) to the Illinois Highway Code. The new section as shown below became effective January 1, 1990 and is self-explanatory.

"It is unlawful for any person to construct or cause to be constructed any drainage facility for the purpose of the detention or retention of water within a distance of 10 feet plus one and one-half times the depth of any drainage facility adjacent to the right-of-way of any public highway without the written permission of the highway authority having jurisdiction over the public highway."

"It is unlawful for any person to construct or cause to be constructed any earthen berm such that the toe of such berm will be nearer than 10 feet to the right-of-way of any public highway without the written permission of the highway authority having jurisdiction over the public highway."

Local agencies should govern themselves accordingly. Future highway or street projects and right-of-way needs should be considered prior to issuing this permission.

Very truly yours,

A handwritten signature in cursive script that reads "Bill Sunley".

William T. Sunley, P.E.
Engineer of Local Roads
and Streets

cc-
District Engineers