

NOTICE OF AN ELECTRONIC MEETING

The following meeting will have a videoconferencing/teleconferencing option. The public may attend in person at the location noted on the agenda. The public is encouraged to attend via electronic means.

	Public Works Committee Monday August 7, 2023 – 6:00 pm Conference Call 1.312.626.6799 Zoom Meeting ID: 898 1503 7878 Passcode: 296440 Health & Human Services Center – Community Room 303 W. Chapel Street Dodgeville, Wisconsin	Iowa County Wisconsin
For information regarding access for the disabled please call 935-0399.		
<i>Any subject on this agenda may become an action item.</i>		
1	Call to order.	
2	Roll Call. (Committee & Audience)	
3	Consent Agenda: One motion to adopt all of the consent agenda items: A. Approve the meeting Agenda for August 7, 2023. B. Approve the Minutes of June 12, 2023 meeting.	
4	Set Next meeting date and time: Monday August 28, 2023.	
5	Report from committee members and an opportunity for members of the audience to address the committee. No action will be taken.	
6	Consider amending Highway and Land Conservation Departmental Policies: A. Policy 1106 Utility Accommodation Policy. B. Policy 1106.1 Utility Accommodation Supplement. C. Policy 1106.2 Utility Application. D. Policy 1201 Soil and Water Resource Management Grant Cost Share Prioritization. E. Policy 1202 Farmland Preservation Tax Credit Program Compliance.	
7	Discuss Grant Opportunities: A. Wisconsin Department of Natural Resources – Boat, Recreational, and Water Access Grants. B. Bipartisan Infra-structure Bill Grants.	
8	Consider Temporary Work Zone Speed Limits Ordinance.	
9	Commission and Committee Meeting Reports for: A. Pecatonica River Rail Transit Commission. B. Tri-County Cheese Trail. C. Wisconsin River Rail Transit Commission. D. Wisconsin River Rail Transit 2024 Budget.	



10	Highway Commissioner's Report A. Amended Right of Way Plat and Relocation Order for CTH T - CTH ID to CTH H Towns of Arena/Brigham/Ridgeway. B. 2023 Project updates. C. Fleet age report and operations use. D. Funding for projects source and amounts. E. Sealcoat Program Discussion. F. County-Township 50-50 Bridge Program Attorney General Opinion OAG 04-23. G. CTH YD STP-BIL Local Project Award – \$500,000 Construction Funding. H. WisDOT - Surface Transportation Improvement Project (STIP) Listing 2023-28. I. Position Recruitment Update (2 State Section, 1 County Section, Shop Lead vacancies) J. Reclassification of Winter Plow Equipment Trucks for Brine Application. K. Shop Crane and Sling Inspections.
11	Adjournment.
Posting verified by the County Clerk's Office: _____ Date: _____ Initials: _____	

NOTE TO PUBLIC WORKS COMMITTEE MEMBERS: The Chair notes due to the list of agenda items, this meeting has the potential of being a lengthy (>2 Hour) meeting. In the interest of time, the Chair is requesting all Committee members review the packets prior to the meeting to aid discussion and action on the agenda items.



Public Works Committee UNAPPROVED MINUTES
Monday, June 12, 2023 – 6:00 pm
Health & Human Services Center – Community Room
303 W. Chapel Street
Dodgeville, Wisconsin

**Iowa
County
Wisconsin**

For information regarding access for the disabled please call 935-0399.

Any subject on this agenda may become an action item.

- 1 Call to order.
The Public Works Meeting was called to order at 6:01pm by Supervisor Gollon.
- Roll Call: All members present: Sup. Butteris, Galle, Gollon, Kreul, and Leix.
- 2 Others Present: Commissioner Hardy, Administrator Bierke, Sup. Masters, Larry Forsyth.

Present Via Zoom: Chairman Meyers.
- 3 Consider Consent Agenda, Minutes, and next meeting date / time.
Sup. Leix moved to approve, seconded by Sup. Butteris the agenda for this meeting, the minutes from the May 1, 2023 Public Works meeting with 1 correction, and to schedule the next meeting date on the decision of the Chair or cancel until the August meeting. Motion to approve unanimous.
- 4 Next meeting will be called at the decision of the Chair, otherwise will be held in August..
- 5 Request for driveway variance to Parcel 012-0214 for Richard Draney along CTH II. The Committee reviewed a power point presentation summarizing the location of the driveway along CTH II for the above referenced parcel. The location requested a variance for stopping sight distance which was found to be sub-standard for the location. The Committee reviewed the parcel, accident history, traffic volumes, and other driveway locations in the vicinity.

5 Motion to approve a variance for Stopping Sight Distance criteria, thereby allowing a driveway access to the parcel at the location across from an existing drive (Fire # 5001/5005 CTH II) at the crest of a vertical hill on the same road. The property owner shall not build any buildings within 100 feet of the centerline for CTH II and shall maintain the driveway vision triangles clear of obstructions, and the Highway department shall install a "Hill Blocks View" sign north of the driveway location for warning of its' location. Motion by Leix, Seconded by Galle. Motion passed unanimously.
- 6 Review 1st Quarter Financial Reports by the Committee. The chair covered the reports one by one, but advised the members to follow up direct with the respective Department Head regarding any specific concerns.
- 7 Highway Commissioner Hardy provided a Powerpoint slide deck covering updates on the following projects:
 - A. Construction Project updates – H, W, K, T, STH 80, STH 39, and STH 130/133.
 - B. Design Project updates – CTH T, W, E, Frame and Lakeview Roads,
 - C. Review 30% Plans for CTH C – STH 23 to STH 14. Discussed 45MPH speed limit along the corridor as well. The location was reduced in 2021 to correlate with the STH 23 bridge closure / reconstruction traffic.
 - D. Advised the Committee of Speed limit reduction requests from the Village of Cobb CTH G and Village of Ridgeway CTH HHH

	E. Box Culvert Load Postings CTH G Cobb and CTH T North. Discussed damages to the culvert on CTH G. F. Bridge Deck Repairs – CTH H. G. Employment update – working to fill three positions with a recent retirement. H. Recap of the 2024-25 State Budget proposal discussions for the Transportation Bill including Local Shared Revenue, GTA, LRIP, state-county RMA, and other funding sources for the Highway Department.
8	Adjournment. Motion by Sup. Kreul and seconded by Sup. Leix to adjourn at 7:54pm. Motion Carried.
Minutes prepared and submitted by Craig Hardy; Highway Commissioner.	

AGENDA ITEM COVER SHEET

Title: Land Conservation Department policy updates

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

Land Conservation policy 1201 has been updated to establish limitations on maximum cost-share amounts. Policy 1202 has been updated to adjust compliance schedules and deadlines for some violations.

RECOMMENDATIONS (IF ANY):

The Land Conservation Committee voted to approve the policies and move it through the approval process at their May and June 2023 meetings

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

LCD policy 1201: Soil and Water Resource Management Grant Cost-share Prioritization
LCD policy 1202: Farmland Preservation Tax Credit Program Compliance

FISCAL IMPACT:

None

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Katie Abbott

DEPT: Land Conservation

2/3 VOTE REQUIRED:

☐ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

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SOIL AND WATER RESOURCE MANAGEMENT GRANT COST-SHARE PRIORITIZATION

Date Originated: 09/18/2018
Date of Modifications: 2022, 1/2023, 5/2023
Policy Number: 1201

1. PURPOSE:

To describe the process for prioritizing and administering cost-share projects funded by Wisconsin Department of Agriculture, Trade and Consumer Protection's Soil and Water Resource Management Grants.

2. ORGANIZATIONS AFFECTED:

Land Conservation Department

3. POLICY:

Cost-share administration shall follow guidelines set forth in Wisconsin Administrative Code ATPC 50.

Cost-share amount shall not exceed \$14,000 without Land Conservation Committee (LCC) approval. Nutrient management planning, cover crop, and no-till payments shall not exceed \$10,000 for a single practice or \$15,000 for a combination of practices per year per entity. "Entity" includes a grant recipient or landowner. This amount may be exceeded with LCC approval provided there is sufficient funding. Stream crossing projects shall be ford crossings only; bridges and culverts will not receive technical or financial assistance.

The Land Conservation Department (LCD) staff shall rank structural cost-share projects prior to contracting to ensure funding is spent on priority projects that have a documented conservation benefit and prioritize land that is actively engaged in a farming operation.

Project ranking shall be based on:

- a. level of conservation benefit
- b. alignment with Iowa County's current Land and Water Resource Management Plan
- c. current geographic or resource priorities
- d. current practice priorities
- e. Farmland Preservation Program participation
- f. cost-effectiveness of the practice
- g. availability of other funding sources
- h. landowner's compliance and project completion history

4. REFERENCES:

Wisconsin Administrative Code Chapter ATPC 50

Wisconsin Administrative Code Chapter NR 151

5. PROCEDURES:

- a. The LCD shall create a numerical ranking form based on the above criteria, including delineating high-, medium-, and low-priority practices and a minimum numerical value for eligibility.
- b. The LCC shall approve the ranking form and any future updates. The form shall be updated as needed, with a review no less than once every five years.
- c. The LCD shall create a "Request for Technical Assistance" form. A landowner and/or cost-share recipient must submit this form to the LCD before any site visit, cost-share, or other technical assistance will be provided.
- d. The LCD may, at their discretion, create one or more deadlines per year by which Request for Technical Assistance forms are due. Forms received after that date will be considered dependent on funding and staff availability, or will be saved for the following year. Due dates may vary by practice or funding source as needed, and shall be included on the Request for Technical Assistance form.
- e. Based on a site investigation, maps, and other information, LCD staff shall rank each project using the approved form before offering a cost-share contract.
- f. If funding is limited, projects with the highest ranking value shall be funded first.
- g. Lower-ranked projects may be cost-shared if there is adequate funding, provided they meet the established minimum value.



FARMLAND PRESERVATION TAX CREDIT PROGRAM COMPLIANCE

Date Originated: January 2018
Date of Modifications: 2020, 2022, June 2023
Policy Number: 1202

1. PURPOSE:

To describe the process for issuing Notices of Noncompliance Wisconsin's Farmland Preservation Tax Credit Program (FPP).

2. ORGANIZATIONS AFFECTED:

Land Conservation Department

3. POLICY:

Compliance determination shall follow guidelines set forth in Wisconsin Administrative Code ATCP 50.

The Land Conservation Department (LCD) staff shall require an annual Compliance Self-Certification Form from each FPP participant. Participants who do not return their form by the deadline will be issued a Notice of Noncompliance (NON).

Each farm shall also have an on-site compliance check by LCD staff no less than once every four years. A site visit will also be conducted if LCD staff receives a complaint or has other compliance concerns. Any compliance issues found during the site visit shall be resolved by the landowner within the compliance timeframe set forth below. If the compliance timeframe is not met, the Land Conservation Committee (LCC) will issue a Notice of Noncompliance.

Tier 1 violations: one-year compliance schedule

- Nutrient Management Plan (NMP) violations, NR 151.07: An updated plan must be submitted by March 1 of the following year, or another date that is arranged ahead of time with LCD staff and is prior to any nutrient applications, tillage, or planting. If this deadline is missed, the landowner cannot claim tax credit for that year (i.e. NMPs submitted after spring nutrient applications will count for the next cropping season).

Violations include:

- Soil tests overdue (~~Nutrient Management Plan Violation, NR 151.07~~)
- NMP does not include the current cropping year
- NMP does not follow guidelines set forth in the most current University of Wisconsin Division of Extension publication A2809, "Nutrient application guidelines for field, vegetable, and fruit crops in Wisconsin."

- NMP does not match actual tillage, crop rotation, or nutrient applications
- Not following NMP does not follow nitrogen or manure application limitations in sensitive areas (~~Nutrient Management Plan Violation, NR 151.07~~)
- Idle Manure Storage Closure Needed (NR 151.05): one year compliance schedule

Tier 2 violations: one-year compliance schedule*

- Clean Water Diversions needed for feedlot, barnyard, or manure storage in a Water Quality Management Area (WQMA- 300ft from a stream, NR 151.06): one year compliance schedule
- 70% self-sustaining cover is not present on pasture streambanks (NR 151.08):
*fencing to exclude cattle or reduce average stocking density must be installed within 6 months: vegetation re-established and any necessary watering systems installed within one year
- Unprotected concentrated flow channel identified (Nutrient Management Plan Violation, NR 151.07): one-year compliance schedule
- 5 ft. tillage setback from streambanks not being followed (NR 151.03): compliance with next tillage

Tier 3 violations

- Overflowing manure pit (NR 151.08): one-month compliance schedule
- Cracked, leaking, or failing manure pit (NR 151.05): six-month compliance schedule
- Tillage results in rotational T exceedance (NR 151.02): one-year compliance schedule compliance with planting of next cropping season, including updated NMP if needed.
- Phosphorus Index violation: not using P-reduction strategy when needed (NR 151.04): one-year compliance schedule compliance with planting of next cropping season, including updated NMP if needed.
- Not following manure winter spreading restrictions, groundwater conduit/well setbacks, or WQMA spreading strategies (Nutrient Management Plan Violation, NR 151.07): one-year compliance schedule compliance with next manure application
- Manure stacking occurring in a WQMA (NR 151.08): one-month compliance schedule
- Significant Discharge of Process Wastewater to waters of the state (NR 151.055): one-year compliance schedule
- Direct runoff of manure into waters of the state (NR 151.08): immediate action required to stop manure flow; three-month compliance schedule to prevent reoccurrence

The LCC may approve an extension of the compliance window, not to exceed three years,

under extenuating circumstances. The LCC may also approve a reduced compliance timeline or an immediate Notice of Noncompliance for grievous violations, lack of cooperation by the landowner, repeated violations in a two-year time period, or other circumstances as warranted.

~~Multiple Violations: Subsequent violations found after the site visit may result in shorter compliance timeframes or immediate NONs according to the following guidelines:~~

~~If the first site visit found:~~

- ~~• Only Tier 1 violation(s): if 2 subsequent Tier 2 and/or 3 violations are found within one year of the site visit, a NON is issued immediately.~~
- ~~• Any Tier 2 or 3 violations(s): If a subsequent Tier 2 or 3 violation is found within one year of the first site visit, a NON is issued immediately.~~

~~Probationary Period: Once a participant has achieved compliance they will fall under a two-year probationary period. Within one year of achieving compliance from any Tier of violation:~~

- ~~• A subsequent Tier 3 violation will result in an immediate NON~~
- ~~• A subsequent Tier 2 violation will result in a written warning and a schedule of compliance set for one year. If not achieved, a NON is issued with no extension possibility.~~
- ~~• A subsequent Tier 1 violation will result in a 1 year schedule of compliance after which an extension request may be made for no more than 1 year. No further extensions may be requested~~

Voluntary reporting: If a participant voluntarily reports a subsequent compliance issue on their own property or operation that would have resulted in an immediate NON under the Multiple Violations or Probationary Period procedures above, the NON will not be issued immediately. Instead, the Participant will be allowed half of the time listed in the compliance timeframe to come into compliance. The LCC may approve an extension at their discretion.

Requests for response: If a letter from the Department requests or requires that the landowner respond, the landowner shall have thirty (30) calendar days to provide the response.

Return to program: Notices of Noncompliance will be cancelled at any point a landowner comes back into full compliance, allowing eligibility for the same tax year in which compliance was achieved (unless otherwise noted above).

4. REFERENCES:

Wisconsin Administrative Code Chapter ATP 50
Wisconsin Administrative Code Chapter NR 151



Iowa County Ordinance 400.18: Manure Storage and Management

5. PROCEDURES:

- a. The LCD shall mail Compliance Self-Certification Forms to all FPP participants in mid-October each year with a deadline of December 1 (or nearest week day).
- b. Participants who turn in their Form after the December 1 deadline will be assessed a late fee.
- c. The LCC will approve Notices of Noncompliance for participants who have not turned in their form by the December LCC meeting date.
- d. LCD staff will send Notices of Noncompliance to the Department of Revenue by December 31 each year.
- e. If at any time the LCD is made aware of an issue with a farm enrolled in FPP, staff shall visit the site as soon as possible to verify the issue, and will work with the landowner to address the problem within the compliance timeframe.
- f. Any compliance issues that pertain to Iowa County's Manure Storage and Management Ordinance shall also be referred to the Iowa County Planning & Development department. Any compliance issues that pertain to an existing Concentrated Animal Feeding Operation (CAFO) application or CAFO permit shall also be referred to the Department of Natural Resources.
- g. If a landowner wishes to obtain LCD technical or financial assistance to achieve compliance, they must first submit a "Request for Technical Assistance" form.

If the FPP land ownership includes a member of the County Board or Land Conservation Committee, a sibling, parent, spouse, or child thereof, or is considered county staff, at least one neutral party, who is not an Iowa County Employee, Supervisor, or Committee member, shall be asked to verify Iowa County staff's compliance assessment. The verification may include review of maps, photos, descriptions, and other supporting materials provided by staff, or joining Iowa County staff on site visits. The neutral party may be from the Natural Resources Conservation Service, a different County's Land Conservation Department, or other qualified party.

AGENDA ITEM COVER SHEET

Title: Highway Department Policy Amendments

☐ Original

☒ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

Policy #1106 series is created to define and create the procedures for utility permit installations in the County. Policy 1106 is originally adopted for a statewide policy created by The Wisconsin County Highway Association (WCHA) and Wisconsin Department of Transportation (WisDOT) to streamline the permitting and installation process / practices for all utility installations. The policies included to night are amendments of the policies as recently vetted by the WCHA and WisDOT. Policy 1106 defines the utility permitting process. Policy 1106.1 covers the Iowa County specific process. Policy 1106.2 is the Iowa County permit form.

RECOMMENDATIONS (IF ANY):

Recommend to approve the amendments.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Copy of the three policies.

FISCAL IMPACT:

Operationally no expense. The permits generate revenue annually for the department based on the extent of work performed and permitted in the right of way.

LEGAL REVIEW PERFORMED:

☒ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10-15 Mins

COMPLETED BY: CRH

DEPT: HWY

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 08-07-23

AGENDA ITEM # 6

COMMITTEE ACTION:

13

12/12



Utility Accommodation Policy

Date Originated:	09/18/18
Date of Modifications:	01/01/2000; 08/21/2012;
03/28/2022;	
Policy Number:	1106.0
Drafted By:	Highway Commissioner

1. PURPOSE

The Highway Department operates the highway system under its jurisdiction to provide a safe and convenient means for the vehicular transportation of people and goods and to allow utility companies to provide essential services to the public. Both the Highway Department and the Utility companies provide facilities; which consider present as well as future needs.

Cooperation between these two entities is essential if the public is to be served at the lowest possible cost consistent with their respective public service needs, obligations, and interests. Although the Highway Department strives to accommodate utility facilities wherever possible, the permitted use and occupancy of highway right-of way for non-highway purposes is subordinate to the primary interests and safety of the travelling public. The purpose of this Utility Accommodation Policy is to prescribe the policies and procedures which are required by any utility whose facilities currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the Iowa County Highway Department has jurisdiction.

The Policy applies to all public and private utilities as defined therein sections 96.01(B) (9) and (15). It also applies to all existing utility facilities retained, relocated, replaced, or altered and to new facilities installed in the County Trunk Highway Right-of-way.

Highway facilities (e.g. lighting, traffic signals, changeable message boards, etc.) operated by the Highway Department for the purpose of ensuring motorist safety shall not be bound by the policies and procedures contained within this Policy.

1. ORGANIZATIONS AFFECTED

All utilities, and owners of such utilities, which exist within the highway Right-Of-Way; as defined within the Policy 96.01 (B) whether (9) Private or (15) Public, and the Iowa County Highway Department.

2. POLICY

Typically the Highway Department utilizes the following policy when handling requests for utility accommodation or managing facilities that are already located in the Right-of-Way:

A. Permits: The Highway Department permits utility facilities on its highway when:

- i. Such use and occupancy does not adversely affect the primary function of the highways or materially impair their safety, operational, or visual qualities.
- ii. There would be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein the Policy 1106 or 1106.1.
- iii. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.

- B. Additions: Nothing in this Policy shall be construed as limiting the rights of the Highway Department to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the Highway Department deems it advisable to do so. An appropriate explanation for such action should be provided to the utility.
- C. Alterations: The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for construction, maintenance, alteration, and relocation of the permitted facilities shall be the obligation of the applicant, unless a specifically executed utility parcel or agreement otherwise provides.

3. REFERENCES

The Department regulates the use, occupation, and utility accommodation of the County Trunk Highway system under Wisconsin State Statutes sections §66.047, §84.08, §85.15, §86.07(2), §86.16, and §182.017.

4. PROCEDURES

Attached hereto is the Table of Contents for the Utility Accommodation Policy document as written and adopted by and between the Wisconsin County Highway Association and the Wisconsin Department of Transportation. The Policy document is maintained in its' entirety as a separate document by the Iowa County Highway Department. A typed hard copy of the Policy is available by request of the Highway Department or an electronic version may be download from the Iowa County Highway Webpage at:

<http://www.iowacounty.org/departments/highway/highway.shtml#documents> click on "Utility Accommodation Policy" or "Utility Accommodation Permit".

In accordance with this Policy, the Highway Department shall implement and administer the most current version of the shall mean implementation of the most current version

The Highway Department shall develop a standard county permit procedure for utility installations. Utilities shall file a permit application and submit in its' entirety to the Highway Department for processing in compliance with this policy.

Wisconsin County Highway Association
Utility Accommodation Policy



Effective January 1, 2022 – Supersedes January 1, 2000 & August 21, 2012

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A. General Definitions

Unless otherwise provided herein, the definitions accepted by the American Association of State Highway and Transportation Officials (AASHTO) can be used as a guide.

B. Specific Definitions

1. Applicant

The individual or entity which will own the utility facility which is proposed to be placed in the County Right-of-Way.

2. Clear Zone

That portion of the right-of-way free of non-traversable hazards and fixed objects. These areas provide drivers a reasonable opportunity to stop safely or otherwise regain control of their vehicle when it leaves the traveled way. The clear zone generally varies with the type of highway, terrain traversed, road geometrics, and operating conditions.

Chapter 11 of the Wisconsin Department of Transportation Facilities Development Manual should be used as the guide for establishing clear zones.

3. County means the individual County Department that has statutory jurisdiction over the right of way and road access for that specific County (i.e. Highway Department or Public Works Department, etc.)

4. Emergency Utility Work

Unforeseen action by a utility deemed necessary to restore an existing utility facility to service and/or protect the general public.

5. Freeway

A divided highway with full access control and with grade separations or interchanges at all intersections.

6. Highway(s)

a. State Trunk Highways

The State Trunk Highway system as authorized under Section §84.02, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Federally marked highways, such as “U.S.” or “T”, are part of the State Trunk Highway System and are designated by letters and numbers such as I-94, USH 12, or STH 54.

Specific Definitions (continued)

2. “Connecting Highways” in Section §86.32, Wisconsin Statutes, are local jurisdictional streets that lie within the corporate limits of a City or Village and by agreement with WisDOT, are maintained by the local authority.

Note: The Wisconsin Department of Transportation’s “Official State Trunk Highway System Maps” denote all connecting highways within Wisconsin.

b. County Trunk Highways

The county trunk highways as authorized under Section §83.025, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. County marked highways are a part of the County Trunk Highway (CTH) system and are designated by letters such as CTH “A”, CTH “BB”, or CTH “OOO”.

c. Town Roads

The town roads as authorized under Section §82.03(1), Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Town roads marked by each town and are designated by name such as Smith Road, Maple Lane, or Oak Ridge Drive.

7. Permit

The document by which the Applicant grants the applicant permission to work within, use, occupy, or cross the highway. Permit shall be valid for one year from the date of the permit application.

8. Pipeline

A utility facility installed to carry or convey a fluid, gas, or other material, generally underground, including the casing and the product being conveyed.

9. Private Utility Facilities

Facilities which convey or transmit the commodities as defined by utility (see #16) but are owned and operated by an individual(s) or non-utility business and are not accessible to the public.

10. Responsible Person

A person having control over a utility project that is not administered by the County.

11. Right-of-Way

A general term denoting acquired interests or rights in land (either all or partial) that are necessary to build, maintain, and operate a highway facility. It is not just a fee interest or a permanent highway interest but encompasses all necessary rights of both a permanent and temporary nature.

B. Specific Definitions (continued)**12. Traveled Way**

The portion of the roadway for the movement of vehicles which includes auxiliary lanes and ramps but excludes the shoulders. The traveled way usually lies between the edge line striping.

13. Roadway

The traveled way plus shoulders.

14. Utility

Any corporation, company, individual or association, including their lessees, trustees or receivers, or any sanitary district, cooperative association, town, village, or city that owns, operates, manages, or controls any plant or fixed equipment within this state for the conveyance of communications, electric power, light, heat, fuel, gas, oil, petroleum products, water, steam, fluids, sewerage, drainage, irrigation, or similar facilities.

The owners or operators of cable television systems, cellular phone, and paging (wireless) systems, publicly owned fire or police signal systems, traffic and street lighting facilities, or privately owned facilities which perform any of the utility functions above.

15. Utility Construction

Any use by a utility of labor or materials to install or to provide for the installation of a new or upgraded utility facility or to replace all or a portion of an existing facility.

16. Utility Facilities**a. Transmission Facilities**

A utility facility which generally carries the product from the source to the distribution network. Additional terms are “communication feeder”, “toll”, and “trunk lines”.

b. Distribution Facilities

A utility facility which distributes the utility product from a transmission facility to points convenient for its customers.

c. Service Facility

A utility facility which serves a single customer via a connection with a distribution line. Additional terms for a service line include “lateral” and “drop”.

17. Utility Maintenance

Any use by a utility of labor or materials for repairs or replacement of parts of an existing utility facility to retain its use as intended, limited to the work types as further defined herein.

18. Utility Operation

Any activity by a utility to assure the function of an existing utility for its intended purpose.

A. Overview of Utility Accommodation

The County operates the highway system under its jurisdiction to provide a safe and convenient means for the vehicular transportation of people and goods, and utility companies provide essential services to the public. Both the County and utility companies typically provide facilities which consider present as well as future needs. Cooperation between these two entities is essential if the public is to be served at the lowest possible cost consistent with their respective public service needs, obligations, and interests. Although the County strives to accommodate utility facilities whenever possible, the permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests and safety of the traveling public.

B. Purpose of the Utility Accommodation Policy

The purpose of the Utility Accommodation Policy is to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the County has jurisdiction.

The Policy applies to all public and private utilities as defined in Section 01(B) (9) and (15). It also applies to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed in County right-of-way.

Highway facilities (e.g. lighting, traffic signals, changeable message boards, etc.) operated by the County for the purpose of ensuring motorist safety shall not be bound by the policies and procedures contained within the Policy.

C. Utility Accommodation Statutes

The County regulates the use, occupation, and utility accommodation of the county trunk highway system under sec. §66.0831, §84.08, §85.15, §86.07(2), §86.16, and §182.017, Wis. Stats.

D. Utility Accommodation

Typically, the County utilizes the following policy when handling requests for utility accommodation or managing facilities that are already located in the right-of-way:

1. Permits

The County permits utility facilities on its highways when:

- a. Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities.
- b. There would be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein.
- c. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.

D. Utility Accommodation (continued)

A utility shall abide by the current version of the Policy each time a permit is authorized for its work. When future changes are made to the Policy, an existing utility facility is not required to meet the new version unless proposed changes to that facility require a new permit from the County.

2. Additions

Nothing in the Policy shall be construed as limiting the rights of the County to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the County deems it advisable to do so. An appropriate explanation for such action should be provided to the utility.

3. Alterations

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for construction, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific County-executed utility parcel or agreement otherwise provides.

SECTION 3 – IDEMNIFICATION

The Applicant shall save and hold the County, its officers, employees, and agents harmless from all liability, damage, loss, expense, claims, demands, and actions of any nature whatsoever arising out of any acts or omissions of Applicant in any way connected with the work to be performed pursuant to this permit, or the construction or maintenance of facilities by the Applicant, in the County right-of-way which is the subject of this permit. Notwithstanding the foregoing, Applicant shall not be obligated to indemnify the County or its officers, employees, or agents for that portion of any liability, damage, loss, expense, claims, demands, or actions caused by the negligent, wanton, intentional, or otherwise wrongful acts or omissions of the County, or its officers, employees, or agents.

The County remains responsible for issues relating to road design but will not incur liability on behalf of Utility simply by granting a permit; unless, the grant of that permit is otherwise negligent or improper.

A. Buried Line Locating Notification

Each Applicant for a permit to work on a County highway shall provide a reliable line-locate notification service by either or both of the following means:

1. If the Applicant has membership in a one-call utility notification service, it shall enter the current telephone number(s) for the service on the face of each County permit application form. The applicant shall also provide written notification to the County upon or in advance of any subsequent changes in the one-call contact information such as cessation of membership, changes in the contact telephone number(s), etc.
2. If the Applicant lacks membership in a one-call utility notification service at the time of application for a County permit, or has membership but desires to provide a second resource for line locates, they shall:
 - a. Provide operational area maps which accurately specify the area(s) in which the applicant has lines or a franchise to install lines. A minimum of one such map shall be furnished to the County. The Applicant shall advise the County of any future changes in its operational area(s) and supply updated maps showing the current conditions, and
 - b. Enter on the face of each permit application form the current telephone number(s) and email address to be contacted to obtain specific line locates from the Applicant. The Applicant should notify the County of any change to contact information.
3. If requested, work with County to provide project data file indicating the line location in a mutually agreeable format.

B. Design Responsibility

The utility shall be responsible for the design of the facility to be installed or adjusted within the right-of-way. The Utility shall be responsible for determination of the right-of-way. The County shall be responsible for review of the utility's proposal and for permit approval. County approval of the permit does not warrant that the right-of-way shown as part of the application is correct.

C. Utility Facility Condition Requirements

All utility facilities shall be kept in a good state of repair both structurally and from the standpoint of appearance.

D. Chemical Treatment and Cutting of Trees

Utilities shall be prohibited from chemical treatment or cutting of trees on County highways without a permit from the County except as provided under maintenance type activities (see policies 61 through 64), and the utility shall provide the County with MSDS sheets for chemicals being used along with an annual spraying plan.

E. Draining Wetlands

The installation of privately owned lines or conduits in the right-of-way for the purpose of draining wetlands is prohibited.

SECTION 5 – EMERGENCY WORK

Emergency situations may arise when immediate action to protect the safety of the general public requires utility operations within a County highway that are not in full compliance with the provisions of the Policy. Nothing herein shall be construed as requiring a utility to delay such emergency repair.

Emergency repairs may be performed within the right-of-way when physical conditions or time considerations prevent application for the usual permit. However, as soon as feasible, the utility shall advise the County of the emergency, its plans or actions for alleviating the dangerous situation(s), and make arrangement(s) for the control and protection of traffic or pedestrians affected by its proposed operations. When the Policy requires a permit for such work, a permit shall be obtained as soon as possible, and any alterations deemed necessary through the permit approval process shall be made.

A. Aboveground Facilities

If a utility discontinues use of an aboveground facility, the facility shall be entirely removed from the right-of-way within one year after its use is discontinued unless written approval for a time extension is granted by the County or unless a permit is requested by the purchaser and approved by the County.

B. Underground Facilities (This section does not waive a utility's rights under ss. §182.0175.)

Effective January 1, 2000, a record of underground utility facilities abandoned in the right-of-way shall be maintained in a utility's permanent files until the facility is completely removed from the ground. The record should be of similar quality and detail as any other map or plan submitted to the County for permit approval. The approximate location provided by the utility shall be within a ten (10) foot wide corridor (i.e., five feet either side as measured perpendicular to a facility). If a utility facility is to be abandoned as a part of a permit for a new facility, it shall be field located, and its location shall be shown on the permit request for the new facility.

Upon request by the County, each utility and the County requesting the information, shall agree on the method of transferring the abandoned facility information in accordance with the mapping capabilities of the utility. A utility shall update the map annually if requested by the County. The utility may place a disclaimer on the abandonment map such as:

“The locations on this map cannot be relied upon for any purpose except general information and planning that an abandoned utility facility is in the right-of-way. The user remains obligated to call Digger's Hotline at least three working days prior to any excavation. All utility facilities uncovered in the right-of-way shall be handled as active or energized until confirmed by a utility representative that it is an abandoned or temporarily de-energized facility.”

Upon request by the County, the utility shall provide a map (noted above) indicating all facilities abandoned prior to January 1, 2000 on record, if the utility has maintained such records.

When the County intends to perform work in an area potentially occupied by the utility, it may call the utility to request confirmation of any abandoned facilities in that area. The utility shall respond to the request within 10 calendar days and shall provide the County with a more detailed record of the abandoned facilities in that area, if available.

When an unidentified utility facility is exposed or damaged, the County shall call the utility to have a representative visit the site and identify its facility. The utility should physically respond to the site, if required, or contact the County representative within two hours, and in all cases, shall physically respond to the site within six hours after notification, if required.

The County shall not require a utility to physically remove any abandoned underground facility so long as a permanent record of it is maintained and it does not prevent the construction or modification of any highway improvement and/or structure. However, abandoned appurtenant facilities such as manholes and pull boxes shall be filled in or removed in accordance with the Wisconsin Department of Transportation's Standard Specifications for Road and Bridge Construction, current edition.

C. Structure Attachments

Utility facilities abandoned on a structure shall be removed within 60 days of the abandonment unless otherwise approved by the County. All removal costs shall be the responsibility of the utility.

A. Authority

Representatives of the County have the authority to enforce the Utility Accommodation Policy and those specific provisions related to individual utility permits. These representatives (a.k.a. inspectors) include the county highway commissioner and his/her designee. It also includes the project engineer when utility permits are part of construction projects.

All utilities, including all consultants, contractors, and subcontractors working for utilities, are required to abide by the Policy and those specific provisions related to individual utility permits.

A County policy adopting this “WCHA Utility Accommodation Policy” and noting exceptions shall precede it.

The utility must first appeal to the permit reviewer, highway commissioner, and the county highway committee with assistance of their corporation counsel. In the final appeal process under Wis Stats. §86.16(5) the utilities can appeal to WisDOT Division of Hearings and Appeals, if they feel a county is not treating them fairly.

B. Failure to Comply

At the County option, the following measures may be taken if a utility fails to comply with the Policy or its permit provisions:

1. Verbal Request for Corrective Action

The request shall include:

- a. The reason(s) why the present or completed operation is (was) not in compliance with the Policy or the permit provisions,
- b. What steps shall be taken to correct the situation, and
- c. What additional action may be taken if step b is disregarded (items 2 through 7 listed as follows).

2. Written Reprimand

A written reprimand shall be sent to the utility for violating the Policy or its permit provisions when the utility does not comply with the verbal request.

The written reprimand shall contain the same information as the verbal request and shall serve as documentation for the violation. The County shall be responsible for writing and sending this reprimand.

B. Failure to Comply (continued)

3. Suspension of Work Activities

If a responsible person of an inspected work site fails to comply with a verbal request, the inspector may order the suspension of all work activities at the site. If this occurs, the county highway commissioner shall be informed of the situation.

If the county highway commissioner cannot be contacted, the patrol supervisor, engineer, or permit coordinator shall be notified.

The County shall then contact an authority of the utility to explain why the operation was suspended and what action needs to be taken before work can resume.

4. Removal of Installed Facilities

Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an **unacceptable** location and the utility is notified, the utility shall have thirty (30) calendar days response time to decide on its corrective action. Once corrective action is agreed upon by the County, the Utility shall act on the corrective action within (10) calendar days. If the utility fails to take corrective action within the forty (40) calendar days, the County shall take action to have that facility relocated or removed at the utility's expense.

The permittee shall remove the improperly placed facility and put it in an approved location. If the utility fails to relocate its facility, the County shall have the facility removed and bill the permittee for such work.

5. Permit Revocation

When a utility continues to be in noncompliance with the Policy or its permit provisions, the County may revoke the utility's permit. The utility may reapply for a permit to the County when it can demonstrate a good faith effort to comply.

6. Public Service Commission (PSC) Notification

Continued violations by a utility of the Policy or its permit provisions may cause the County to notify the PSC and request its assistance in correcting the situation.

7. Withholding Approval of Future Permits

Continued violations by a utility of the Policy or its permit provisions may cause the County to withhold approval of permit applications for that utility until the violations are corrected to the satisfaction of the County. The severity and number of written reprimands against a utility may serve as a guide in determining future permit approval.

C. Procedures

When a utility site is inspected by the County or its representative to determine compliance with the Policy, the following procedures may be utilized:

1. Inspection of Work in Progress

Upon reaching a work site, the inspector shall locate a responsible person and ask to review and discuss the utility operation. If applicable, a review of a copy of the permit which the utility or its contractor is required to have available at the site shall also be performed.

C. Procedures (continued)

If the inspector decides that changes to the operation are needed in order to bring it into compliance with the Policy or provisions of its permit, then a verbal request is the first corrective measure which shall be taken (see B.1.).

2. Inspection of Completed Work

After a permitted operation has been completed, the utility is required to notify the County that work on the permit is complete and the job site is subject to an inspection by the County. If the work was done in violation of the Policy or the provisions of a utility's permit, then a verbal request is the first corrective measure which shall be taken (see B.1.). The utility shall have thirty (30) calendar days response time to decide on its corrective action and an additional ten (10) calendar days to initiate that action.

D. Immediate Action (Work in Progress)

When a utility operation or installation is not in compliance with the Policy or the provisions of its permit and is adversely affecting public safety, the inspector shall take immediate action.

If a responsible person refuses to comply with the verbal request and does not take immediate corrective measures to ensure public safety, the inspector shall then call the local law enforcement agency to have the utility or its contractor(s), subcontractor(s), or consultant(s) removed from the County right-of-way. The inspector shall also take corrective measures to return the highway to a safe operating condition.

A. Introduction

This policy specifies responsibilities and the procedures that a utility shall follow when environmental conditions are encountered in the right-of-way. These conditions include but are not limited to: 1) archeological sites, 2) historic structures, 3) contaminated soils, 4) underground storage tanks (UST's), and 5) leaking underground storage tanks (LUST's).

B. County Responsibility

The County shall notify a utility when its facilities may be affected by a proposed improvement project. If the utility confirms that its facilities are in the vicinity of the improvement, the County shall transmit the utility at least that portion of the improvement plan that concerns those facilities. The County shall also provide any additional and duplicate plan information needed by the utility to design and lay out the removal, relocation, or adjustment of the existing utility facilities and the placement of relocated or additional facilities within the project limits. This includes furnishing a utility with information regarding any environmental conditions if site assessments are performed as a required part of the County project investigation. This information shall be considered for **“informational purposes only”** since data may change from the time an investigation is completed until the time a report is reviewed.

C. Utility Responsibility

The utility shall be responsible to perform a site assessment for its own facilities. Utilities which obtain a permit from the County shall be solely responsible for surveying the right-of-way for environmental conditions solely for its own purpose where utility construction or utility maintenance will occur to determine if said area is an endangered species habitat. The utility shall be fully responsible for preservation or mitigation of said habitat in compliance with regulations promulgated by the Wisconsin Department of Natural Resources (DNR).

D. Site Assessments

When a utility needs to do site assessments (investigations), the procedures listed in the Wisconsin Department of Transportation's Facilities Development Manual may be used as a guide. Specifically, Chapter 26 has information on archeological and historical assessments, and Chapter 21, Section 35, has information regarding contaminated site assessments. Copies of these can be obtained from the Wisconsin Department of Transportation.

The County recommends that site assessments be performed by a qualified historian, archeologist, or environmental consultant if the utility does not employ personnel specifically qualified for this work.

E. Discovery of Environmental Conditions

Whether the discovery of environmental conditions occurs during a site assessment, facility installation, or maintenance operation, **ALL WORK SHALL BE SUSPENDED IMMEDIATELY**. Failure to do so may result in financial responsibility (see Section G) for the utility due to subsequent site assessments, mitigation, remediation, or possible fines. Specifically, if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs due to the utility's action. A checklist has been developed to help utilities obtain the necessary information which may be asked of them by site investigators. The checklist has been included in the County's Addendum as Environmental Conditions Discovery Checklist.

If the site poses a possible health risk, the local police and fire departments shall be notified immediately, and the utility shall take the necessary steps to provide for the safety of people and property in the area. After suspended operations, the utility shall contact the County and the offices listed below depending upon the type of conditions discovered:

NOTIFICATION TABLE (NOTE: CALL ALL THAT APPLY)	
Utility Discovers Environmental Conditions while Working on County of Right-of-Way	
Category	Please Call
Archeological Sites or Historic Structures	
Historic structure	State Historic Preservation Office 608-264-6507
Archeological site	State Historic Preservation Office 608/264-6507
Burial	Burial Sites Preservation Office 608-264-6507 or 800-342-7834
Contaminated Soils, UST's, LUST's, etc.	DNR
Local Department of Natural Resources Office ¹	See the county's addendum for contacts
1. Required under Wisconsin law.	

The County will notify the utility when it can resume its operation.

F. Utility Facility Placement Options

Unless the County has taken charge of the remediation or mitigation process due to a County project, a utility that decides to locate its facility through an affected area, shall document in its permit application that it has contacted the DNR and has received the proper authorization to locate in the area along with its proposed construction methods. The utility will be responsible for all associated costs.

G. Financial Responsibility

When a utility performs an initial site assessment on County right-of-way - either with a project of its own or because a County project is not required to obtain environmental information - the utility shall bear the cost of the assessment. If an environmental site is exposed, a DNR assessment must be performed. No matter who performed the initial assessments or even if they were not done, a utility that discovers any environmental conditions shall **not** be responsible for assessment, mitigation, or remediation costs provided it had complied with Section E of this policy and avoids the site by placing its facility in another permitted location. The following table specifies who may have to pay for assessment, mitigation, or remediation costs depending upon the situation:

FINANCIAL RESPONSIBILITY TABLE Utility Discovers Environmental Conditions while Working on Department of Right-of-Way AND DECIDES TO LOCATE IN THE AFFECTED AREA	
Category/Activity	Who Pays for the Activity?
Archeological Sites or Historic Structures	
A) Site Assessments (Identification or evaluation surveys) ¹	
- Utility project but no Department project	Utility
- Department Project	Utility or Department ²
B) Mitigation ¹	
- State Historic Preservation Office order	Utility
- No State Historic Preservation Office order	Utility
Contaminated Soils, UST's, LUST's, etc.	
C) Site Assessments	
- Utility project but no Department project	RP ⁴ or Department or Utility ³
- Department Project	RP ⁴ or Department or Utility ³
D) Remediation	
- Department of Natural Resources order	RP ⁴ or Department or Utility ³
- No Department of Natural Resources order	Utility
1. County policy is to not spend available resources for assessments or mitigation, but rather to preserve archeological sites and historic structures in place. This is in accordance with Section 106 of the National Historic Preservation Act. 2. Applicable only when the County is required to obtain environmental information for its project. 3. <u>Specifically</u> , if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility's action. If the County is not the RP ⁴ , then a utility which incurs costs due to encountering contaminated soils, UST's or LUST's will have to recover them from the RP ⁴ . 4. RP = Responsible Party (owner of the source of the hazard as determined by DNR)	

A. Need for a Permit

A utility shall obtain a permit from the County before any use or occupancy of County highways is allowed. This includes utilities that want to occupy an existing pole line or duct system (e.g. CATV attaching to another utility company's existing poles). Exceptions to this are enumerated in Sections 61 through 64.

B. Permit Authorization to Use and/or Occupy Right-of-Way

By issuance of a permit, the County formally indicates that, subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not adverse to the highway interests at the time of the permit approval.

The County does not warrant that public title to the right-of-way is free and clear, does not certify that it has sole ownership, and does not indicate any intention to defend the utility in its peaceful use and occupancy of said lands.

The permit does not transfer any land, nor give, grant, or convey any land right, right in land, or easement subject to applicable statutes.

Written authorization from the County does not relieve the utility from compliance with all applicable federal and state laws and codes and local laws and ordinances which affect the design, construction, materials, or performance of its work. The County authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

The utility should retain a copy of the permit in its files during the entire time the facility is located in, over, or under the County right-of-way and shall have a copy available at the job site during construction.

All utility permits issued by the County are revocable for cause as provided herein. Section 07 highlights the steps that may be used by the County in order to revoke a permit.

A. General Policy

A utility's request to use and occupy the right-of-way cannot be considered until adequate information is provided regarding its proposed work. The amount of detail will vary with the complexity of the installation and the highway involved, but must include the appropriate permit application form, dimensioned drawings or sketches, and installation information so that the effect of the highway operation, traffic safety, and visual qualities can be evaluated.

B. Permit Application Form

Utilities shall only use the single-page permit application form provided by the County. Alteration of the permit application form by the applicant is prohibited and shall be just cause for application rejection or permit revocation.

The current permit application form is found in the WCHA UAP Appendix, section 93 and can be duplicated as needed.

One original permit application form, signed by an **authorized office or representative of the applicant**, plus two copies of the drawings, sketches, or installation information shall be submitted per application to the County. The telephone and pager number of the applicant's local contact person and person in charge of construction shall be included on each permit application form.

See Section 12 on Page 20 for annual service connection permit information.

C. Permit Limits

The permit application form shall include the limits (project endpoints) of all proposed work. If the utility facility extends into more than one county, a separate permit application form shall be submitted for each county. Furthermore, a separate permit must be submitted for each project on a different highway and/or for non-contiguous projects.

The permit authorizes only the described work of and for the applicant indicated on the face of the permit. The permit shall not grant authority for the present or future installation of any other facility.

D. Permit Drawings

Each permit application shall contain adequate drawings showing the proposed location of the utility facility within the right-of-way with respect to the existing highway or any proposed highway improvement and any existing utility facilities. The details shall include dimensions from the proposed utility installation to the right-of-way line; whether the right-of-way is dedicated, prescriptive, or statutorily defined, and to the edge of the traveled way.

For highway crossings, a cross-section detail showing depth of bury or overhead clearance is required along with the location of any bore pits (if needed). A distance reference from the crossing to the nearest public roadway intersection is also required.

E. Installation Information

The utility shall provide the following installation information:

1. This information shall include, but is not limited to, a general description of the location, size, type, nature, and extent of the utility facilities to be installed or to be adjusted.
2. The County may require a utility to provide a description of proposed construction procedures, special traffic control and protection measures, proposed access points, coordination of activities with the highway contractor, or trees to be removed.
3. When an attachment to a structure is proposed, the County shall request additional information. This information may include, but is not limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

See Policy 23 for additional requirements regarding structure attachments.

F. English Units

The County is expecting to work exclusively with English units which shall be used on all permit application forms and submittals.

A. General Policy

A utility shall obtain a permit from the County before installing any type of service line that requires a connection from an existing distribution facility within the right-of-way. However, the County recognizes that a utility must respond promptly to its customers when they request service connections for their homes or businesses. In order to help expedite the process, a utility may apply for an annual service connection permit (ASCP) from the County which bypasses the normal permit approval process and fax each proposed service location permit.

This policy does not affect Section 5, Emergency Work. Approvals for emergency service connections should still be handled by a phone call to the County.

All work described in this policy shall comply with the entire Utility Accommodation Policy. An ASCP issued to a utility does not supersede the authority of other governmental agencies' more restrictive requirements.

B. Application Information

A utility shall use the County standard permit application form (see Appendix) to apply for an ASCP which shall be sent to the County for review. The ASCP shall only be effective during the calendar year and in the county in which it is issued. A copy of the ASCP shall be kept on the job site at all times.

The County may reject an ASCP application if a utility has been delinquent in rectifying previous or current installations which violate the Policy (e.g. site restoration). In addition, the County may suspend or permanently revoke an ASCP due to Policy violations.

C. Coverage

The ASCP shall pertain to **service connections only**. In addition, an extension of the existing distribution line up to 300 feet is allowed to facilitate the installation of the service. Both overhead and underground short-side (same side of highway and the distribution line) service connections are allowable. Long-side (opposite side of highway as the distribution line) service connections are also allowable but may be limited to underground installations.

D. Implementation

Once an ASCP has been approved by the County, a utility shall implement the following process to obtain approval for installing a service connection. A utility shall submit, by email, fax or other method, a location sketch of the proposed service for County review at least three business days prior to the start of the work. A copy of the utility's work order may be sufficient for this. The information provided shall include the:

D. Implementation (continued)

1. Utility's ASCP number.
2. County name and town, range, and section numbers, address of property, municipality or township in which property is located.
3. Distance from the nearest intersection to the service line.
4. Name of the utility and representative who needs the County reply along with that person's telephone number, email or fax numbers.
5. A map or sketch of the project location that depicts the placement of the service line relative to right-of-way and the traveled way.

An ASCP does not authorize a utility to start work. The highway commissioner or his/her designee shall notify the utility within three working days of receipt of the utility service connection request when it is okay to proceed with the proposed service work - usually by telephone or return fax unless another method is specified by the utility. If the utility does not hear from the highway commissioner or designated representative prior to commencing work, it should call the County.

E. Work Restrictions

If a utility cannot meet **all** of the conditions listed below, then it shall obtain a regular permit for that specific service connection. Under an ASCP, all work shall be done:

1. Without any interference or disruption to traffic. Exceptions may be granted for low-volume (500 ADT or less), two-lane rural highways.
2. Without open cutting the pavement, paved shoulders, or medians.
3. For long-side connections, using untrenched construction techniques only. Any boring machine that is used shall not be guided from the highway surface. The use of the median area is prohibited per Section 24.B - even to check or guide the boring machine. Boring shall be accomplished no closer to the highway than the toe of in slope or back of curb in accordance with Section 53.B. The bore shall be perpendicular to the highway.

Overhead, long-side service connections may be allowed on low-volume (500 ADT or less), two-lane rural highways during off-peak travel hours. Traffic plans or road closure permits may be necessary from the local road authority.

COUNTY HIGHWAY DEPT
APPLICATION/PERMIT to CONSTRUCT, OPERATE,
and MAINTAIN UTILITIES WITHIN HIGHWAY
RIGHT-OF-WAY

Applicant/Company: _____
 Address: _____
 Office Phone: _____
 Cell Phone: _____
 Plans Prepared By: _____
 Company: _____
 Phone: _____
 Email: _____

LOCATION INFORMATION

Highway(s): _____

Town/Village/City of: _____

_____ 1/4 of the _____ 1/4 Sec _____ T _____ N _____ R _____ E

ADDITIONAL INFORMATIONAnnual Service Connection Permit? ☐ Yes ☐ No

Utility Work Order # _____

Fee Required? ☐ Yes ☐ No 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 hwy centerline ☐ Hwy crossing ☐ Bridge attachment ☐ Tunnel

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

CONSTRUCTION METHOD(S): ☐ Plow ☐ Trench ☐ Bore ☐ Suspend on poles/towers ☐ Open cut hwy ☐ 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 Utility Accommodation Policy of the above-named county 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 Telephone Number)

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 above-named county including the Indemnification as included in Section 03 of the WCHA Utility Accommodation Policy in effect on the date of this application.

Supplemental Provisions Attached: ☐ Yes ☐ No

By: _____
 (Authorized Representative for County)

(Title)

(Date)

Date Revised: 1/5/01 clm

FEE RECEIVED: \$ _____

CHECK NUMBER: _____

DATE ISSUED: _____

HWY PROJECT #: _____

PERMIT NUMBER: _____

PERMIT PROVISIONS AND CONDITIONS OF ISSUANCE:

Pursuant to Wisconsin Statutes, WisDOT Highway Maintenance Manual, and other County Regulations, this permit is granted to allow performance of the specific work described or referenced herein. The following standard provisions and any included special provisions shall govern:

1. Comply with the conditions and requirements of the WCHA Utility Accommodation Policy (UAP).
2. Permitted facilities shall, if necessary, be altered at the expense of the Applicant/Owner to permit alteration, improvement, or maintenance of the highway as may hereafter be ordered. The entire cost of constructing and maintaining the permitted facilities shall be the obligation of the Applicant/Owner; unless a contract for such costs has been executed by County.
3. Permitted Utility location shall be installed at the furthestmost horizontal location from the centerline, shall maintain a consistent centerline offset, shall meet the minimal offset and cover requirements of the UAP, and shall not deviate in position from the approved Permit submittal documents without written COUNTY consent and approval.
4. No open cutting for a crossing will be allowed where the pavement is too narrow to maintain one-way traffic at all times, unless County has granted permission for a detour. Wherever the pavement is opened, spoil shall be hauled away and the trench shall be backfilled with sand, gravel, or structural fill (compacted in layers).
5. Pavement removed shall be replaced in accordance with County specifications.
6. Applicant shall provide ALL NECESSARY SIGNS, FLAGMEN, AND LIGHTS required per conformance with the "Manual on Uniform Traffic Control Devices". When a detour is allowed, local newspapers shall be notified, by the Applicant, in advance of the work being started.
7. All disturbed areas shall be returned to their present condition or better, subject to the satisfaction of County representative. Access to all private drives and public street intersections shall be maintained, and all areas completely restored.
8. Trenching, tunneling, of excavating shall be performed in accordance with requirements of OSHA, Wisconsin Department of Commerce, this policy, and any applicable local regulations.
9. Copy of the permit approval, along with any plans and special provisions, shall be available on the job site.
10. Upon completion of the work, Applicant/Owner shall file a written notice of completion with the County.
11. Other jurisdictions that may have permit authority are to be contacted; for example, DNR, Township, County Land & Water Conservation.
12. Issuance of a Permit does not exempt Applicant/Owner from any other Federal, State, County, or Local Agency Permits or approval processes.

INDEMNIFICATION:

1. APPLICANT shall indemnify, hold harmless and defend COUNTY, its boards, commissions, agencies, officers, employees, and representatives against any and all liability, loss (including, but not limited to, property damage, bodily injury, and loss of life), damages, costs, or expenses which COUNTY, its officers, employees, agencies, boards, commissions, and representatives may sustain, incur or be required to pay by reason of APPLICANT engaging in the activities authorized by the Permit or which arise out of or are connected with, or are claimed to arise out of or be connected with any of the work done by the APPLICANT, or the construction or maintenance of facilities by APPLICANT, pursuant to the Permit, on, under, or over highway right-of-way, provided, however, that the provisions of this paragraph shall not apply to liabilities, losses, costs, or expenses caused or resulting from the acts or omissions of County, its agents, boards, commissions, officers, employees, or representatives. Without limiting the generality of the foregoing, the liability, damage, loss, expense, claims, demands, and actions indemnified against shall include all liability, damage, loss, expense, claims, demands, and actions for damage to any property, lines, or facilities placed by or on behalf of the APPLICANT pursuant to the permit, for any loss of data, information, or material; for trademark, copyright, or patent infringement; for unfair competition or infringement of any other so-called "intangible" property right; for defamation, false arrest, malicious prosecution or any other infringement of personal or property rights of any kind whatever. APPLICANT shall at its own expense investigate all such claims and demands, attend to their settlement or other disposition, defend all actions based thereon and pay all charges of attorneys and all other costs and expenses of any kind arising from any such liability, damage, loss, claims, demands, and actions. The obligation of APPLICANT under this paragraph shall survive the expiration or termination of the Permit.

2. In order to protect itself and COUNTY, its officers, boards, commissions, agencies, employees, and representatives under the indemnity provisions of paragraph 1, above, APPLICANT will at all times during the term of the Permit keep in full force and effect comprehensive general liability and auto liability insurance policies issued by a company or companies authorized to do business in the State of Wisconsin and licensed by the Wisconsin Insurance Department, with liability coverage provided for therein in the amounts of at least \$1,000,000 Combined Single Limit (CSL). Covered afforded shall apply as primary. COUNTY shall be given ten (10) days advance notice of cancellation or non-renewal. Upon issuance of the Permit, APPLICANT shall furnish COUNTY with a certificate of insurance listing COUNTY as an additional insured and, upon request, certified copies of the required insurance policies. If APPLICANT insurance is underwritten on a Claims-Made basis, the Retroactive Date shall be prior to or coincide with the date of issuance of the Permit, and the Certificate of Insurance shall state that coverage is Claims-Made and indicate the Retroactive date. APPLICANT shall maintain coverage for the duration of the Permit and two years thereafter. APPLICANT shall furnish COUNTY, annually on the Policy renewal date, a Certificate of Insurance as evidence of coverage. It is further agreed that APPLICANT shall furnish COUNTY with a 30-day notice of aggregate erosion, in advance of the Retroactive Date, cancellation, or renewal. It is also agreed that on Claims-Made policies, either APPLICANT or COUNTY may invoke the tail option on behalf of the other party and that the Extended Reporting Period premium shall be paid by the APPLICANT. In the event any action, suit, or other proceeding is brought against COUNTY upon any matter herein indemnified against, COUNTY shall give reasonable notice thereof to APPLICANT and shall cooperate with APPLICANT attorneys in the defense of the action, suit, or other proceeding. APPLICANT shall furnish evidence of adequate Worker's Compensation Insurance.

3. In case of any sublet work under the Permit, APPLICANT shall furnish evidence that every subcontractor has in force and effect insurance policies providing coverage identical to that required of APPLICANT.

4. The parties do hereby expressly agree that COUNTY, acting at its sole option and through its Risk Manager, may waive all requirements contained in paragraphs 1-3, above, such waiver to be in writing only.

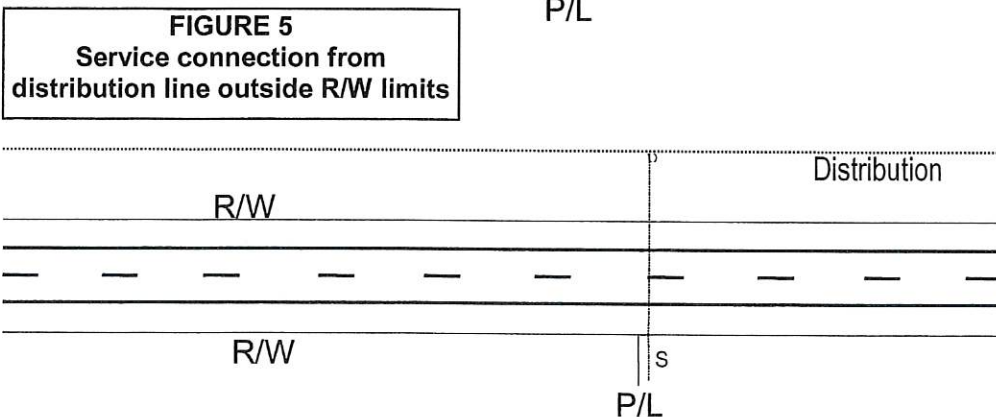
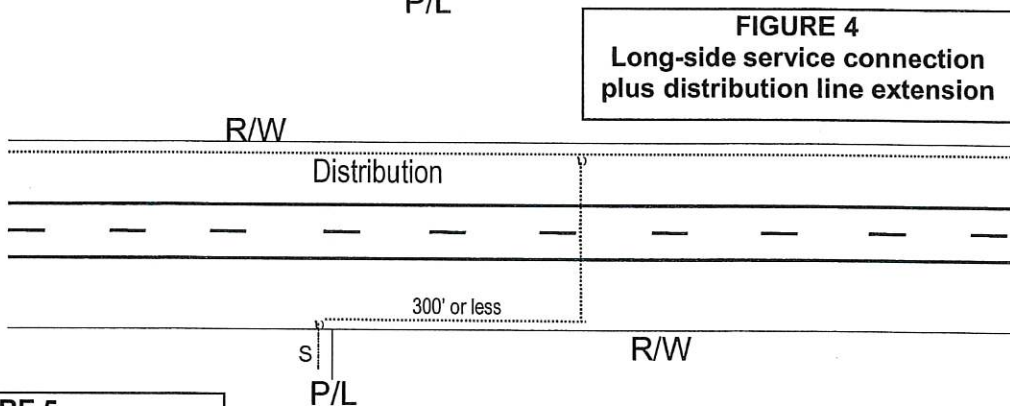
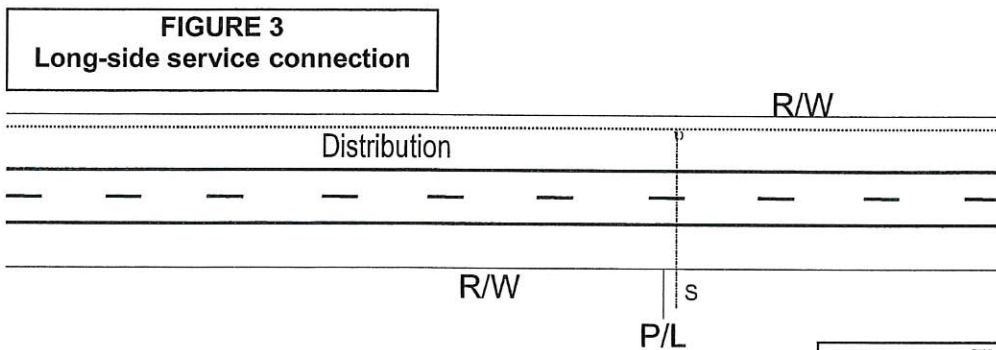
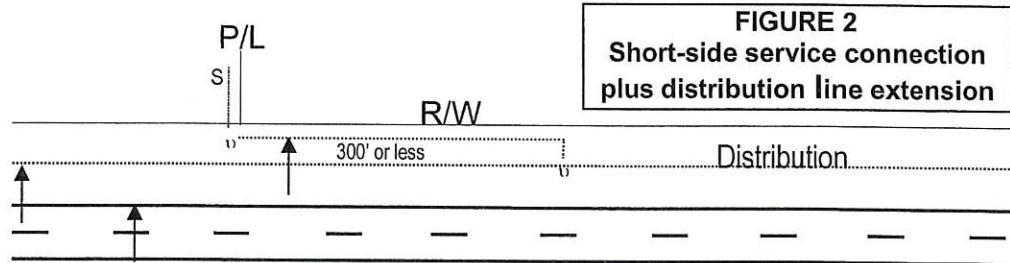
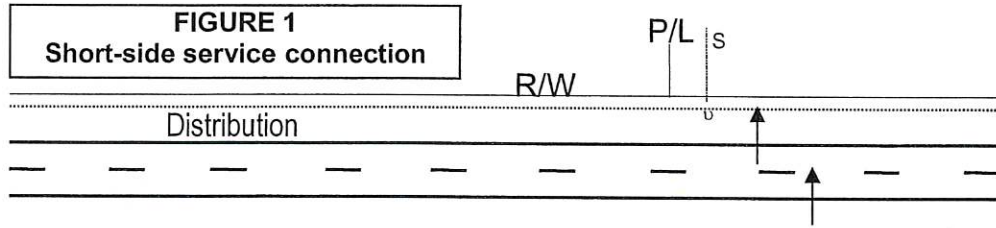
SECTION 11 – ANNUAL SERVICE CONNECTION PERMIT (ASCP)

KEY: R/W = right-of-way

P/L = property line

S = service

v = pedestal, pole or valve



The County has the right to modify the utility's permit application as necessary to protect the highway interests. The modifications may be more restrictive than what was originally proposed.

The permit, as approved, shall embody the conditions to which the utility shall comply in order to use or occupy the right-of-way.

Changes to the permit could include, but are not limited to, changing the traffic control plan, utility location due to conflicts, or utility locations due to field conditions; for small cellular systems see Section 61.

A. General Location

Utility facilities shall be located in such a manner in order to minimize the need for later adjustment to:

1. Accommodate proposed highway improvements and widening.
2. Permit servicing or expanding such lines without obstruction or interference to the free flow of highway traffic.
3. Provide adequate vertical and horizontal clearance between an underground utility facility and a structure or other highway facility to allow maintenance of all facilities.
4. Be outside of the 45-degree cone of support for the footings of all highway structures.

B. Crossing Location

Utility facilities shall cross the highway on a line as nearly perpendicular to the highway alignment as possible.

Conditions which are generally unsuitable or undesirable for underground crossings should be avoided. Crossing locations to be avoided include:

1. Deep cuts.
2. Near footings of bridges or retaining walls.
3. Across highway intersections at grade or ramp terminals.
4. At cross drains where the flow of water may be obstructed.
5. Within basins of an underpass drained by a pump.
6. In wet or rocky terrain where it will be difficult to attain minimum bury.

C. Underground Longitudinal Location

The longitudinal location of underground utility facilities within the right-of-way shall provide as much clearance from the traveled way as conditions will allow. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line.

To maintain a reasonably uniform utility alignment, location variances may be allowed when the normal right-of-way limits varies.

D. Aboveground Longitudinal Location

The longitudinal location of aboveground utility facilities shall be outside of the clear zone. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line. Exceptions may be granted when no other location is feasible or when the clear zone extends to the right-of-way line.

If any aboveground utility facility is within the clear zone or is determined to be in a location that has a higher-than-average accident potential, the County may require:

1. The utility facility to be of approved yielding or breakaway construction, or
2. The utility facility to be protected by a County-approved barrier such as beam guard, crash cushion, etc.

To maintain a reasonably uniform utility alignment, location variances may be allowed when the normal right-of-way limit varies.

E. Existing Utilities

When a utility facility exists within the right-of-way of an existing or proposed highway, it may remain provided it does not adversely affect highway safety based on sound engineering judgment and economic considerations of the roadway improvement cost and utility moving cost. The existing facility shall be relocated if:

1. It conflicts with any construction or construction related activities, or
2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstruction project, or
3. It does not meet current clear zone standards for a new or reconstructed highway.

F. Subsurface Utility Engineering

The use of subsurface utility engineering (SUE) to locate buried facilities is approved by the County. Any utility installation using SUE shall be noted on the permit application form.

A. General Policy

Appurtenant facilities such as pedestals, manholes, vents, drains, rigid markers, valve and regulator pits, etc. should be located outside of the clear zone and near or at the right-of-way line. Manholes, valve pits, etc. should be installed so that their uppermost surfaces are flush with the adjacent undisturbed surface.

All utility pedestals, cabinets, transformers, and other aboveground (i.e., not flush with the ground) structures located within the highway right-of-way shall be adequately marked. Markers shall be installed and maintained by the utility owner. Counties will not be liable for damage done to aboveground utility structures that are not adequately marked.

B. Buildings

Buildings shall not be located on the right-of-way. Exceptions may be granted in cases where the building can be located on County-owned right-of-way other than a county trunk highway. Examples of this include, but are not limited to, Park-n-Ride lots, rest areas, and remnant parcels. Buildings shall still be located outside of any clear zone, if applicable.

C. Cabinets

Cabinets should not be located on the right-of-way. When cabinets are allowed on the right-of-way they shall be placed at a location not vulnerable to an errant vehicle and at or as near as practical to the right-of-way line. Foundations beneath cabinets shall be flush with the existing ground or proposed ground slope if associated with a roadway construction project.

D. Manholes

Manholes shall not be located in the pavement and should not be located in the shoulders of heavily traveled highways. Exceptions may be made on highways where manholes are essential parts of existing lines. New manhole installations shall be avoided at highway intersections.

A. Underground

The depth of bury for underground facilities within the right-of-way shall be a minimum of 24 inches as measured from the finished ground surface to the top of the facility except under ditch bottoms where it shall be a minimum of 30 inches at the time of installation.

The depth of bury for underground facilities crossing the highway shall be a minimum of 30 inches as measured from a straight line connecting the lowest points of the finished ground or pavement surface on each side of the right-of-way to the top of the facility at the time of installation.

When a permit is requested by a utility and a future road project is anticipated, the utility may be required to bury deeper in accordance with the County plans.

Where minimum bury is not feasible, the facility shall be rerouted or protected with a casing, concrete slab, or other suitable measures. In solid rock, the depth of bury may be reduced if adequate protection is provided. All utilities shall obtain prior approval from the County before burying any facility less than the minimum depth required.

B. Overhead

Vertical clearances for overhead utility facilities installed after January 1, 2000, shall comply with all applicable state and national electrical codes. In all cases, facilities crossing over the highway shall at no time be less than 17 feet above the high point of the traveled way.

Pre-existing facility clearances before January 1, 2000, are grandfathered under the applicable state and national electric codes in effect at the original date of installation. Unless otherwise agreed to by the utility and the County, facility clearances affected by the normal and emergency work activities as defined in the maintenance section of this policy, which do not require a new permit, are also grandfathered.

A. General Definitions

Attachments to highway structures should be avoided. However, attaching utility lines to highway structures may be permitted when they do not materially affect the:

1. Structure design and appearance.
2. Safe operation of traffic.
3. Efficiency of maintenance.

The utility shall be responsible for all County costs associated with such attachments. This includes, but is not limited to, additional design time, increased bridge deck thickness, and future bridge maintenance (painting and inspection).

B. Installation Location Requirements

When a utility facility is attached to a structure, the installation shall be located:

1. Beneath the structure floor.
2. Inside the outer girders or beams or within a cell.
3. At an elevation above low superstructure steel or masonry which would not inhibit bridge inspections or repairs.

A utility facility may be located within the highway structure's deck for new construction or deck reconstruction projects if the utility notifies the County in advance of or while the structure is being designed.

C. Installation Openings

The openings created in the bridge abutments to allow passage of the permitted facility shall be of the minimum size necessary.

1. The opening in the abutment around the permitted facility shall be completely filled to seal the opening and effectively preclude the leakage of any moisture or backfill material through the abutment.
2. If the utility sleeves the facility through the abutment, the sleeve shall be tight sealed into the abutment. Any space between the sleeve and facility it encloses shall be sealed.

(5)

A. General Policy

On both crossing installations and longitudinal installations, poles, guys, or other related facilities shall not be located in a highway median. The County may grant an exception for a crossing installation on a freeway or expressway. See Sections 32(b) and 35 for freeways.

B. Median Work

No work shall be performed in the median of any highway without prior approval from the County.

When median work is authorized, it shall conform to the following provisions unless otherwise stated within a utility's permit:

1. The permittee or its contractor shall notify the County at least 3 working days prior to the expected beginning of work in the median and shall provide an approximate completion date for the work. The phone number has been included in the Appendix as the County Contact Information.
2. All equipment, operations, and spoil material shall be located within the center area of the median.
3. No openings, vehicles, equipment, or materials of any type shall be located within the median overnight.
4. All vehicles used to conduct the work operation shall be equipped with conspicuously visible roof-mounted revolving or strobe lights. These lights shall be in operation just prior to and during the work operation. Hazard warning lights on the vehicles shall also be operating.
5. Provide a Temporary Traffic Control (TTC) plan that includes the proper advance, warning, and work area signage in accordance with standards and recommendations of the U.S. DOT FHWA Manual of Uniform Traffic Control Devices (MUTCD) and the Wisconsin Supplement to the MUTCD; or comply with the standards and requirements of the most recent version of the Wisconsin Department of Transportation (WisDOT) Work Zone Field Manual for construction site control measures.
6. Any vehicle of the department or a county or municipal highway department that by reason of its use upon a highway creates vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing may be equipped with flashing green warning lamps to *only* be used by WisDOT or county or municipal highway department vehicles when working on a highway.

SECTION 25 – BREAKAWAY CONSTRUCTION

Breakaway or yielding facilities along the highway should be set as far back as feasible to prevent a pole or other device from falling onto the traveled way when struck by an errant vehicle.

Foundations beneath breakaway poles shall be flush with the ground.

A. General Policy

When feasible, the County strives to enhance visual qualities of the highway system by:

1. The retention and/or planting of trees, shrubs, and other vegetation.
2. The selection of special alignments and corridors.
3. The acquisition of scenic easements.

Utilization of highways by utilities requires that the type and size of its facilities and the manner and extend of its installations shall not materially impair the scenic quality, appearance, or view of highway roadsides and adjacent areas.

B. Scenic Areas

Areas which have been acquired or set aside for their scenic quality, such as scenic strips, overlooks, rest areas, recreation areas, public parks, historic sites, etc., and the right-of-way which traverses these areas, are in a special category and new utility installations shall not be permitted except as provided in this section.

1. New underground utility installations may be permitted within scenic areas when the installation does not require extensive removal or alteration of trees or other natural features visible to the highway user and does not impair the visual quality of the lands being traversed.
2. New overhead installations shall be prohibited at such locations where there is a feasible and prudent alternative to the use of the scenic areas by the overhead facility. When this is not the case, installations will be considered only where:
 - a. Other locations are unusually difficult, unreasonably costly, or are undesirable from the standpoint of visual quality.
 - b. An underground installation is not technically feasible, or it is unreasonably costly.
 - c. The proposed installation can be made at a location (and will employ suitable designs and materials) which gives adequate protection to the visual qualities of the area being traversed.
3. These controls shall also be followed in the location and design of utility installations that are needed for a highway purpose, such as for continuous highway lighting, or to serve a weigh station or rest or recreational area.

These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

See WisDOT Utility Accommodation Policy.

These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

See WisDOT Utility Accommodation Policy.

A. Permit at Job Site

When the County issues a permit to a utility for its proposed work, a complete copy of the permit shall be in the possession of the utility's work force, consultant, contractor, or subcontractor at all times when utility work is being performed within the right-of-way. This includes the Annual Service Connection Permit (see Section 11) when appropriate.

B. Use of Highway Median

Any use of a highway median is prohibited unless specifically authorized by a permit. See Section 24(B) for specific conditions that shall be met if median work is permitted.

C. Use of Temporary Guard Poles

No guard pole shall be set within the right-of-way unless specifically authorized by a permit. By definition, a guard pole is used to prevent aerial lines from falling onto the traveled way. Any guard poles permitted in the clear zone shall comply with Section 20(D).

D. Unexpected Field Conditions

Any modification of the terms of the approved permit to meet changed or unexpected field conditions shall require prior approval from the County.

E. Blasting

Blasting on the right-of-way is prohibited unless specifically authorized by a permit.

F. Survey Markers

No survey marker (e.g. right-of-way marker, benchmark, etc.) shall be disturbed unless prior approval has been obtained from the County. In addition, other survey markers [e.g. United States Geological Survey (USGS), County, etc.] located in the County right-of-way shall not be disturbed unless prior approval is obtained from their owner(s).

Any survey marker that is disturbed, removed, or destroyed shall be restored by the utility at its expense under the supervision of a registered professional land surveyor or county surveyor. (Reference: Wis. Stats. sec. §59.635 and §236.32, Stats.)

G. Vegetation

No tree or shrub shall be sprayed, cut, trimmed, or damaged to facilitate the installation of a utility facility unless specifically authorized by a permit. Vegetation which is proposed to be damaged or destroyed may have to be replaced at the discretion of the County. When the removal of a tree is permitted, the stump shall be removed and the hole properly backfilled or cut flush with the ground as directed and approved by the County. At no time shall trees or other vegetation be cut on County right-of-way without approval of the County.

G. Vegetation (continued)

Utilities should be aware of rare or endangered plant species or animal and insect species that feed off of native vegetation in the right-of-way that must be protected or avoided by law. Utilities may receive assistance in identifying these areas by calling the local Department of Natural Resources office (contact information has been provided in the County's Addendum) DNR Service Center Location Information in the county's addendum). The chipping or grinding of trees may be allowed by the County on a permit-by-permit basis. This includes spreading the resulting mulch evenly over the right-of-way such as not to leave mounds or humps or interfere with drainage or road maintenance activities.

H. Highway Signs

A utility shall not remove any highway sign unless approved in its permit.

A. Authority

All traffic control for utility work performed on County highways shall abide by:

1. The current FHWA Manual on Uniform Traffic Control Devices (MUTCD) any supplements thereto, and the Wisconsin Supplement to the MUTCD.
2. Section 643 in the current edition of the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction.
3. Alternatively, and at the County's determination, traffic control may be in accordance with appropriate diagrams found in the Wisconsin Department of Transportation titled "Work Zone Field Manual, Current Edition".
4. All Flaggers shall be certified in accordance with the Wisconsin Department of Transportation standards or guidelines.
5. The specific provisions within this section.

The standards set forth in the Wisconsin MUTCD and any supplements thereto are minimum guidelines, and additional traffic control shall be used when necessary or if required by County.

B. General Policy

All utility work shall be planned and prosecuted with full regard for safety and to keep interference with highway traffic to a minimum. On heavily traveled highways, utility work interfering with traffic may not be allowed during periods of peak traffic flow. Any such work allowed shall be planned so that closure of intersecting streets, road approaches, or other access points is minimized. No utility work shall begin until all required warning signs, devices, and methods adequate to protect the public are in place and fully functional. These shall be maintained until all utility work is completed.

All operations shall be performed without closing all or obstructing part of any highway traffic lane unless it is approved by the County and proper traffic control is specified.

All warning signs shall have reflectorized sheeting which, **beginning January 1, 2003, shall comply with 643.2.12.2 of the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction, current edition.** Warning signs shall be removed, covered, turned, or laid flat when workers or workers' vehicles are not at the job site or when the signs' messages are not relevant. All barricades and barrels shall be reflectorized with Type H reflective sheeting as a minimum. Cones used during nighttime operations shall be at least 28" in height and reflectorized.

C. Traffic Control Selection

1. Factors

When selecting the appropriate traffic control, the applicant shall implement the minimum standards for traffic control by utilizing an appropriate temporary lane closure layout as shown in the MUTCD or WisDOT WZFM, based on the conditions and considerations at the project location, including but not limited to;

Physical characteristics of the road.	Posted speed limit.
Available sight distance.	Weather.
Traffic volume.	Light conditions.
Time of day.	Lane closure may require flagging.

2. Long Term Duration

All stationary daytime utility work which takes longer than one hour to perform should utilize traffic control plans designed in accordance with MUTCD standards and utilizing the MUTCD or WisDOT WZFM guidance for traffic control as it may apply. The County may require a more extensive traffic control plan if any of the following situations occur:

- a. Utility work performed during nighttime hours.
- b. Traffic control which is required overnight to protect the work zone(s) during non-work times.
- c. Utility work performed in a continuously moving work zone. This excludes moving from one stationary work zone to another.
- d. Utility work which cannot be adequately protected by using the six traffic control diagrams.

3. Short Term Duration

Daytime utility work that will be completed in one hour or less usually may not require the use of a formal traffic control plan. The utility is still responsible for providing traffic control adequate to protect public safety and meeting minimum criteria in accordance with either the MUTCD or WisDOT WZFM.

As part of this traffic control, advance signage, warning signage and all utility vehicles shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating. Additional traffic control such as guard (shadow) vehicles and impact attenuators may also be utilized.

A. General

The utility is responsible to assure that the work site is always secure against any hazard to the public until all of the work is completed. Vehicles, equipment, and materials which are in active use at the work site shall be regulated by the utility as to assure consistently safe conditions.

Sheeting, shoring, bulkheads, or temporary/permanent concrete barriers, etc. may be ordered by the County if considered necessary to protect the highway and the traveling public and shall be provided by and at the cost of the utility.

B. Equipment/Material Storage

Utility hardware or equipment which is located at the work site but not in immediate (same day) use should be stored in a safe location off of the right-of-way. If this is not practical, the equipment or material may be stored beyond the clear zone and as close to the fence or right-of-way line as possible.

C. Vehicle/Equipment Visibility

Vehicles and equipment shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating when they are within the clear zone during work operations.

D. Individual Conduct

All County, utility, and contractor personnel who are out of their vehicles and within the right-of-way should wear their retro-reflective safety vests or garments meeting ANSI/ISEA 107-2015 for type “R” in Performance Class 2 or 3 in accordance with the standards for minimum criteria of PPE as found in either the MUTCD or WisDOT WZFM at all times.



A. Trenched Construction

Trenched construction and backfill shall provide for the:

1. Restoration of the structural integrity of the highway facility (see backfilling in County's Addendum)
2. Security of the facility against deformation likely to cause leakage.
3. Assurance against the trench entrapping excessive moisture or becoming a drainage channel.
4. Assurance against highway drainage being blocked by the backfill.

When necessary, trenches for underground utility facilities shall be backfilled with material excavated from the trench and necessary outlets shall be provided to prevent entrapment of water. Underdrains shall also be provided where necessary.

The utility installation shall conform to the Wisconsin Department of Transportation's applicable Standard Specifications for Highway and Structure Construction, current edition, for earthwork, culverts, or other utility work within the right-of-way.

Backfill, compaction and restoration shall be completed to the satisfaction of the County. Alternatively, the County may require that backfill and repaving be performed by county forces at the expense of the utility.

B. Untrenched Construction

Untrenched construction shall be required for all underground utility crossings of all highways that have a paved surface and are open to traffic unless specifically authorized in the permit.

Untrenched installation of utility facilities may be accomplished by tunneling, driving, coring, and/or dry boring. Wet boring under the highway shall be prohibited unless specifically authorized in the permit.

Boring shall result in a close fit to the facility being installed. Untrenched construction shall, as a minimum, extend beneath the entire highway prism (from toe of inslope to toe of inslope or from back of curb to back of curb). Ground openings or pits for such work should be located outside of the clear zone and shall not interfere with highway drainage.

When specifically authorized by the County, the extent of the untrenched crossing may be reduced or eliminated where such construction methods are impractical or physically restricted by the terrain.

C. Non-Metallic Lines

Any non-metallic pipe, cable, or other kind of utility line which lacks a continuous and integral metallic component capable of detection by locating instruments shall be accompanied in its location by a continuous detectable metallic tracer wire or metallic tape. The County may allow an alternative method of utility detection provided that the method recommended by the Utility meets basic requirements for utility location and is easily locatable at all times without impact