

TOWN OF GREEN VALLEY  
ORDINANCE #2010-01

The Town of Green Valley, Shawano County, Wisconsin created an application/permit to construct, operate, and maintain utilities within Town road right of way.

The Town of Green Valley, Shawano County, Wisconsin does hereby ordain as follows:

Any person and/or company intending to perform any type of work in Town road right-of-ways must first complete an application.

A list of provisions and conditions of issuance required by the Town of Green Valley will be given with the application.

After the completed application is received along with the required fees a permit will be issued.

There are penalties if work is not completed to the requirements of the Town of Green Valley.

**SEVERABILITY:** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**ENFORCEMENT:** The Town Board of Supervisors shall be responsible to administer this Ordinance unless it designates by Resolution such authority.


**APPEALS:** Request for an appeal of the Plan Commission decision should be taken to The Town Board of Supervisors of the Town of Green Valley. Appeals of the Town Board decision will be taken to the Shawano County Board.


**ADOPTION OF ORDINANCE:** The Town Board of Supervisors, by this Ordinance, adopted on proper notice with a quorum and roll call vote by majority of the Town Board present and voting, provides the authority for the Town Board to regulate and approve application/permit to construct, operate, and maintain utilities within Town road right-of-way. Pursuant to s. 236.45 (4), Wis. Stats., a public hearing was held before the adoption of this Ordinance and notice of the hearing was given by publication of a class 2 notice, under ch. 985, Wis. Stats.

**EFFECTIVE DATE:** This ordinance is effective upon publication. The Town Clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats.

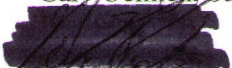
Passed on  
Vote: for 3 Against 0

Posted in the following public places  
within 30 days after board passage  
on 9-16-10  
Mail cluster boxes in Green Valley  
Fire Station in Pulcifer  
Community Center in Advance

  
Arl Rudie, Town Chairperson  
Attested By:

  
Janelle Jenerou, Clerk

  
Gary Uelmen, Supervisor

  
Terry Tipton, Supervisor



**TOWN OF GREEN VALLEY**

**APPLICATION/PERMIT to CONSTRUCT, OPERATE,  
and MAINTAIN UTILITIES WITHIN TOWN ROAD  
RIGHT-OF-WAY**

Applicant/Company: \_\_\_\_\_

Address: \_\_\_\_\_

Office Phone: \_\_\_\_\_

Local Phone & Pager: \_\_\_\_\_

Plans Prepared By: \_\_\_\_\_ Preparer's Phone: \_\_\_\_\_

<b>LOCATION INFORMATION</b>	
Road Name: _____	
_____ 1/4 of the _____ 1/4 Sec _____ T _____ N R _____ E	
<b>ADDITIONAL INFORMATION</b>	
Utility Work Order # _____	
Fee Required Amount \$ _____	

**DESCRIPTION OF PROPOSED WORK (Check and fill out all that apply)**

UTILITY TYPE:  Electric  Gas/petroleum  Communications  Water  Sanitary sewer  Private line  
 Transmission  Distribution  Service *Facility Size/Capacity:* \_\_\_\_\_  
(diameter, # fibers, psi, Kv, etc.)

ORIENTATION:  Overhead  Underground  Parallel to road centerline  Road Crossing  Bridge attachment

WORK TYPE:  New construction  Improve/repair existing  Maintenance  Removal  Abandon in place

CONSTRUCTION METHOD(S):  Plow  Trench  Bore  Suspend on poles/towers  Open cut road  Cased  
 Tree cutting/removal  Chemical treatment of trees/brush *Erosion Control Designation:*  Major  Minor

Provide additional narrative if needed: \_\_\_\_\_

**NAME AND PHONE NUMBER OF UTILITY REPRESENTATIVE  
RESPONSIBLE FOR CONSTRUCTION:** \_\_\_\_\_

Estimated Starting Date: \_\_\_\_\_ Estimated Completion/Restoration Date: \_\_\_\_\_

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of the #6 DOT of the above named township in effect at the time of this application, and with any special provisions listed below or attached hereto and any and all plans, details, or notes attached hereto and made a part thereof.

By: \_\_\_\_\_ (Signature of Applicant/Company Authorized Representative) \_\_\_\_\_ (Title) \_\_\_\_\_ (Date)

\_\_\_\_\_  
(Typed/Printed Name of Person Signing Above or Electronic Signature Code) (Authorized Applicant/Company Representative Phone #)

**DO NOT WRITE BELOW THIS LINE**

**PERMIT APPROVAL BY PERMITTING AUTHORITY**

The foregoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions Stated in the Utility Accommodation Policy of the Town of Green Valley including the Indemnification as included in 96.03 of the WCHA Utility Accommodation Policy in effect on the date of this application.

Supplemental Provisions Attached:  Yes  No

By: \_\_\_\_\_ (Authorized Representative for Town) \_\_\_\_\_ (Title) \_\_\_\_\_ (Date)

FEE RECEIVED: \$ _____
CHECK NUMBER: _____
DATE ISSUED: _____
HWY PROJECT #: _____
PERMIT NUMBER: _____

**PERMIT FEES**

Application Fee		<b>\$ 100.00</b>
Boring(s)	_____ x \$75.00/ea.	\$ _____
Open Cut(s)	_____ x \$250.00/ea.	\$ _____
Contractor Closing Road	_____ x \$50.00/day	\$ _____
<b>TOTAL</b>		<b>\$ _____</b>

**PERMIT PROVISIONS AND CONDITIONS OF ISSUANCE**

Pursuant to Wisconsin Statutes 86.07(2), this permit is granted to allow performance of the specific work described herein. Failure to obtain a permit will be considered unauthorized access to Town Road Right-of Way. Penalties will be determined by the Town of Green Valley Board not less than \$100.00 nor more than \$2,000.00. The following standard provisions and any included special provisions shall govern:

1. The Applicant agrees to indemnify and hold harmless the Permitting Authority, its employees and its agents, from any cost, claim, suit, liability and/or award which might come, be brought, or be assessed, because of the issuance or exercise of this permit, or because of any adverse effect upon any person or property which is attributed to the partially or entirely completed works of the Applicant. Accomplishment of the permitted work, or any part thereof by or on behalf of the applicant shall bind such Applicant to abide by this permit and all its conditions and provisions.
2. The permitted facilities shall, if necessary, be altered at the expense of the Applicant to permit alteration, improvement, or maintenance of the highway as may hereafter be ordered. The entire cost of construction and maintaining the permitted facilities shall be obligated on the Applicant unless a contract for such costs has been executed.
3. The Permitting Authority will allow no open cutting for utility crossings without specific authorization. At least one-way traffic must be maintained at all times throughout the utility installation, unless specific approval that states otherwise has been received from the Permitting Authority.
4. When one-way traffic or a detour is used, the Applicant shall provide ALL NECESSARY SIGNS, FLAGMEN AND LIGHTS required according to the "Manual on Uniform Traffic Control Devices."
5. All disturbed areas shall be returned to their present condition or better, subject to the satisfaction of the Permitting Authority. Access to all private drives and public street intersections shall be maintained and all disturbed areas completely restored.

**\*\* Conditions for notifications for repairs could include, but not limited to, signage, settlement, asphaltic surface & restoration.**

6. Any trenching, tunneling, or excavating shall be performed in accordance with the requirements of OSHA and the Wisconsin Department of Industry, Labor and Human Relations, and the Wisconsin DOT Policy for the accommodation of Utilities within Highway right of way.
7. Upon the completion of the permitted work, the Applicant will return to the Permitting Authority the work-completed notice provided to him at the time of permit approval. In cases of emergency or short time constraints, the Applicant shall notify the Town Chairman by telephone (715) 853-1555.
8. A copy of this approval, along with any plans and special provisions, shall be available on the job site.
9. 2 hours after notification to the Permittee of needed **repairs declared an emergency** during the project, not repaired or acknowledged to make arrangements for extended time for repairs to be completed, will be repaired by the Town of Green Valley Highway Department or an outside contractor they may hire, on a time and material basis and invoiced to the Permittee for payment. Failure to comply may jeopardize future issuance of permits. If payment isn't received, legal action will be pursued to collect this debt as per ordinance 2007-01. Failure to comply may jeopardize future issuance of permits.

72 hours after notification to the Permittee of needed repairs declared non emergency, during or after completion of a project, not repaired or acknowledged to make arrangements for extended time for repairs to be completed, will be repaired by the Town of Green Valley Highway Department or an outside contractor they may hire, on a time and material basis and invoiced to the Permittee for payment. If payment isn't received legal action will be pursued to collect this debt as per ordinance 2007-01. In addition you may be subjected to an additional fine. Failure to comply may jeopardize future issuance of permits.

10. Any altering of existing Town road ditches in road right-of-way must be approved by Town Board and permit application may need an engineering plan from a Town approved engineer.
11. **Anything buried** in Town road right-of-way must be registered with Diggers Hotline. Hotline.
12. Special Provisions: