

TOWN OF DRUMMOND

Bayfield County
Drummond, Wisconsin 54832



ORDINANCE 20000913

AN ORDINANCE TO ESTABLISH MINIMUM STANDARDS FOR UTILITY CUTS ON TOWN ROADS

WHEREAS, it is in the public interest for the Town of Drummond, Bayfield County, to establish minimum standards for utility cuts in roads in the town to accommodate utility providers while maintaining safe road and traffic conditions as work is being performed and after such work is complete;

NOW THEREFORE IT IS HEREBY ORDAINED BY THE TOWN BOARD OF DRUMMOND, WISCONSIN as follows;

Section 1. Definitions.

The definitions found in Wisconsin Statutes 340.01 and 2000 Drummond Ordinance 20000914 AN ORDINANCE TO ESTABLISH MINIMUM STANDARDS FOR DESIGN AND CONSTRUCTION OF TOWN ROADS enacted September 13, 2000 are adopted by reference and are used in this ordinance in the same sense unless a different definition is specifically provided. In addition, the following definitions apply to this ordinance:

- A. Utility Cut means a physical cut made in and below the surface of a road or in and below the road right of way for the purpose of laying utility lines, pipes, or other facilities so that such utilities may traverse the road beneath the road surface.
- B. Superintendent means the Drummond Superintendent of Highways as appointed pursuant to Wisconsin Statutes 81.01(1).

Section 2. Statutory Authority.

This ordinance is enacted pursuant to Wisconsin Statutes 81.01.

Section 3. Applicability.

This ordinance shall be applicable to all public roads within the Town of Drummond after adoption of this ordinance.

Section 4. Minimum Standards.

The following minimum design standards shall apply under this ordinance:

- A. The utility cut should be planned so as to limit the length of the cut as much as practicable.
- B. All asphalt which is cut shall be saw cut so as to create a rectangular trench. The depth of the trench shall be as approved by the Superintendent.
- C. Cuts shall be backfilled with as much native soil as possible. When this is not possible, sand with rock no bigger than four inches may be used. Backfill shall be compacted in layers not to exceed twelve inches thick. The top layer must be eight inches of compacted grade 2 or grade 3 gravel.
- D. When asphalt has been cut, it shall be repaired with at least the thickness of asphalt removed, but not less than three inches of paver laid, hot-mix asphalt, two feet wider than the utility cut on all sides.
- E. Roadway surfaces, shoulders, ditches and vegetation, which have been disturbed, shall be restored to the pre-existing condition or better.
- F. Any traffic control markings such as painted lines shall be repainted.
- G. A public safety plan shall be in place for the duration of work involving a utility cut. Such a plan must include appropriate provisions for warning signs, warning lights, cones and other traffic control and safety measures.

Section 5. Application for Approval to Make Utility Cut.

Applicants desiring ~~approval~~ to make a utility cut shall provide the following information to the Superintendent in writing:

- A. Name of the applicant.
- B. Description of the road and location of the road to be cut.
- C. The purpose for the utility cut.
- D. Anticipated duration of the proposed work.
- E. Description of any anticipated adverse effect on traffic during the duration of the work and proposed traffic control measures to be used.
- F. Public safety plan.

Section 6. Plan Review and Approval

- A. There shall be a preconstruction meeting with the road superintendent, if necessary.
- B. The road superintendent may require a site inspection with the contractor.
- C. The road superintendent shall have final approval of plans for the project.

Section 7. Final Inspection and Acceptance.

- A. Upon completion of the utility cut and backfill, the Superintendent will proceed to make a final inspection, accepting or rejecting the condition as the case may be. If the condition is rejected, the Superintendent will provide the applicant with a

- list of deficiencies to be corrected before re-inspection.
- B. In the case of a rejection by the Superintendent as set forth above, the applicant may appeal the rejection to the Town Board by notifying the Town Clerk of such an appeal not later than ten days after the applicant is notified of the rejection. The Town Clerk will place the matter on the agenda of the next regularly scheduled Town Meeting where the Town Board will consider and act upon the appeal.
 - C. If final acceptance is made, the proponent of the utility cut will be responsible for one year for paying the costs of any further repairs made necessary due to settling.

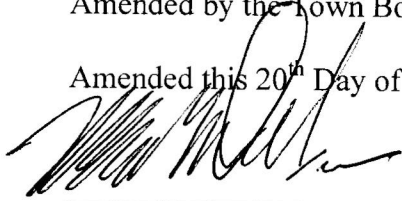
Section 8. Violation.

- A. Failure to comply with the standards set forth in Section 4 of this ordinance shall result in an order to correct the deficiency and a fine not to exceed \$100 per day for each day the deficiency continues to exist.
- B. After notification that remedial action is necessary due to settling pursuant to Section 6(C) of this ordinance, the responsible party may be ordered to pay a fine not to exceed \$100 per day for each day the deficiency continues to exist.

Adopted by the Town Board of Drummond, Wisconsin this 13th day of September, 2000

Amended by the Town Board on June 9, 2004

Amended this 20th Day of May, 2009 by the Town Board



Town Chair



Town Supervisor



Town Supervisor



ATTEST: Town clerk