COUNTY ORDINANCE NUMBER 2011-1
Exception for Atlas Excavating Inc. to Operate

AN ORDINANCE TO ALLOW ATLAS EXCAVATING INC. TO CONTINUE TO OPERATE.

WHEREAS, It has been brought to the attention of the Board of Commissioners of Vermillion County that Atlas Excavating Inc. is performing work vital to the Town of Dana's sewer system on or near C.R. 950 South and that a different county ordinance will force them to stop work on January 16th of 2011.

NOW BE IT ORDAINED AND ENACTED by the Vermillion County Commissioners that:

SECTION 1. So long as Atlas Excavating Inc. or some other party obtains a bond of at least $50,000 per mile of road being used by Atlas for the Dana Sewer Project and so long as Atlas maintains the roadway in a manner suitable to allow a school bus to travel along the roadway then Atlas Excavating Inc. shall be excepted from any other Vermillion County Ordinance that would prevent them from performing their work. Proof of the existence of a bond shall be filed with the County Auditor.

SECTION 2. That at such time as their work on the Dana Sewer Project is complete and Atlas has returned the county roads to at least the condition that they were in prior to the start of the project then all bonds obtained under this ordinance shall be released.

SECTION 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Adopted and passed by Vermillion County Board of Commissioners this 18th day of January, 2011.

Tim Wilson

Harry Crosby

Linda Craig