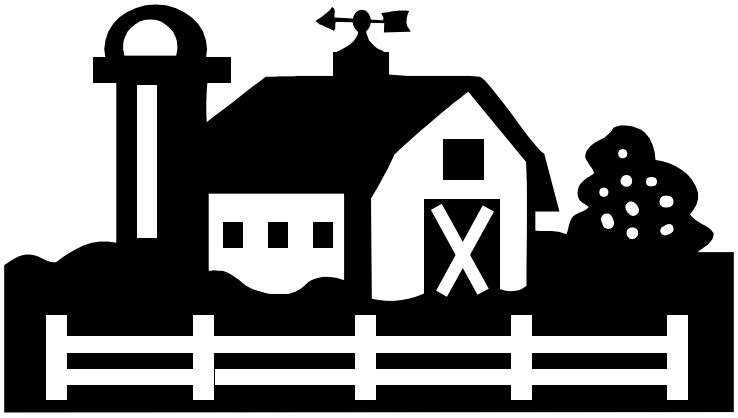
Town of Guenther

Marathon County
Wisconsin

Utility Policy



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Town of Guenther Utility Policy

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Town of Guenther Utility Policy

INTRODUCTION

A. OVERVIEW OF UTILITY ACCOMMODATION

The Town constructs, operates, and maintains the Town Highway System. Utility companies provide service to major centers of population as well as to individual users. Both the town and utility companies typically provide facilities that consider future as well as present needs. Cooperation between these two entities is essential if the public is to be served at the lowest costs consistent with the respective public service needs, obligations, and interests.

B. PRIMARY PURPOSE OF THE TOWN HIGHWAY SYSTEM

The primary purpose of the Town Highway System is to provide a safe and convenient means for the vehicular transportation of people and goods. Any permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests of the traveling public.

C. PURPOSE OF THE UTILITY ACCOMMODATION POLICY

The purpose of this document 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 Town Highway or bridge over which the town has maintenance jurisdiction.

D. UTILITY ACCOMMODATION

1. Permits

It is the policy of the town to permit utility facilities on Town 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, and

c. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.

Town of Guenther Utility Policy

2. Additions

Nothing in this policy shall be construed as limiting the rights of the town to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the town 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 constructing, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific town-executed utility parcel or agreement otherwise provides.

If the utility encounters a hardship during installation that prevents installation in accordance with the permit, the utility may (at the risk of having to move the installation) make changes to permitted installation. The town has final determination as to the validity of the hardship. If the town determines that the changes were made due to the installer's preference, and not due to hardship, the utility will take action within 10 days to correct such alterations. For clarification purposes: hardships are solid rock, uncrossable swamps, cemeteries, or similar circumstances that make construction physically or economically unfeasible.

4. Responsibility

The utility shall take full responsibility for the cost associated with moving or establishing new overhead or underground utility lines. This includes new construction, reconstruction or maintenance of lines on the Town of Guenther rights of way. Lines need to be placed within one-two feet within the town right-of-way which in most cases is 66'. Utility must leave the area neat and in proper condition.

5. Timeliness

When requested by Town of Guenther to move lines due to upcoming road construction. The utility must make sure to move the line in a proper timeframe as not to hinder or postpone a Town of Guenther road project. Deadlines and fees for not providing the movement of the line by the deadline may be imposed if it causes delays a road project. Fines may be imposed of $250.00 per day.

Town of Guenther Utility Policy

PERMIT REQUIREMENTS

A. NEED FOR A PERMIT

A utility shall obtain a permit from the town clerk prior to the first of the month. The Town of Guenther clerk's e-mail address is noted on the permit. The permit needs to be approved by the Guenther Town Board before any use or occupancy of Town highways is allowed. Guenther Town Board meetings are usually held the second Monday of each month please plan on getting your permit application to the clerk by the first of the month so that the item can be placed on the agenda. Getting your permit application in late may delay approval by several weeks.

B. PERMIT AUTHORIZATION TO USE AND/OR OCCUPY RIGHT-OF-WAY

By issuance of a permit, the town 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 town 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.

Written authorization from the town 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 the work. The town's authorization shall not be consuetude as superseding any other governmental agency's more restrictive requirements.

Each permit shall require that the standard indemnification language is part of the overall document.

The utility should retain a copy of the permit in their files during the entire time the facility is located on, over, or under Town Highway right-of-way.

Town of Guenther Utility Policy

REQUIRED INFORMATION

A. GENERAL POLICY

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

B. PERMIT APPLICATION FORMS

Utilities shall only use the single-page form which are made by the Town and available from the Town. Alteration of the permit form by the applicant is prohibited and shall be cause for application rejection or permit revocation.

One original, with attached copies, of the permit form shall be submitted per application to the Town Clerk via email, regular mail, courier service, or delivered in person.

The contact’s name, telephone and cellular number, e-mail address of the applicant shall be included on each permit form.

The current permit form is shown in the appendix

C. PERMIT DRAWINGS

Each permit application shall contain adequate drawings showing the existing and/or proposed location of all utility facilities within the right-of-way with respect to the existing highway or any planned highway improvement. The details shall include dimensions from the proposed utility installation to the commonly accepted right-of-way line 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. Land tes (e.g. approximate distance from the proposed facility to side road intersection, county line, etc.) shall be submitted with all permit drawings.

Town of Guenther Utility Policy

D. INSTALLATION INFORMATION

The utility shall provide 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, and the impact on the utility's existing facilities to remain in place within the right-of-way.

2. The town may require the 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, and/or vegetation to be removed.

3. When an attachment to a structure is proposed, additional information is required. This information should include, but not be limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

E. METRIC\ENGLISH UNITS

Although the town may be working with the Metric System in the future, English units or English units followed by metric equivalents in parenthesis should be used on all permit forms. After the town's formal conversion to the Metric System, this section may be changed to reflect new metric permit requirements.

Town of Guenther Utility Policy

F. FEES

New Permit Application & Inspection Fee	$150.00
Maintenance Permit Application & Inspection Fee	$150.00
Boring Permit Application & Inspection Fee	$150.00
Open Cuts Permit Application & Inspection Fee Across Roadways	$250.00
After-the-Fact-Fee, Additional (For EACH work project incurred)	$ 50.00

- Inspection fee is not required for spraying and trimming permits.

LOCATION REQUIREMENTS

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.

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 footings of all highway structures.

Town of Guenther Utility Policy

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 should to be avoided include:

1. Deep cuts

2. Near footings of bridges and 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.

7. Utility is responsible for restoring area worked on to pre-construction condition.

C. UNDERGROUND LONGITUDINAL LOCATION

Minimum depth of line 36” below the ditch line—deeper when crossing intersections and at culverts.

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 reasonable uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits. No utility lines are allowed in the ditch bottom or on the inslope.

A meeting with a town board member must be scheduled prior to installation. The installation contractor must confirm with a town board member that the location of the installation is being installed in a proper location. Names and phone numbers are located on the application page.

D. ABOVE GROUND LONGITUDINAL LOCATION

The longitudinal location of above ground utility facilities shall be outside of the clear zone. Such lines shall be on a uniform alignment and be located at or as near as practical to the right-of-way line.

ABOVE GROUND LONGITUDINAL LOCATION continued
Exceptions may be granted when no other location is feasible or when the clear zone extends to the right-of-way line.
If any above ground utility facility is within the clear zone or is determined to be in a location that has a higher than average accident potential, the town may require:

1. The utility facility to be approved yielding or breakaway construction, or

2. The utility facility to be protected by a town-approved barrier such as beam guard, crash cushion, etc. To maintain a reasonably uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits.

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 judgement and economic considerations. The existing facility shall be relocated if:

1. It conflicts with any construction or maintenance actives, or

2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstructed project.

3. Is found to not be within accepted standards for depth of bury, or overhead clearance or in locations not acceptable to the town.

Exceptions may be granted for 1 and 2 above based on sound engineering judgement and economic considerations.

Town of Guenther Utility Application/Permit

Utility Permits are accepted at the regular Guenther Town Board Meetings held the 2nd Monday of each month. Please get application in by the first of the month so that your permit application can be placed on the agenda for approval at the next month's meeting

Utility Name:_____ Date: _____

Address:_____ e-mail:_____

City, State, Zip:_____

Contact Person:_____ Cell: (___)_____

Office: (_____)_____ Ext:_ Fax: (_____)_____

Start Date of Project:_____

Location of Project:_____

The applicant must contact a member of the town board prior to construction so a board member can meet with the utility company to ensure that the line is installed at a depth and location that is out of ditch line. Contact:

Steve Cisewski	Trevor Obremski	Shawn Brandt
715-693-6770	715-572-0990	715-340-8467

I have read the Town of Guenther utility policy and agree to all items; including taking full responsibility for the cost associated with moving or establishing new overhead or underground utility lines. This includes new construction, reconstruction, or maintenance of lines on the Town of Guenther rights of way. This includes restoring all Town of Guenther roads to the original condition. **A complete drawing of work to be done is enclosed with this application.**

_____

Authorized Signature Print Name Date

The following permit fee needs to be included with this application:

- ☐ $150.00 New Permit Application & Inspection Fee
- ☐ $150.00 Maintenance Permit Application & Inspection Fee
- ☐ $150.00 Boring Permit Application & Inspection Fee
- ☐ $250.00 Open Cuts Permit Application & Inspection Fee Across Roadways
- ☐ $ 50.00 After-the-Fact Fee, Additional
  For EACH work project incurred

Send application and above fee to:

Shannon Brandt, Town of Guenther-Clerk, 715-498-5478
208993 Wisz Road, Mosinee, WI 54455 **clerk@tn.guenther.wi.gov**

Questions, please call Steve Cisewski, Chairman 715-693-6770.

Permit

The Town of Guenther has received the permit fee and accepts your utility application to do the above work.

_____

Steve Cisewski Trevor Obremski Shawn Brandt

Date:_____ Rev 7/2025