1) **Non-permanent but ephemeral materials** (herbaceous landscaping planted at grade) will be permitted upon the public way to the centerline of the right of way, and within the limiting lot lines of the requesting property. This should be done as a Use of the Public Way permit from the Department of Business Affairs (call 312-744-6249 for an application). These permits are subject to the Municipal Code of Chicago, Chapter 10-28, et seq., as may be amended from time to time, are renewable on a 5 year basis, and are revocable at the City’s discretion. Trees and large woody shrubs that prevent the use or drivability of any public way to emergency City, utility or City-authorized/permited vehicles in the unimproved public way, will not be permitted.

2) **Non-permanent but semi-durable materials** such as pavers, framed or walled flower beds, jungle gyms, above ground pools and other hardscaping will not be permitted upon the public way.

3) **Permanent, durable materials** such as garages, sheds, home additions, in-ground pools, or similar will not be permitted upon the public way.

4) **Grading & Surface Treatments** such as gravel, asphalt, pavers and other materials laid down by others with the intent to drive upon the legally unopened public way will not be permitted.

5) **Fences** placed on the public way with the intent to enclose the alley/street in conjunction with private property, will not be permitted EXCEPT where those fences occur on either end of a public alley where it intersects perpendicularly with a public street. Such fencing shall include an open-able gate wide enough for utility truck movement, where vehicular access is not otherwise blocked by the presence of public trees. Acceptable fence exceptions shall require a Use of the Public Way permit (described above), and be judged on a per case basis. The intent is to prevent open public use of the unimproved public way by all except those residing on the block. No interior block fences in the unimproved alleys will be permitted.

6) **Garage Access.** Constituents should be aware that garages built along an unimproved public way do not have rights to use the public way for ingress or egress to that garage. Nor does long term occupation of the public alley convey any ownership rights upon the occupier.

CDOT is amenable however to the evaluation of the legal opening and construction (to City Standards) of an entire length of a public alley (full width and full length) subject to Aldermanic and resident support, and the proper review and execution of documentation.

7) **Limitations.** The placement of private materials upon the public way should be recognized to be temporary and subject to removal at any time by the City of Chicago when City, authorized utility or permit holder work in the area is necessary. The City of Chicago is not be responsible for notification to the owners, nor subject to any damage, relocation or replacement costs for private property placed in the public way, whether permitted or not. Thus, use of the public way is done at the user’s exclusive risk.

8) **Unpermitted users** (as detailed above) are subject to citation at the rate of $500 per day, per incident, damages to the City, and the cost of returning the public way to its original or better condition.

9) **Vacations.** In some extremely limited cases, the unimproved public way may be vacated (sold) by the City to the adjacent property owner, subject to very strict configuration and other requirements.

Please call CDOT / Maps and Plats Section at 312-744-4996 if you have additional questions