

TOWN OF RED CEDAR UTILITY ORDINANCE

ORDINANCE NO.: 2025-7 (Replaces 2016-19)

It is hereby ordained by the Town Board of the Town of Red Cedar, Dunn County, Wisconsin, 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 Red Cedar.

Section 2 - Authority

The Town Board has general authority under its village powers under s. 60.22, and 60.61 Wis. Stats., to adopt this ordinance.

Section 3 – Adoption of Ordinance

This ordinance, adopted by a majority vote of the town board 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 Schedule of Fees and Citation Ordinance No. 2015-6, Addendum A, for current fee schedule. These fees may be increased from time to time by resolution of the Town Board.

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 within 30 days as per town standards.

- A. Damage to any portion of an asphalt paved travel lane will require the replacement of the entire travel lane at the discretion of the Town Board as per Town standards. Replacement of concrete pavement will be reviewed and approved by the Town prior to the utility work beginning.

- B. 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 \$150.00 plus double the permit fee.
- B. Separate Violations. Each day of violation of this ordinance constitutes a separate offense.

Refer to the Town of Red Cedar Schedule of Fees and Citations (Forfeitures) Ordinance No. 2015-6 for a current list of fees for licenses, permits, other services and additional fines and penalties that may apply.

Section 7 – Severability

If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications of 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 Red Cedar Utility Ordinance was enacted by a majority vote of the Town Board of the Town of Red Cedar on the 11th day of August, 2025.

Town Board Chairperson

Supervisor 1

Supervisor 2

Supervisor 3

Supervisor 4

ATTEST:

Clerk