

ORDINANCE NO. 2025 007
**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF
LINN, WALWORTH COUNTY, WISCONSIN, SECTION 3-13, PERMITTING OF
CONSTRUCTION IN THE RIGHT-OF-WAY**

§ 3-13 Permitting of ~~utility~~ construction in the right-of-way.

A. General. Any firm, person, or corporation must be issued a permit from the Town of Linn to construct, operate, maintain or repair of utilities, structures or things located within the Town of Linn right-of-way, except United States Postal Service approved mailboxes with posts no larger than 4 inches in diameter. The construction of all utilities, structures or things and restoration of all disturbed areas shall be as provided for in this ordinance.

B. Permit required. The Town Highway Superintendent may, at his or her discretion, direct the Town Engineer to review projects prior to approving an application. Any costs incurred by the Town for review and inspection of facilities or improvements shall be borne by the applicant. In addition, construction permits shall be issued only upon satisfaction of the following:

- (1) Completion of an application for a construction permit along with the submission of the applicable fee schedule.
- (2) Posting with the Town Clerk, a bond or other surety in an amount not to exceed 150% of the actual cost of the construction, operation, maintenance, or repair of facilities or improvements.
- (3) The applicant shall also be required to submit a certificate of insurance indicating: 1) public liability insurance with a general liability aggregate limit of not less than \$2,000,000; and 2) workmen's compensation and/or employer's liability insurance for all employees employed at the site of the excavation per Wisconsin Statutes. The applicant shall require each and every subcontractor to obtain and maintain similar policies with the same limits stipulated above.

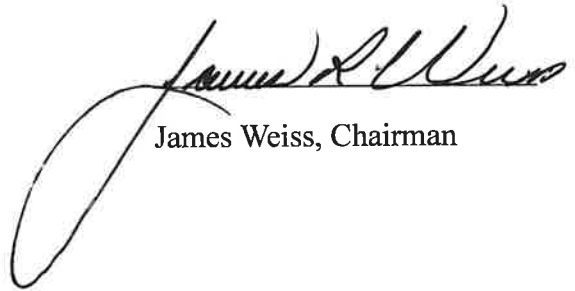
C. After-the-fact permit. Any firm, person, or corporation who installs any utilities, structures, or things in the Town road right-of-way within the Town of Linn without first obtaining a permit from the Town of Linn shall be required to submit an after-the-fact permit application and a permit penalty fee as provided in Chapter 1§ 1-4 of this Code within the timeline provided by the Highway Superintendent. After-the-fact permit penalty fees will be reviewed on a case-by-case basis in conjunction with the Highway Superintendent and the Highway Committee, and shall required approval by the Town Board.

DE. Form of application. The application for a permit shall be in writing and signed by the applicant or his or her agent. The applicant shall submit to the Highway Superintendent, at the time of application, sufficient information relating to the work to be done including the general location and nature of the work and the method applicant proposes to use in doing the work. The Highway Superintendent shall determine if sufficient information is submitted.

ED. Exceptions. The Town Board may, at its discretion, waive permit requirements as necessary. Emergency repairs of facilities or improvements may be made as needed, provided a permit is obtained within five working days from the commencement of emergency repairs.

FE. Restoration of existing improved surfaces. The contractor shall restore all permanent type pavements, sidewalks, driveways, trees, shrubbery, lawns, fences, poles, and other property and surface structures removed or disturbed during or as a result of construction operations to a condition that existed before the work began. The surface of all improvements shall be constructed of the same conditions and match in appearance the surface of the improvements which were removed.

Adopted this 10 day of March, 2025.



James Weiss, Chairman

Attest: Alyson Morris
Alyson Morris, Clerk