

TOWN OF COLUMBUS

COLUMBIA COUNTY, WI

ORDINANCE No. 2025-1

An ordinance of the Town of Columbus, Columbia County, WI, is intended to regulate and provide the framework for persons or entities to obtain a permit from the town to utilize the Town right-of-way for roadway additions, roadway alterations, underground accommodations and surface alterations within the right-of-way. The intent of this ordinance is to provide a procedure for the Town to determine whether to grant a permit to work within the right-of-way and, if so, the conditions of such permit include location, design, and the nature and quality of construction and all improvements that may be made in or encroach into the public right-of-way (ROW).

- A. General. Any firm, person or corporation must be issued a permit from the Town of Columbus to construct, operate, maintain or repair utilities located within the Town of Columbus right-of-way. The construction of all utilities and restoration of all disturbed areas shall be provided for in this ordinance.
- B. Permit Required. The Town of Columbus board will review, and issue permits with any applicable fees deemed necessary to cover cost(s) for review, approval, inspections (if any) and enforcement of said permit. Each entity desiring to apply for a permit may in no time less than eight (8) weeks prior to time of the work being scheduled to begin. In addition, construction permits shall be issued only upon satisfaction of the following:
 - (i) Completion of an application for the construction permit along with the submission of the fee determined of necessary costs.
 - (ii) Summary of detailed permit conditions to be included under this ordinance are attached to the Towns ROW application as Exhibit A.
 - (iii) Posting with the Town Clerk, if deemed applicable, the contractor shall provide a reasonable bond or other surety and certificate of insurance including public liability and employer liability for said project. The applicant shall also require each and every subcontractor to obtain and maintain similar policies.
 - (iv) The Town Clerk shall be notified of any changes to the plan approved in the original application. Additional review information may be requested by the Town in the review process.

- C. Application. The permit application shall be submitted to the Town Clerk in writing and signed by the applicant or their designee with sufficient supporting documentation.
- D. Exceptions. The Town Board may, at its discretion, may waive permit requirements as necessary for emergency repairs. Under emergency circumstances public service corporations, sanitary district or public utilities must notify Town Clerk and Columbia County 911 center of all roadway portions that will be disrupted for repair.

EFFECTIVE DATE. This ordinance shall take effect on publication or posting in accordance with WI. Statue 60.80.

Adopted this 11th day of August, 2025 by the Town Board of Columbus, Columbia County, WI

X

Darren Schroeder
Town Chair

X

Ed Wolf
Supervisor 1

X

Harold Schwoerer
Supervisor 2

X

Gabrielle Loeffler
Attest-Town Clerk

APPLICATION FOR A RIGHT OF WAY PERMIT

Application is hereby made for a permit to excavate or work within a Town of Columbus right of way at the location and for the type of installation or work hereinafter set forth pursuant to Section 86.07, 86.16 Wis Stat.

Applicant (Property Owner): _____

Address: _____

Telephone: _____

Responsible Contractor or Other Person in Charge of Right of Way Work:

Name: _____

Address: _____

Telephone: _____

Location: _____

Type of Installation or Work (Plans Attached): _____

Anticipated Start Date: _____

Anticipated Completion Date: _____

The undersigned Applicant (Property Owner) and Contractor hereby acknowledge that they have reviewed and agree to abide by Sect. 86.07, Wis Stat. and the attached Exhibit A, Permit Conditions, including reimbursement of any Town consultant fees and expenses.

Dated: _____ By: _____

Applicant

Dated: _____ By: _____

Contractor

PERMIT

The Town Board of the Town of Columbus hereby grants a permit for the installation or work within the Town right of way as described above and as shown on the plans and specifications on file with the Town. Any installation or work within the right of way pursuant to this permit shall be subject to the requirements of Exhibit A, Permit Conditions, which are attached and incorporated herein.

Applicant/Contractor is responsible for contacting Digger's Hotline at least three (3) business days prior to beginning any installation or work.

As a condition of the issuance and acceptance of this permit, Applicant/Contractor hereby agree to indemnify and hold harmless the Town of Columbus, including all costs and reasonable attorney's fees, from and against any and all damages, causes of action, judgment or otherwise that may occur as a result of any construction or excavation within or occupancy of, the Town of Columbus right of way.

Dated: _____ By: _____

Town of Columbus Clerk

Signed Application and Plans Received: _____

Permit Fee (\$_____) Received: _____

Certificate of Insurance Received: _____

Mailing Address: Town of Columbus Clerk – W681 Columbus Road, Columbus, WI 53925

EXHIBIT A

Permit Conditions.

All permits issued or deemed issued under this ordinance shall be issued subject to the following minimum conditions:

- (1) All activities undertaken under the permit shall conform to the application and any conditions placed upon granting of the permit.
- (2) The applicant shall give at least two working days' notice to the Town prior to starting any work in the road. If a road will be fully or partially closed for any duration of time by the work, the applicant shall notify the Columbia County Sheriff's Department, the Columbia County Highway Department, the local fire department(s) and emergency medical service(s), as well as the Town Clerk.
- (3) The applicant must receive written approval from the Town or its designee prior to any modifications of the activity contemplated by the permit.
- (4) The applicant is responsible for repairing any damage, at the applicant's expense, to any adjoining property.
- (5) The applicant is responsible for locating and maintaining any existing public utilities or structures located within the right-of-way and repairing damage to such structures.
- (6) No portion of the Town roadway shall remain out of service as a result of the activity contemplated in the permit for more than 24 hours without express prior consent of the Town.
- (7) Where the work being performed is for the benefit of property abutting upon the affected roadway, the applicant, on behalf of applicant or the owner of such benefitted abutting property, authorizes the Town to perform any work or operations necessary to bring the affected roadway into conformity with the permit if the work is not completed in a timely fashion, and further consents to the Town assessing the cost thereof to the owner of such benefitted abutting property as a special charge pursuant to Wis. Stats. § 66.0627.
- (8) The entire cost of constructing and maintaining the facility during construction shall be borne by the applicant. The applicant shall maintain the facility after construction unless there is an appropriate legal agreement with the Town to do otherwise. At a minimum, the agreement shall address the Town's requirements for surety, acceptance of improvements, and timelines as necessary for the construction improvements proposed.

(9) All costs related to the Town's review, approval, inspections (if any), and enforcement of the permit shall be borne by the applicant.

(10) All road work must be completed within five working days of completion of the project for which the road was opened.

(11) The applicant and any contractors shall provide satisfactory proof of liability insurance in such reasonable amount as determined by the Town in accordance with the nature and extent of the work. Insurance shall be maintained during the entire duration of the permit and a Certificate of Insurance with the Town listed as an additional insured shall be filed with the Town Clerk.

(12) No part of the permitted work shall be commenced until warning signs, devices and methods adequate to protect the public are in place and fully functional. Warning signs and devices shall be as specified in the Wisconsin Manual on Uniform Traffic Control Devices.

(13) All excavation within the right-of-way shall be backfilled with suitable granular material compacted in nine-inch lifts. The bottom portion of the trench shall be compacted to 90% of maximum as measured by the Modified Proctor Method. The top three feet shall be compacted to 95%. The applicant agrees to make frequent inspections for settlement and to be responsible for any such settlement. If requested, the applicant shall provide compaction test results.

(14) Highway surfaces, slopes, shoulders, ditches and vegetation disturbed shall be restored to at least their original conditions. The work shall be carried out in a manner satisfactory to the Town and Town Engineer as to compliance with the conditions of this permit and all local ordinances.

(15) Where special circumstances exist at the site where the work is contemplated, the Town may impose additional reasonable conditions to assure that the work is carried out in a manner consistent with Town engineering, erosion control and environmental standards.