



CITY OF CHICAGO

CHICAGO DEPARTMENT OF TRANSPORTATION

POLICIES REGARDING UNIMPROVED ALLEYS

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 adjacent to 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 by emergency City, utility or City-authorized/permitted 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 homeowners on an unimproved alley to serve as access to single or small group of homes (rather than the entire block) 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 permits for garage construction along an unimproved alley are routinely denied. The City has no legal obligation to construct platted alleys to allow vehicular access to the rear of a lot. Nor does long term occupation of the alley convey any ownership or easement 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 through-alley (full width, full length, and not deadended) subject to need, Aldermanic support, the use of Aldermanic Menu funds, and overwhelming resident support for the alley opening.

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 of loss.

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. Note that current owners are legally responsible for any and all encroachments that may have been previously installed by a prior owner (evidence of such encroachments are part of your closing docs).

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

Please call CDOT / Maps and Plats Section at 312-744-4996 and ask for Maps and Plats staff member to assist if you have additional questions

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