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**ORDINANCE: Amend Chapter 7 of the
General Code of Winnebago
County (Traffic Code)**

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Winnebago County Highway Committee has recommended a variety of amendments to Chapter 7 of the General Code of Winnebago County; and

WHEREAS, said amendments would clarify the existing ordinance as well as raise permit fees so as to reflect actual costs of operation of the Winnebago County Highway Department.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

That the following Sections of Chapter 7 of the General Code of Winnebago County be amended to read as follows:

**7.10 UTILITY PERMITS UPON WINNEBAGO COUNTY TRUNK
HIGHWAYS.**

(7) Permit required to install or reinstall or reconstruct utility ...

(b) Applications for permits to install, reinstall or reconstruct utilities shall be applied for at the Winnebago County Highway Commission, 901 W. County Road Y, Oshkosh, WI, upon forms to be provided by the Winnebago County Highway Commission.

(c) Fees for utility permits shall be as follows:

| | |
|--|----------|
| Application Fee | \$ 75.00 |
| In addition to Application Fee – | |
| Boring Fee..... | \$100.00 |
| Open Cut Fee | \$500.00 |
| Permit to Close Road (per day) | \$300.00 |
| Trenching parallel to right-of-way (per lineal foot) | \$.10 |

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Suspension of lines from poles, towers or
Plowing of lines (per Lineal foot) \$.05

1. **Definitions:**

a) Boring – Where a circular hole is drilled under the road without disturbing the road surface.

b) Open Cut – the cutting of a trench or an opening across a road surface.

c) Plowing – The threading of an electrical or telecommunications line into the soil by the use of a mechanical device specifically designed for that purpose with minimal disturbance to the soil surface.

(d) Permits shall be issued only in the name of the owner of the property upon which utility installation or reinstallation is to occur.

Section 7.11 PERMIT FOR OPERATION OF OVERSIZE VEHICLES UPON COUNTY TRUNK.

(6) **Definitions** (a) **Oversized Vehicle** means any vehicle which is over-wide, over-high, over-long or over-weight in contravention of Sections 348.05, 348.06, 348.07 or 348.15, Wisconsin Statutes.

(b) A fee of \$100.00 shall be assessed by the Highway Commission to those making application for the issuance of a permit for the operation of an overweight, over-height, over-width or over-length vehicle upon Winnebago County Highways.

(8) **DENIAL OF APPLICATION. ...**

(a) When operation of such a vehicle is likely to interfere with the safety of those persons utilizing Winnebago County Trunk Highways. ...

7.14 DRIVEWAY ACCESS TO COUNTY TRUNK HIGHWAYS. (1) This Ordinance is adopted pursuant to the authority granted under Sections 59.03 and 66.07(2), Wisconsin Statutes and shall apply to all designated and undesignated County Trunk highways in Winnebago County.

92 **(7) PERMIT REQUIRED TO CONSTRUCT OR RECONSTRUCT**
93 **DRIVEWAY.**
94

95 (h) A non-refundable charge shall be assessed by the Commission to
96 those making application for the issuance of a permit for the construction or
97 reconstruction of an entrance or departure upon a Winnebago County Trunk
98 Highway. Said fee shall cover the cost of administration and inspection. A
99 charge shall also be assessed for the removal of an illegally placed access.
100 Fees shall be determined using the following schedule:

| | | | |
|-----|----|--|-------------|
| 101 | | | |
| 102 | 1. | Local Road (as defined in Sec. 7.14(6)(d)) | |
| 103 | | Access: | \$600.00 |
| 104 | | | |
| 105 | 2. | All other accesses | |
| 106 | | No culvert required | \$150.00 |
| 107 | | Culvert required | \$350.00 |
| 108 | | | |
| 109 | 3, | Blacktopping of access | \$ 50.00 |
| 110 | | | |
| 111 | 4. | Permits applied for subsequent to | |
| 112 | | installation of access in Non-compliance | |
| 113 | | with this ordinance..... | \$800.00 |
| 114 | | | |
| 115 | 5. | Permits applied for subsequent to | |
| 116 | | Blacktopping of access..... | \$150.00 |
| 117 | | | |
| 118 | 6. | Removal of illegally placed driveway | Actual Cost |
| 119 | | | |
| 120 | 7. | Highway Department to perform work in | |
| 121 | | Right-of-way for the property owner.... | \$350.00 |
| 122 | | | |
| 123 | | | |

124 **BE IT FURTHER ORDAINED** by the County Board of Supervisors of the
125 County of Winnebago that the above amendments to said Ordinances shall take
126 effect as of May 23, 2010.

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128 Submitted by:

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130 **HIGHWAY COMMITTEE**

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136 Committee Vote:

137 **5-0**

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Vote Requirement for Passage:

Majority of those present

Approved by Winnebago County Executive this _____ day of

_____, 2010.

Mark L. Harris
County Executive