

**TOWN OF SPRING BROOK
DUNN COUNTY, WISCONSIN
UTILITY ORDINANCE**

The Town Board of Supervisors of the Town of Spring Brook, Dunn County, Wisconsin does hereby ordain as follows:

Section 1 – Purpose and Intent

For public health and safety reasons, the purpose of this ordinance is to establish standards for utility work that will provide safe and adequate access from private or commercial developments to public rights-of-way within the Town of Spring Brook

Section 2 – Authority

The Town Board of Supervisors has general authority under its Village Powers under s. 60.22 and 60.61 Wisconsin State Statutes, to adopt this ordinance.

Section 3 – Adoption of Ordinance

This ordinance, adopted by a majority vote of the Town Board of Supervisors with a quorum present and voting and proper notice having been given, provides for the regulation, control, prevention, and enforcement to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any road right-of-way or bridge in the Town. "Facility" herein means all equipment owned, operated, leased, or subleased in connection with the operation of a service or utility service, and shall include, but is not limited to, poles, wires, pipes, cables, underground conduit, ducts, manholes, vaults, fiber optic cables, lines and other structures and appurtenances, etc.

Section 4 – Utility Application for Permit

- A. An individual application for permit must be obtained on each Town road where the utility work will take place. At intersections of two (2) Town roads, where utility work on the intersections roadway is no greater than 100 feet from the adjoining road way, only one (1) permit application will be required.
 1. Map requirement: All utility applications must include an attached, legible map indicating the specific location of the utility project.
 2. The application for permit may be obtained from the Town Chairman or Board designee.
- B. The current application permit fee is outlined in the Town of Spring Brook Fee Schedule. Fees may be increased from time to time by the Town Board of Supervisors.

Section 5 – Restoration/Replacement

All Town facilities, both above and below ground, including the roadway pavement, shoulders, ditches, culverts, storm sewer, sanitary water and sewer, slopes, signs, etc., damaged or disturbed by the permitted utility work shall be restored promptly.

- A. Damage to any portion of an asphalt-paved travel lane will require the replacement of the entire travel lane per Town standards. Replacement of concrete pavement will be reviewed and approved by the Town prior to the utility work beginning.
- B. If restoration is not carried out in a timely manner, the Town may issue a notice setting forth a time-certain by which the restoration must be completed. If the restoration is not satisfactorily completed by permit applicant within the established time-frame, the Town shall complete any necessary restoration, and all associated costs shall be borne by the permit applicant. Within 60 days of completion of restoration, the permit applicant agrees to fully reimburse the Town for any and all costs and expenses so incurred.

Section 6 – Enforcement Provisions

- A. Penalties. Failure to obtain a Utility Permit will result in a fine of \$150 plus double the permit fee.
- B. Separate Violations. Each day of violation of this ordinance constitutes a separate offense.

Section 7 – Severability

If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications or this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 8 – Effective Date

This ordinance shall take effect upon its passage and publication or posting as provided by law.

The foregoing Town of Spring Brook Utility Ordinance was enacted by a majority vote of the Town of Spring Brook Board of Supervisors on the 12th day of July, 2021.


John E. Schaefer, Chairman


Michael J.H. Hase, Supervisor 1

ATTEST:


Jerry M. Hotchkiss, Supervisor 2


Mary L. Strand, Clerk

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