

CHAPTER 8

PUBLIC WORKS

- 8.01 Department of Public Works
- 8.02 Openings in Highways and Right of Way
- 8.03 Obstructions and Encroachments Prohibited
- 8.04 Driveway Access to Public Roads and Culverts
- 8.05 Depositing Snow on Town Highways Prohibited
- 8.06 Moving Buildings
- 8.07 Search for Government Markers
- 8.08 Alternate Special Assessment Procedure
- 8.09 Special Assessment Certificates
- 8.10 Violations and Penalties

8.01 DEPARTMENT OF PUBLIC WORKS.

- (1) DUTIES. The Department of Public Works Maintenance Supervisor shall be responsible for implementing the directives of the Town Board concerning the care, maintenance, and operation of all public works, facilities, improvements, highways, and rights-of-way under the jurisdiction of the Town. The Maintenance Supervisor shall also propose, investigate, evaluate, and recommend public works projects to the Town Board.
- (2) EMPLOYMENT. The Department shall be composed of personnel deemed necessary by the Town Board and as negotiated by contract. The Town Board shall make all decisions concerning employment and be responsible for negotiating and administering employment terms except where dictated by contract language.

8.02 OPENINGS IN HIGHWAYS AND RIGHT OF WAY.

- (1) PERMIT REQUIRED. No person, partnership, municipality, utility, corporation, or association shall erect, install, alter, relocate, or modify any pavement, shoulder, roadside ditch, cable, wire, pole attachment, pole, conduit, road, or other facilities within the Town of Hartford's highways or right-of-way without first obtaining a Right-of-Way Permit from the Town. This requirement applies to public or private construction activities, including but not limited to:
 - (a) The construction of single-family dwellings.
 - (b) Road construction or maintenance.
 - (c) The installation or repair of utilities for the transmission of energy, fluids, gases, or other substances.

This provision shall not apply to work performed directly by the Town of Hartford.

- (2) EXEMPTIONS. At the discretion of the Department of Public Works Maintenance Supervisor, a permit may be waived for routine maintenance, emergency repairs, or minor work conducted by public utilities on existing facilities, provided such work does not alter or disturb the right-of-way surface or drainage features.
- (3) APPLICATION FOR RIGHT-OF-WAY PERMIT. Applications shall be submitted to the Zoning Administrator using Town-provided forms and shall include the following:
 - (a) Completed application form;
 - (b) Application fee;
 - (c) Letter of credit or cash deposit (see Sub. 5), and;

- (d) Any plans, diagrams, or supporting materials required by the Town.

(4) PERMIT AND INSPECTION FEES.

- (a) Permit and inspection fees shall be as set forth in the Town Fee Schedule, which is adopted and may be amended from time to time by resolution of the Town Board.
- (b) One initial inspection is included in the permit fee. If additional inspections are necessary to verify compliance, the permit holder shall remit the applicable inspection fee, as specified in the Town Fee Schedule, before the inspections are scheduled.

(5) LETTER OF CREDIT OR CASH DEPOSIT.

- (a) Each application shall be accompanied by a letter of credit or cash deposit in favor of the Town in an amount equal to the estimated cost of restoring the affected right-of-way, including any culverts, shoulders, ditches, or road surfaces impacted by the project. The financial assurance shall be in a form approved by the Town Board.
- (b) Upon completion of the permitted work and successful inspection by the Department of Public Works Maintenance Supervisor, the Supervisor shall recommend release of the letter of credit or cash deposit to the Town Board.

(6) REVOCATION OF PERMIT AND REMOVAL OF FACILITIES. If the Department of Public Works Maintenance Supervisor determines that a permit condition has been violated, the matter shall be referred to the Town Board. The permit holder shall be provided an opportunity to be heard. If the Board determines that a violation occurred, it may revoke the permit, order removal of installed facilities, or authorize corrective work using Town staff or third-party contractors. Associated costs shall be charged against the permittee and deducted from the financial security on file.

(7) INDEMNIFICATION. Permit holders shall indemnify and hold harmless the Town of Hartford, its officers, agents, and employees from any claims, damages, or liabilities arising from work performed under a permit issued pursuant to this section.

(8) INSURANCE. Prior to commencing any work in the right-of-way, the permittee shall provide the Town Clerk with a certificate of insurance evidencing public liability and property damage coverage in amounts established by Town Board resolution. Coverage must remain in force for the duration of permitted activities.

(9) RESTORATION REQUIRED. All permitted work must be completed within six (6) months of permit issuance, including full restoration of the right-of-way and any drainage features.

- (a) If restoration is not completed within six months, the Public

Works Maintenance Supervisor shall issue written notice to the property owner of record establishing a final deadline. Failure to comply shall result in the Town performing the work and recovering costs from the financial security on file.

- (b) If more than six months are needed, the permittee shall submit a written extension request to the Town Board explaining the reason for delay. The Board may approve an extension for good cause. Failure to meet the extended deadline shall result in the Town initiating restoration as described above.

8.03 OBSTRUCTIONS AND ENCROACHMENTS PROHIBITED.

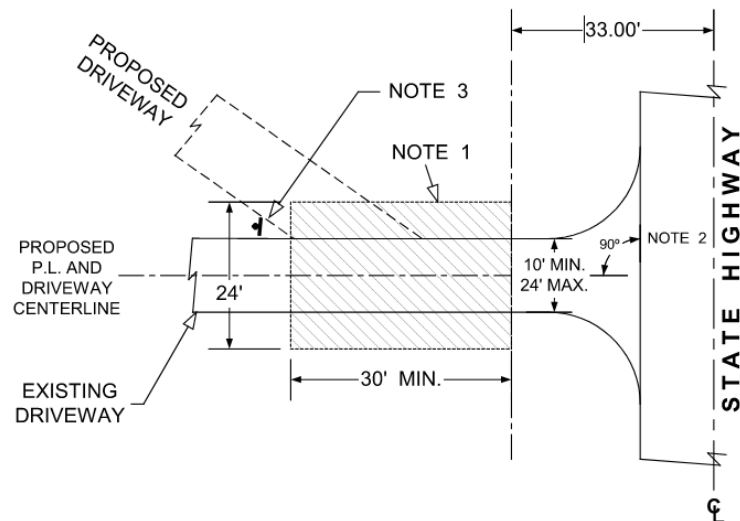
- (1) GENERAL. No person shall encroach upon or in any way obstruct or encumber any street, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in subs. (3) and (4) below.
- (2) TREES, SHRUBBERY AND PERSONAL OR REAL PROPERTY. No trees, shrubbery, personal and or real property shall be planted or placed in any right of way. All trees, shrubbery, personal and or real property planted or placed in violation of this subsection shall be removed by the Town and the cost of such removal shall be charged to the property owner or responsible individual(s).
- (3) MAILBOX AND NEWSPAPER BOX PLACEMENT. Mailboxes and newspaper boxes shall be placed no closer than the farthest edge of the road shoulder and should be exposed 15 feet on each side of the mailbox or newspaper box during the snow season. And must comply with USPS regulation standards as promulgated and amended. In some cases, local postmasters may have specific requirements or recommendations, so it's recommended check with the Postmaster before installing or relocating a mailbox.
- (4) EXCEPTIONS. The prohibition of sub. (1) above shall not apply to the following:
 - (a) Public utility encroachments duly authorized by State law or the Town Board.
 - (b) Temporary encroachments or obstructions authorized by permit granted pursuant to 66.045, Wis. Stats.

8.04 DRIVEWAY ACCESS TO PUBLIC ROADS AND CULVERTS.

- (1) PERMIT REQUIRED. No person shall construct a permanent or temporary driveway, or install, replace, or alter any culvert within the Town right-of-way, without first obtaining a Driveway Access and Culvert Permit from the Town. If work within the roadway involves excavation or disturbance beyond the access point, a separate Right-Of-Way Permit under §8.02 may also be required.
- (2) PERMIT APPLICATION.
 - (a) Every application shall be submitted on forms provided by the Town and shall include all required surveys, drawings, culvert size, driveway location, identity of the installing contractor, a permit application fee, and a letter of credit or cash deposit. Permit applications affecting highways not under Town jurisdiction shall be submitted to the appropriate highway authority.
 - (b) Upon submission to the Zoning Administrator, applications shall be referred to the Department of Public Works Maintenance Supervisor for review. The Supervisor shall evaluate the location and design of the proposed driveway or culvert and determine whether it conforms to public safety, sound planning principles, and logical extension of services. All conditions of approval shall be provided in writing and incorporated into the permit.
 - (c) Fees and Security.
 1. Permit and inspection fees shall be established and amended by resolution of the Town Board.
 2. One inspection is included in the permit fee. Additional inspections required to ensure compliance will require payment of additional fees prior to scheduling.
 3. Each application must include a letter of credit or cash deposit, in a form approved by the Town Board, equal to the estimated cost of the work. Upon satisfactory completion and inspection of all work, the Supervisor shall recommend release of the financial security to the Town Board.

(3) DRIVEWAY ACCESS STANDARDS.

- (a) Number of Access Points. With the exception of agricultural uses, no more than two (2) access points shall be permitted per lot.
- (b) Width.
 1. For single-family and duplex residential uses, driveways shall be a minimum of ten (10) feet and a maximum of twenty-four (24) feet wide.
 2. For all other uses, except agricultural uses, driveways shall be a minimum of twenty (20) feet and a maximum of thirty-five (35) feet wide. One-way drives may be reduced to ten (10) feet.
 3. Where access is shared by multiple dwellings or designated for emergency vehicle access, a minimum width of twenty (20) feet may be required.
- (c) Setback. Driveways shall be located a minimum of five (5) feet from adjacent lot lines.
- (d) Setback Exception. Driveways serving adjacent properties with an approved WISDOT driveway permit, recorded cross-access easement, and recorded maintenance agreement may share a driveway at the property line. The access and maintenance agreements shall cover a shared driveway area not less than sixteen (16) feet wide by thirty (30) feet long adjacent to the state highway right-of-way.



NOTE:

1. CROSS ACCESS EASEMENT AGREEMENT AREA SHALL COVER ENTIRE SHARED DRIVEWAY AREA, BUT IN NO CASE SHALL BE LESS THAN 24' WIDE X 30' LONG.
2. ANGLE OF DRIVEWAY WITH STATE HIGHWAY SHALL BE APROXIMATELY 90°.
3. LOCATION OF ADDRESS DIRECTIONAL SIGNS.

- (e) Surfacing. all driveways, except those used exclusively for agricultural field access, shall be surfaced with gravel or asphalt and graded to prevent ponding.
- (f) Location.
 - 1. Driveway spacing shall comply with WISDOT FDM 11-15-1 and Washington County Washington County Highway Department Policy & Procedure Number 12.05 Sight Distance Diagram (Appendix A) based on posted speed and road classification.
 - 2. Spacing Waiver for Second Driveway. Notwithstanding the above, the Town Board may grant a waiver to allow a second driveway on a lot where strict application of the spacing standard is not necessary to protect public safety. The applicant shall demonstrate to the satisfaction of the Town Board that:
 - a. The lot is located on a low-volume, low-speed road (e.g., cul-de-sac or minor local street within a subdivision);
 - b. Sight distance and driveway alignment are adequate and do not create traffic hazards; and
 - c. The additional driveway will not adversely affect drainage, utilities, or future road improvements.
 - 3. Driveways shall be located opposite median crossovers where applicable;
 - 4. Opposing Driveway Alignment.
 - a. Shall be aligned across the street or offset by at least 100 ft. to avoid turning conflicts.
 - b. Cul-de-sac Exception. In the case of cul-de-sac streets or other low-speed, low-volume roadways where traffic conflicts are minimal, the Zoning Administrator may approve opposing driveways with a reduced offset or no offset, provided that:
 - i. The posted speed limit is 25 mph or less;
 - ii. The road serves only local traffic within a residential subdivision; and
 - iii. The driveway placement does not create a documented safety concern or inhibit emergency vehicle access.
 - 5. Driveway access to roads not under Town jurisdiction shall be approved by the highway authority with jurisdiction.

- (g) Grade. Maximum driveway grade shall not exceed ten percent (10%) unless reviewed and approved by the local Fire Department and specifically waived by the Town Board. For driveways with grades exceeding eight percent (8%), transition zones shall be incorporated in accordance with vertical alignment standards established in the Wisconsin Department of Transportation Facilities Development Manual (FDM).
- (g) Driveway Approach Drainage. All driveway approaches shall be graded to slope away from the edge of the traveled roadway surface to prevent ponding and roadway drainage conflicts. The approach shall maintain a minimum slope of 2.5% (approximately six [6] inches of fall over the first twenty [20] feet), unless otherwise approved by the Town based on site-specific conditions.

(4) CULVERT INSTALLATION & STANDARDS.

- (a) General Installation. Culverts must be installed in conformance with the approved permit and in a manner that ensures proper ditch flow and safe vehicular access. Culverts may not be placed closer than five (5) feet to an abutting property line.
- (b) Drainage and Flow. Culverts must be of sufficient size and length to maintain ditch and shoulder function. Dimensions shall be specified in the permit based on site-specific conditions.
- (c) Materials.
 - 1. Culverts shall be constructed of a minimum 16-gauge corrugated galvanized steel, reinforced concrete pipe (RCP), or dual-wall high-density polyethylene (HDPE) conforming to ASTM D3350 and AASHTO M294 standards.
 - 2. All end sections shall be metal and configured as approved by the Town.
- (d) Dimensions.
 - 1. Minimum diameter: fifteen (15) inches.
 - 2. Minimum length: twenty-two (22) feet.
 - 3. Culverts over 22 feet may include no more than one joint.
 - 4. Culverts with a diameter of eighteen (18) inches or more shall be arch-type to maintain adequate cover and flow capacity unless otherwise approved by the DPW Supervisor.
 - 5. Final dimensions are subject to DPW Supervisor review based on drainage area and slope.
- (e) Subsurface and Cover. A minimum of six (6) inches of

compacted crushed gravel conforming to WISDOT Gradation No. 3 shall be placed over and around the culvert within the in-slope and back-slope areas. If a sieve analysis is required to verify material compliance, the cost shall be shared equally by the property owner and the Town.

- (f) Placement. Culverts shall be placed to provide a shoulder width of five (5) to six (6) feet between the edge of the traveled roadway and the start of the in-slope, subject to field conditions and the approval of the DPW Supervisor.

(5) REPAIRS AND REPLACEMENT.

- (a) Culvert owners shall maintain culverts in clean and operable condition. If the Town determines a culvert fails to meet current standards or hinders road maintenance or drainage, the owner shall be required to repair or replace it. Written orders shall include a compliance timeline and be delivered via certified mail.

- (b) If the property owner fails to act, the Town may undertake the work and charge the cost as a special charge pursuant to Wis. Stat. § 66.0627.

- (6) TEMPORARY DRIVEWAY ACCESS. Temporary driveways or culverts needed for construction shall follow the same permit process. They must be removed prior to occupancy and the right-of-way restored. Temporary permits are valid for six (6) months and may be extended once. In no case shall temporary access remain in place beyond twelve (12) months.

- (7) BUILDING AND OCCUPANCY PERMITS. No building permit shall be issued until a driveway access and culvert permit has been obtained and approved. No occupancy permit shall be issued until the access and any required ditch or culvert restoration has been completed and inspected.

- (8) RESETTling OF CULVERTS. If the Town reconstructs a road or right-of-way, it may reset or reinstall a lawful culvert at Town expense.

(9) ROAD DAMAGE AND DEBRIS.

- (a) The permit holder shall be liable for any damage to the roadway or right-of-way caused by driveway or culvert installation, or by construction-related traffic.

- (b) Any culvert installed or work completed in violation of this section may be removed or corrected by the Town, with costs charged to the property owner as a special charge.

- (c) Debris or material tracked onto Town roads shall be promptly removed by the responsible party. Failure to do so shall subject the violator to penalties under Wis. Stat. § 86.07.

8.05 DEPOSITING SNOW ON TOWN HIGHWAYS PROHIBITED. It shall be unlawful for any person to plow, shovel or otherwise deposit or place snow on the maintained portion of any public road within the Town, or to permit such depositing of snow from property occupied by him.

8.06 MOVING BUILDINGS. See Zoning Code.

8.07 SEARCH FOR GOVERNMENT MARKERS.

- (1) **PERMIT REQUIRED.** No person shall, in a search for any government marker or section stone, cut into or remove any portion of a Town road without first obtaining a permit from the Town Clerk. Said permit shall set forth the exact location of any digging to be done and the length of time said permit is valid.
- (2) **PERMIT FEE.** The permit fee shall be \$10 for each search. In addition, the permittee shall reimburse the Town for the cost of restoration and repair of the Town roads to their original condition.
- (3) **HOLD TOWN HARMLESS.** The permit holder shall erect the proper safeguards such as caution signs, lights, barricades, etc., at the locations as set forth on the permit, which shall remain in place for a period of 48 hours after completion of work by the permit holder, or until the Town has repaired the road. In addition, the permit holder shall carry liability insurance in an amount satisfactory to the Town Board to hold the Town harmless for any highway defects or negligence resulting from such search.
- (4) **NOTIFICATION OF COMPLETION OF WORK.** The permit holder shall notify the Town Clerk of completion of work and the Town shall, within 48 hours, make any and all necessary repairs.

8.08 ALTERNATE SPECIAL ASSESSMENT PROCEDURE.

- (1) **AUTHORITY.** As provided in a66.62, Wis. Stats., the procedure set forth in this section may, in addition to other methods provided by law, be used to levy special assessments for any public work or improvement.
- (2) **PRELIMINARY RESOLUTION.** Whenever the Town Board shall determine that any public work or improvement shall be financed in whole or in part by special assessments levied under this section, it shall adopt a preliminary resolution setting forth the following:
 - (a) Its intent to exercise its police powers for the purpose of levying special assessments for the stated municipal purpose.
 - (b) The limits of the proposed assessment district.

- (c) The time, either before or after completion of the work or improvement, when the amount of such assessments shall be determined and levied.
- (d) The number of installments in which the special assessments may be paid or that the number of installments will be determined after the public hearing required by sub. (4) below and will be included in the final resolution.
- (e) The rate of interest to be charged on the unpaid installments or that the rate of interest will be determined after the public hearing required by sub. (4) below and will be included in the final resolution.
- (f) The terms on which any of such assessments may be deferred 'while no use of the improvement is made in connection with the property or chat such terms will be determined after the public hearing by sub. (4) below and will be included in the final resolution.
- (g) The Town Engineer shall prepare a report as required by sub.(3)below.

(3) REPORT OF TOWN ENGINEER. Whenever the Town Board, by preliminary resolution, directs the Town Engineer to prepare a report, the Town Engineer shall prepare a report consisting of the following:

(a) Preliminary or final plans and specifications for the public works.

(b) An estimate of the entire cost of the proposed work or improvements, except that when the Town Board determined by preliminary resolution that the hearing on such assessments shall be held subsequent to the completion of the work or improvements, the report shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of such costs.

- (c) A schedule of the proposed assessments.
- (d) A statement that each property against which the assessments are proposed has been inspected and is benefited, setting forth the basis of such benefit.
- (e) Upon completion of the report, the Town Engineer shall file a copy of the report with the Town Clerk.

(4) INCORPORATION OF STATUTORY PROVISIONS. The provisions of a66.60, Wis. Stats., including those related to notice, hearing and the adoption of a final resolution, shall, to the extent not inconsistent with this section, apply to special assessments levied under this section.

(5) LIEN. Every special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution of the Town Board determining the amount of such levy.

8.09 SPECIAL ASSESSMENT CERTIFICATES.

- (1) The Town Treasurer shall issue real estate special assessment

certificates. The fee for each certificate shall be located on the Town of Hartford fee(s) schedule as amended from time to time.

- (2) The Town Treasurer is hereby directed to include the following statement on every special assessment report for Town property located within the City of Hartford 10-year sewer service area:

This property may be subject to current or future City of Hartford special assessments or charges for sanitary sewer. For further information, please request a special assessment letter from the City Clerk for the City of Hartford at City Hall, 109 North Main Street, Hartford, Wisconsin 53027.

8.10 VIOLATIONS AND PENALTIES. In addition to any penalties or remedies stated within the subsections of this chapter any person who shall violate any provision of this chapter or any rule, regulation or order made hereunder shall be subject to a penalty as provided in sec. 25.04 of this Code.

Appendix A - Sight Distance Diagram

Design Vehicle	Passenger	Single Unit Truck	Semi-trailer
Eye height	3.5	7.6	7.6
Time gap (sec) DESIRABLE MINIMUM	10.0 (7.5)	12.0 (9.5)	13.0 (11.5)
Mainline Design Speed (MPH)	ISD ft. DES (MIN)	ISD ft. DES (MIN)	ISD ft. DES (MIN)
25	370 (280)	445 (350)	480 (425)
30	445 (335)	530 (420)	575 (510)
35	515 (390)	620 (490)	670 (595)
40	590 (445)	710 (560)	765 (680)
45	665 (500)	795 (630)	860 (765)
50	735 (555)	885 (700)	960 (850)
55	810 (610)	975 (770)	1055 (930)
60	885 (665)	1060 (840)	1150 (1015)
65	960 (720)	1150 (910)	1245 (1100)