

CHAPTER 1

EXCAVATIONS

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5-1-1: PERMITS REQUIRED FOR EXCAVATION: No officer or agent of the Town of Lake Mills and no person, whether operating under contract for the Town of Lake Mills, or otherwise, shall make, or cause to be made any excavation in or under any Town road and road right of way in the Town of Lake Mills without first obtaining a written permit from the Town Clerk of the Town of Lake Mills.

5-1-2: APPLICATION FOR PERMIT: The excavation permit shall be issued only upon a written application signed by the applicant, and shall describe the place where the excavation is proposed to be made with such certainty that the excavation site may, at all times, be readily located and shall specify the purpose for which the excavation is to be made by an agent of the Town of Lake Mills. All such applications shall be numbered and filed with the Town Clerk.

5-1-3: BOND FOR PRIVATE EXCAVATIONS: If such excavation is not to be made by the Town of Lake Mills, the application shall contain an under taking on the part of the person proposing to make the excavation, that in consideration of being permitted to make the excavation, the person will leave the Town Road in as good condition as it was when the work was commenced, and that at all times the place, where the excavation is made, will be property guarded by day and lighted by night so as to sufficiently warn travelers, and will hold the Town of Lake Mills harmless from any damages, costs, and charges that may accrue from the applicant's use of the Town Road or right-of-way.

5-1-4: TWO YEAR MAINTENANCE: The person to whom the permit is issued shall be responsible for all defects in excavations occurring within two years from the completion of the work and shall be liable for all damages resulting from any defects.

5-1-5: RECORD OF EXCAVATION PERMITS: A record of all permits issued under the provisions of this ordinance by the Town Clerk shall be kept in the office of the Town Clerk, which record shall state the name of each applicant, name of the person or superintendent of the department to whom the permit was issued, and shall also contain the facts as to location, purpose of excavation, and the time when the work is to begin, which is required to be stated in the application, and this record shall be open to public inspection.

5-1-6: EXCAVATIONS IN MACADAM OR UNPAVED ROADS, ETC.: When excavations are made in macadam roads or unpaved roads surfaced with gravel, they shall be made and filled in the following manner: The back filling below the surface shall be done with gravel, sand, or crushed stone, firmly tamped, or flushed with water, and all earth, stone, or other material excavated shall be hauled away by the person authorized to make the excavation, unless otherwise specified by the Town Chairman who shall be the final authority on acceptance of the excavation material for the use of back fill. In case of dispute the decision of the County Highway Commissioner shall be final and binding upon the parties affected. All such excavation shall be given a temporary blacktop surfacing two inches thick immediately following the completion of the refilling or backfilling.

5-1-7: EXCAVATIONS IN PAVED ROADS: Excavation in paved roads shall be made and filled in the following manner: The opening in the pavement shall be sawed unless otherwise permitted by the Town Chairman and the foundations must be at least sixteen (16) inches larger in all directions than the size of the trench to be excavated so that there may be a shoulder of solid earth eight (8) inches wide on all sides of the opening to support the new pavement. Should the sides of the trench cave during the progress of the work, additional pavement must be broken so that eight (8) inches of the shoulder may be retained. The back filling below the surface shall be done with gravel, sand, or crushed stone, firmly tamped, or flushed with water, and all earth, stone, or other material excavated shall be hauled away by the person authorized to make the excavation. All material used shall comply with county highway specifications of Jefferson County.

5-1-8: RESTORATION OF PERMANENT SURFACES: Restoration of the surface of a paved or a surface treated macadam road shall be done by the Town of Lake Mills. The cost of replacing the surfaces shall be as determined by the Town Board in accordance with the cost of the project to the Town and shall be paid by the person to whom the street excavation permit was issued.

5-1-9: DEFECTS WITH TWO (2) YEARS: Whenever the Town Chairman shall find that any work has become defective during the two (2) year period, he shall give written notice to the contractor or to his surety stating the defect, the work to be done, the cost of it and the period of time deemed by the Town Chairman to be reasonably necessary to complete the work. After receipt of the notice, the contractor or the surety must within a specified time, repair the defect or indemnify the town of Lake Mills for the cost of doing the work as set forth in the notice.

5-1-10: DISPLAY OF PERMIT: Any person receiving a permit under this section shall have the permit at the place where the work is being done

during working hours and shall exhibit said permit to any police or other officer of the Town on demand.

5-1-11: INSPECTION OF UNDERGROUND FUEL TANKS: The Fire Inspector of the Lake Mills Fire Department shall, upon request, inspect underground fuel tanks where such inspection is required by any state, federal, or local regulation or statute, provided however, that the party requesting such inspection shall pay to the Fire Inspector an inspection fee in an amount of one hundred dollars (\$100.00) for up to a 1,000 gallon tank, one hundred fifty dollars (\$150.00) for a 1,001 to 4,000 gallon tank, and one hundred seventy-five dollars (\$175.00) for a 4,001 and larger gallon tank. Plan approval at local level at a cost of \$50.00 for 1 tank plus \$50.00 for each additional tank. A cost of \$30.00 for addition of leak detection, spill protection, etc... Inspection fee for tank installations: \$100.00 for one tank, \$50.00 for each additional tank when two or more tanks are installed, and \$50.00 for inspection of groundwater protection upgrade. Failure to initiate permit prior to removal will double the initial fee; all fees are to be paid with an application for permits, all permits are required to be filed 30 days prior to the date work is to begin.