

TITLE 6

Public Works

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Chapter 1

Grades

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Sec. 6-1-1 Establishment of Grades.

- (a) **Grades to be Established.** The grade of all streets, alleys and sidewalks shall be established by resolution by the Common Council, upon the recommendation of the Director of Public Works, and the same recorded by the City Clerk-Treasurer in his office. No street, alley or sidewalk shall be worked until the grade thereof is established. In all cases where the grade of sidewalks shall not have been specifically set by ordinance, the sidewalks shall be laid to the established grade of the street. All such grades heretofore established are hereby confirmed.
- (b) **Sidewalk Grades.** Whenever a street shall be improved for the first time or the grade thereof changed and the street improved so as to conform to the new grade, the grading of the sidewalk shall be considered a part of the improvement, shall be let by contract with the other work of improving such street, and the expense thereof shall be provided for and borne in all respects like that of improving the street, but the construction shall be done by the owners of the abutting lots or parcels of land or at their expense as hereinafter provided. Before such construction is commenced by the owners of the abutting lots or parcels of land, the Director of Public Works shall, upon application by the respective owners for a sidewalk grade, cause such sidewalk grade to be established.

State Law Reference: Sections 62.14(7) and 62.16, Wis. Stats.

Sec. 6-1-2 Alteration of Grade Prohibited.

No person shall alter the grade of any street, alley, sidewalk or public ground or any part thereof in the City of Colby by any means whatsoever unless authorized or instructed to do so by the Common Council or Director of Public Works. All such alterations of grade shall be recorded in the office of the City Clerk-Treasurer.

Sec. 6-1-3 Regulation of Underground Utilities.

- (a) **Elevation.** The grade or elevation of all underground construction shall be a minimum of three (3) feet below the established grade of the street, alley, park, public property or easement. The three (3) feet shall be measured between the top of the established grade and the top of the underground construction.
- (b) **Approval of Location.** The location of any and all such underground construction must have the approval of the Director of Public Works.
- (c) **Filing Plans.** Complete plans for any such construction must be filed with and be approved by the Director of Public Works before construction can begin.
- (d) **Inspection.** On request of the Director of Public Works, the utility company must provide opportunity for City officials to check any construction before it may be covered.
- (e) **Conflict with Other Utilities.** If the grade or elevation herein set for the underground construction of utilities shall, in any instance, conflict with other existing utilities, the utility shall be required to lower the elevation of its underground construction at the election of the Director of Public Works, and in accordance with its directions and specifications.
- (f) **Establishment of Grade.** At the request of the utility company, the Director of Public Works shall, at the City's expense, give the utility company an established grade on any streets, alleys, public parks or easements where it proposes to install underground utilities.
- (g) **Emergency.** In case of an emergency, when immediate action is necessary in order to protect life or property, the utility company may proceed with underground construction subject to obtaining the approval of such work by the Director of Public Works as soon thereafter as is reasonably possible.
- (h) **Restoration of Surface.** In the event of any such underground construction, the utility company shall leave the surface of the ground, or road, in the same condition as before said work was commenced, and in the event of its failure so to do, the City may proceed to place the surface of the ground or street in such condition at the utility company's expense. Such work shall comply with the provisions of Sections 6-2-3 and 6-2-4.
- (i) **Non-Relief from Obligations.** Compliance with this Section does not relieve the utility company from any responsibility of any kind whatsoever by reason of the widening of the travelway, or any other improvements which may become necessary; nor does it relieve it from any liability of any kind or nature whatsoever. Compliance with this Section shall not relieve the utility company from the responsibility or obligation of removing, relocating or moving any of its mains, pipes or property due to the opening, widening or improving of streets, or due to any other changes which may occur by reason of which such moving, relocation or removing may be necessary.

Chapter 2

Streets and Sidewalks

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Sec. 6-2-1 Removal of Rubbish and Dirt from Sidewalks.

No owner or occupant shall allow the sidewalk abutting on his premises to be littered with rubbish or dirt. If such owner or occupant shall refuse or fail to remove any such rubbish or dirt when notified to do so by the Common Council, or its designee, the City may cause the same to be done and report the cost thereof to the City Clerk-Treasurer who shall spread the cost on the tax roll as a special tax against the premises, pursuant to Sec. 66.60(16), Wis. Stats., or such cost may be recovered in an action against the owner or occupant.

Sec. 6-2-2 Construction and Repair of Sidewalks.

(a) Construction and Repair Procedures.

- (1) **Construction and Repair Regulated.** No person, whether owner, builder or contractor, shall build any new sidewalk or repair or renew, or cause to be built, repaired or renewed any existing sidewalk contrary to the provisions of this Chapter,

unless by petition to the Common Council and having permission therefore granted by the Council, or upon the Common Council's own motion, or where such a change in the specifications hereinafter set forth shall be deemed in the best interests of the City.

- (2) **Supervision of Project.** The Director of Public Works, the Mayor and the Chairman of the Environmental Committee are authorized to negotiate contracts for material and labor at lowest price available and have general oversight of the construction to be accomplished. The project shall be under the direction and control of the Director of Public Works.
- (3) **Accounting.** The Director of Public Works shall keep an accurate accounting of the costs of such project. The costs shall include the necessary overhead expenses and upon completion of such work, the Director of Public Works shall make a complete report thereof to the Common Council, stating in detail the items of costs and the total costs of doing such work, and the City Clerk-Treasurer shall publish this report as part of the proceedings of the Council. The Board of Public Works is the City of Colby is the full Council, and the preparation of the report as provided by Statute is hereby delegated to the Director of Public Works.
- (4) **Construction and Repair.** The Council shall, from time to time, upon advice of City administrative officials, determine where sidewalks shall be constructed and establish the width, determine the material and prescribe the method of construction of standard sidewalks and the standard so fixed may be different for different streets, and may order by resolution sidewalks to be laid as provided in this Section. The Common Council may order any sidewalk which is unsafe, defective or insufficient to be repaired or removed and replaced with a sidewalk in accordance with the standard fixed by the Council.
- (5) **Notice.** A copy of the order directing such laying, removal, replacement or repair shall be served upon the owner, or an agent of each lot or parcel of land in front of which work is ordered. The Common Council shall serve notice on the effective property owner by publication in the official newspaper as a Class 1 notice, together with mailing by first class mail to the owner or agent of the effective property.
- (6) **Default of Owner.** Whenever any such owner shall neglect for period of twenty (20) days after such service to lay, remove, replace or repair any such sidewalk the City shall cause such work to be done at the expense of the owner. Such a number of minor repairs if the costs of repairs of any sidewalk in front of any lot or parcel of land does not exceed the sum of One Hundred Dollars (\$100.00), the Common Council may immediately repair such sidewalk, without notice and charges of costs thereof to the owner of such lot or parcel of land.
- (7) **Expense.** The Common Council shall keep an accurate account of the expense of laying, removing and repairing sidewalks in front of each lot or parcel of land and report the same to the City Clerk-Treasurer who shall annually prepare a statement of the expense so incurred in front of each lot or parcel and the amount therein

- charged each lot or parcel of land shall be entered by such Clerk-Treasurer in the tax row as a special tax against said lot or parcel of land and the same shall be collected in all respects like other taxes upon real estate.
- (b) **Cost of Sidewalks.**
- (1) **New Sidewalks.** Sidewalks required in new subdivisions and developments shall be paid for by the land divider pursuant to Title 14 of this Code of Ordinances. New sidewalks constructed in existing areas of the City of Colby shall be paid for by adjacent property owners.
 - (2) **Sidewalk Repair and Reconstruction; Sidewalks Ordered Into Existing Neighborhoods.**
 - a. If the property owner or the person in control of the property elects to do the sidewalk construction as his/her own contractor, the City agrees to pay fifty percent (50%) of the cost of the concrete. The cost shall be based on the commercial rate in effect at the time of the laying of the sidewalk. The commercial rate shall be ascertained by the average cost of two (2) of the concrete suppliers within the area of thirty (30) miles of the City of Colby.
 - b. The City of Colby shall undertake the cost of installing or repairing sidewalks when reconstructing existing City streets. Where existing sidewalks are laid, and such sidewalks require repair or replacement, they shall be laid at municipal government expense. A determination shall be made by the Streets/Equipment Committee as to what sidewalks shall be repaired or replaced.
- (c) **Standard Specifications for Sidewalk.**
- (1) **General.** Concrete sidewalk construction shall meet the specifications and provisions set forth in this Section and shall be constructed in locations and to line and grade as established by the City of Colby.
 - (2) **Subgrade.** Subgrade shall be three (3) inches of sand fill, thoroughly and uniformly compacted and brought to correct grade. Soft, porous and unsuitable subgrade material shall be removed and replaced with sand or other satisfactory material, and the subgrade shall be thoroughly and uniformly compacted and moistened immediately before the concrete is placed. On embankments, the subgrade shall extend at least one (1) foot beyond each edge of the sidewalk.
 - (3) **Concrete.** The minimum quantity of cement per cubic yard shall be six (6) sacks of ninety-four (94) pounds each. Concrete shall be mixed for at least one (1) minute. Gravel shall be of good quality and washed. Concrete shall test three thousand (3,000) pounds compression in twenty-eight (28) days.
 - (4) **Forming.** Concrete shall be placed in straight forms of wood or metal of sufficient strength to resist springing, tipping or other displacement during the process of depositing and consolidating the concrete. Concrete shall be placed in the forms on a moist subgrade, deposited just above the finished grade and consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing. It shall then be struck off level with the top of the forms and finished with wooden flats. Forms shall be securely fastened, staked, braced and held firmly to required line and shall be sufficiently tight to prevent leakage of mortar, and all forms shall remain in place for twenty-four (24) hours after pour.

- (5) **Jointing, Floating and Finishing.** Soon after screening and while the concrete is still plastic, the surface shall be floated with wood, cork or metal floats or by a finishing machine. At all places where the sidewalk intersects another sidewalk or curb-line, a one-half (1/2) inch expansion joint shall be placed. Transverse expansion joints of one-half (1/2) inch thick and four (4) inches wide and five (5) feet long or premolded material shall be located every thirty (30) feet. Sidewalks must be marked off to make blocks five (5) foot square and be at right angles to the parallel lines. Any new sidewalk adjoining an old sidewalk or a sidewalk which abuts curb and gutter shall have one-half (1/2) by four (4) inch expansion joints of premolded material.
- (6) **Slope.** All forms must be approved by the Director of Public Works or his/her designee before concrete is poured. To provide adequate drainage, the sidewalk shall slope toward the curb at a minimum rate of one-half (1/2) inch per foot of width of sidewalk. All joints and edges shall be finished with a one-fourth (1/4) inch radius edging tool. Sidewalks shall be constructed within the limits of the street, and unless otherwise specifically indicated, there shall be a one (1) foot strip of street property left between the property line and the edge of the sidewalk.
- (7) **Width and Thickness.** Residential walks shall be four and one-half (4-1/2) feet in width and not less than four (4) inches thick, except within driveway approaches where the minimum thickness shall be six (6) inches, provided that walks in residential areas may be repaired or replaced to a width not less than the existing width. Such sidewalks shall have a grade one (1) inch higher than the adjacent curb on the curb side of the sidewalk. All such sidewalks shall be constructed eight (8) inches from the adjacent lot line. In the case of a laydown type curb, the pitch shall be one-half (1/2) inch per foot from the curb in the parkway to the sidewalk with a three (3) inch minimum. Sidewalks in front of commercial or industrial establishments shall have a width as determined by the Common Council and be five (5) inches thick, except within driveway approaches where the minimum thickness shall be seven (7) inches.
- (8) **Finishing.** The concrete shall be struck off true to grade, finished smooth and given a broom finish in transverse direction. Edges and joints shall be given a finish with a one-quarter (1/4) inch radius edging tool. Dry cement shall not be spread on a wet surface to take up excess water. Finishing operations shall be delayed until water has disappeared. No tool marks shall be left on exposed surfaces. In case of rain, the walk shall be covered to protect the surface from being damaged. Walks shall be kept free from all traffic at normal temperatures for forty-eight (48) hours and in cold weather [below fifty (50) degrees F.] for ninety-six (96) hours.
- (9) **Curing and Drying.** As soon as any of the concrete work herein before mentioned has been finished and hardened sufficiently to prevent excessive marring of the surface, it shall be cured and protected against rapid drying. Failure to comply with this requirement shall be deemed sufficient cause for suspension of the work. Curing shall be accomplished by the "Impervious Coating," "Wet Fabric" or "Paper" methods. For

impervious coating or membrane curing, only those materials meeting requirements of ASTM Spec. C156-44T, "Method of Test for Efficiency of Materials for Curing Concrete" shall be used. Said specifications are hereby adopted by reference as if fully set forth herein.

- (10) **Cold Weather Requirements.** When the temperature is less than forty (40) degrees F., all concrete placed in the forms shall have a temperature between fifty (50) degrees F. and seventy (70) degrees F. and shall meet the requirements as per Wisconsin Department of Transportation specifications for cold weather concrete.
 - (11) **Minor Repairs.** Nothing in this Section shall apply to minor repairs, the cost of which does not exceed Five Hundred Dollars (\$500.00); such repairs may be made at the direction of the Director of Public Works without notice, and the cost thereof may be charged to the abutting property owner in the same manner as provided in this Section for major repairs.
- (d) **Illegal Sidewalks.** No sidewalk which shall be constructed contrary to the provisions of this Section shall be considered a legal sidewalk and the same may be ordered to be replaced with a legal sidewalk and with one that is in conformity with this Section, the same as if no sidewalk whatever had been built or constructed in the place where any such sidewalk is located.

State Law Reference: Sec. 66.615, Wis. Stats.

Cross-Reference: Section 6-5-1.

Sec. 6-2-3 Excavations of Streets, Alleys, Public Ways and Grounds.

- (a) **Permit Required.** No person, partnership or corporation, or their agents or employees or contractors, shall make or cause to be made any opening or excavation in any public street, public alley, public way, public ditch, public ground, public sidewalk or City-owned easement within the City of Colby without a permit therefor from the City Clerk-Treasurer or Director of Public Works. The permit fee shall be Ten Dollars (\$10.00).
- (b) **Application for Permit.** The application for a permit shall be in writing and signed by the applicant or his/her agent. The applicant shall submit to the City Clerk-Treasurer or Director of Public Works, at the time the permit is applied for, sufficient information relating to the work to be done including the general location and nature of the work and the method applicant proposes to use in doing the work. The City Clerk-Treasurer or Director of Public Works shall determine if sufficient information is submitted.
- (c) **City Work Excluded.** The provisions of this Section shall not apply to excavation work under the direction of City departments or employees or to contractors performing work under contract with the City necessitating openings or excavations in City streets.
- (d) **Validity of Permit.** Permits shall be valid for a period of thirty (30) days from the date of approval, except as provided for under Section 6-2-4(g) for pavement replacement.
- (e) **Renewal of Permit.** If operations have begun under an approved permit and will continue beyond the thirty (30) day validation period, the permittee shall apply for a thirty (30) day permit renewal by written request to the City Clerk-Treasurer or Director of Public Works.

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Permit renewals shall be issued at the discretion of the City Clerk-Treasurer or Director of Public Works.

- (f) **City Standards.** All street work shall be performed in accordance with the current standard specifications for street openings found in this Section and Section 6-2-4. Any damaged curb and gutter, sidewalk or grass-covered area shall be restored to the condition prior to damage.
- (g) **Insurance Required.** A permit shall be issued only upon condition that the applicant submit to the City Clerk-Treasurer or Director of Public Works satisfactory written evidence that applicant has in force and will maintain during the time the permit is in effect public liability insurance of not less than \$500,000 per one (1) person, \$500,000 for one (1) accident and property damage coverage of not less than \$500,000.
- (h) **Bond.**
 - (1) The City Clerk-Treasurer or Director of Public Works may require a bond. If repair costs are estimated to exceed Twenty-five Thousand Dollars (\$25,000), a bond is required.
 - (2) Before a permit for excavating or opening any public street, sidewalk, ditch, alley or public right-of-way may be issued, the applicant must execute and deposit with the City a bond in the amount of Ten Thousand Dollars (\$10,000.00), conditioned that he will indemnify and save harmless the City of Colby and its officers from all liability for accidents and damage caused by any of the work covered by his permit, and that he/she will fill up and place in good and safe condition all excavations and openings made in the street, and will replace and restore the pavement over any opening he/she may make as near as can be to the state and condition in which he/she found it, and keep and maintain the same in such condition, normal wear and tear excepted, to the satisfaction of the Director of Public Works for a period of one (1) year, and that he will pay all fines of forfeitures imposed upon him/her for any violation of any rule, regulation or ordinance governing street openings or drainlaying adopted by the Common Council and will repair any damage done to existing improvements during the progress of the excavation in accordance with the ordinances, rules and regulations of the City of Colby. Such bond shall also guarantee that, if the City shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one (1) year. Recovery on such bond for any accident, injury, violation of law, ordinance, rule or regulation shall not exhaust the bond but it shall cover any and all accidents, injuries or violation of law during the period of excavation for which it is given.
 - (3) An annual bond may be given under this Section covering all excavation work done by the principal for one (1) year beginning January 1, which shall be conditioned as specified above and in the amount determined by the Director of Public Works as necessary to adequately protect the public and the City.
 - (4) Faulty work or materials shall be immediately replaced by the permittee upon notice by the City. Failure to correct deficiencies shall result in a one (1) year revocation of the right to obtain a street opening permit. The Director of Public Works shall

- repair the deficiencies and bill the permittee for all labor, materials and equipment used plus twenty percent (20%) for administration.
- (5) The person who does such restoration shall be responsible therefor for one (1) year from the date of the completion of the work and shall file a written guarantee or surety bond to that effect with the City in an amount determined by the Director of Public Works.
 - (6) Whenever the Common Council shall find that any such work has become defective within one (1) year of the date of completion, it shall give written notice thereof to the contractor or to his surety stating the defect, the work to be done, the cost thereof and the period of time deemed by the Common Council to be reasonably necessary to complete said work. After receipt of such notice, the contractor or the surety must, within the time specified, repair the defect or indemnify the City for the cost of doing the work as set forth in the notice.
- (i) **Public Utilities.** All public utilities as defined in Sec. 66.06 and 196.01, Wis. Stats., are hereby required to be bound by the terms and conditions of this Section and Section 6-2-4, any and all subparagraphs thereunder, except that a public utility as defined within this Section shall not be required to post the indemnity bond.

Sec. 6-2-4 Regulations Governing Excavations and Openings.

- (a) **Frozen Ground.** No openings in the streets, alleys, sidewalks or public ways shall be permitted between November 1st and May 1st except where it is determined by the Director of Public Works or his designee to be an emergency excavation.
- (b) **Protection of Public.**
 - (1) Every opening and excavation shall be enclosed with sufficient barriers, signing, and such other traffic control devices as may be required by the City and in accordance with Section VI of the Manual of Uniform Traffic Control Devices. Sufficient warning lights shall be kept on from sunrise to sunset. No open flame warning devices shall be used. Except by special permission from the Director of Public Works, no trench shall be excavated more than two hundred fifty (250) feet in advance of pipe or conduit laying nor left unfilled more than five hundred (500) feet from where pipe or conduit has been laid.
 - (2) All necessary precautions shall be taken to guard the public effectively from accidents or damage to persons or property through the period of the work. Each person making such opening shall be held liable for all damages, including costs incurred by the City in defending any action brought against it for damages, as well as cost of any appeal, that may result from the neglect by such person or his employees of any necessary precaution against injury or damage to persons, vehicles or property of any kind.
 - (3) Unless otherwise approved, a minimum of one (1) lane of traffic in each direction shall be provided. Every effort shall be made on the part of the permittee to provide

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reasonable access to all properties adjacent to his project. In the event traffic is limited to less than one (1) lane in each direction, a flagman or temporary traffic control signal shall be provided so as to safely cycle traffic in each direction past the work area.

- (4) The permittee shall perform the work in such a manner so as not to disrupt the flow of traffic in the area or endanger the safety of workmen or passersby. It shall be the responsibility of the permittee to prevent traffic backup during construction operation. The permittee shall notify the Director of Public Works twenty-four (24) hours prior to commencement of excavation of the location and extent of the excavation, unless the excavation is an emergency excavation as identified in Section 6-2-4(b).
- (5) When the operations will result in the loss of any utility service to private properties, the private properties shall be notified in writing or by personal contact at least twelve (12) hours prior to the loss of service, unless the operations are part of an emergency excavation as defined in Section 6-2-4(g).

(c) **Pavement Removal.**

- (1) Removal of existing pavement shall be to neat, straight lines. The permittee shall make a final saw cut in the existing pavement after backfilling. Excavations shall be kept to the minimum possible and acceptable for the convenience and safe performance of his work and in accordance with all applicable codes and regulations.
- (2) If the pavement is damaged during excavation beyond the original saw cut lines, it shall be saw cut again along neat, straight lines. The finished saw cut shall leave a regular rectangular section for pavement replacement. Should the street opening occur within adjacent or close to an existing patch or require more than one (1) opening within a short distance, the permittee shall identify and locate the existing patches or additional openings on the permit application form. The Director of Public Works or his designee shall, on the basis of an on-site inspection, approximate the boundaries of the pavement replacement area.
- (3) Pavement replacement areas with the long dimension in the direction of travel shall have the long dimension parallel with the curb line or the direction of travel. Pavement replacement areas in concrete pavements shall be parallel with or at right angles to the direction of travel.
- (4) The Director of Public Works or his designee may order the permittee to remove and replace up to one (1) full lane width of pavement along the patched or excavated area. Special care shall be taken with concrete pavement to produce a vertical face on the existing concrete at the point of the saw cut to insure a full depth of concrete at the joint.

(d) **Excavation.**

- (1) All excavated material shall be piled in a manner such that pedestrian and motor traffic is not unnecessarily disrupted. Gutters shall be kept clear or other satisfactory provisions made for street drainage, and natural watercourses shall not be obstructed.
- (2) Excavated material to be used for backfilling of the trench must be so handled and placed as to be of as little inconvenience as practical to public travel and adjoining tenants.

(e) **Backfilling.**

- (1) All backfill material shall be free from cinders, ashes, refuse, vegetable or organic matter, boulders, rocks or stones greater than eight (8) inches in their greatest dimension, frozen lumps or other material which in, in the opinion of the Director of Public Works or his designee, is unsuitable.
- (2) In refilling the excavation, if there is not sufficient material excavated suitable for refilling, the deficiency shall be made up with material, approved prior to use by the Director of Public Works or his designee, hauled in.
- (3) Wherever an excavation crosses an existing utility, pipe or other structure, backfill shall be carefully compacted in stages from the bottom of the excavation. Any sanitary sewer, storm sewer, water, telephone, natural gas or other service shall not be interrupted by the permittee. It shall be the permittee's responsibility to have the various utilities locate and mark their facilities prior to excavation.
- (4) Mechanical compaction shall be used on all materials used for trench backfill. Each layer (12-inch maximum) shall be uniformly compacted. Compaction or consolidation by flooding shall not be permitted. Earth must be puddled or laid in layers not more than twelve (12) inches in depth and each layer rammed and tamped to prevent settling. The Street Department will test the fill to meet the City's specifications. Contractors will be instructed by the City inspector, if he meets the specifications, to proceed to fill the opening.
- (5) All excavations shall be subject to testing by the City. Backfilled material not achieving the above compaction requirements shall be removed and recompacted by the permittee. The cost of any retesting shall be paid by the permittee.
- (6) When the sides of the trench will not stand perpendicular, sheathing and braces shall be used to prevent caving. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench. At no time shall any street pavements be permitted to overhang the excavation.

- (f) **Notice.** It shall be the duty of the permittee to notify the Director of Public Works and all public and private individuals, firms and corporations affected by the work to be done at least one (1) business day before such work is to commence. The Director of Public Works shall also be notified at least four (4) hours prior to backfilling and/or restoring the surface.

(g) **Pavement Replacement and Sidewalk, Curb and Gutter and Driveway Restoration.**

- (1) Backfill material shall be left below the original surface to allow for five (5) inches of three (3) inch crushed stone and four (4) inches of three-quarter (3/4) inch crushed stone, plus the thickness of the required pavement structure. If paving will not occur as part of the initial street restoration operation, the balance of the opening to the original surface elevation shall be backfilled with compacted three-quarter (3/4) inch crushed stone.
- (2) Bituminous pavement shall be placed the full depth of the existing pavement or three (3) inches, whichever is greater. Bituminous pavement shall be placed in a

- maximum of one and one-half (1-1/2) inch layers with each layer compacted to maximum density and shall consist of Wisconsin Department of Transportation Gradation No. 1 for the binder course and Wisconsin Department of Transportation No. 3 for the surface course. The finished surface shall be smooth and free of surface irregularities and shall match the existing pavement and any castings or street appurtenances. Allowable deviations shall be no more than one-quarter (1/4) inch as measured with a ten (10) foot straight edge.
- (3) Concrete pavement shall be placed to the full depth of the existing pavement or seven (7) inches, whichever is greater. Concrete used shall not contain calcium chloride. The surface shall be given a light broom finish. The edges shall be tooled to prevent spalling at the saw cut edge. The surface shall be evenly and completely sealed with a white pigmented curing compound. The surface shall be protected from traffic for a minimum of three (3) days. Tie bars shall be installed as directed by the Director of Public Works or his designee.
 - (4) All permanent restoration of street, curb and gutter shall be of the same type and thickness as the curb and gutter which abuts. The grade of the restored curb and gutter shall conform with the grade of the existing adjacent curb and gutter.
 - (5) All permanent restoration of driveways and sidewalks shall conform to the manner of construction as originally placed and to the lines and grades as given by the City Engineer. No patching of concrete driveway areas will be allowed between joints or dummy joints.
 - (6) Sidewalks shall be replaced the full width of the walk and minimum length shall be sixty (60) inches. All replaced walk shall be four (4) inches thick, except at driveways where it shall be six (6) inches thick. The new walk shall slope to conform to existing construction across the width of the walk toward the street.
 - (7) In emergency excavations during winter months when it is not possible to replace the removed pavement with a like material, the excavation shall be temporarily resurfaced with a minimum of three and one-half (3-1/2) inches of cold mix bituminous material. This temporary wearing surface shall be compacted and rolled smooth. These temporary wearing surfaces shall be removed and replaced with material as specified above by not later than the following June 1st, except as provided above. Permanent pavements shall be replaced within sixty (60) days of the date of the permit.
 - (8) When a street is reconstructed, utility laterals shall also be installed, including sump pump laterals, even if not immediately needed.
- (h) **Emergency Excavation.** In the event of an emergency, any person, firm or corporation owning or controlling any sewer, gas main, water main, conduit or other utility in or under any public street, alley easement, way or ground and his agents and employees make take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit, provided that such person, firm or corporation shall apply for an excavation permit not later than the next business day and shall notify City officials immediately.

- (i) **Excavation in New Streets Limited.** Whenever the City determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than thirty (30) days before the work of improvement or repaving shall begin. Immediately after such determination, the City shall notify in writing each person, utility or other agency owning or controlling any sewer, water main, conduit or other utility in or under said street or any real property abutting said street, that all such excavation work in such street must be completed within thirty (30) days. After such permanent improvement or repaving, no permit shall be issued to open or excavate said street for a period of five (5) years after the date of improvement or repaving unless, in the opinion of the Common Council, or committee thereof, conditions exist which make it absolutely essential that the permit be issued. Every effort shall be made to place gas, electric, telephone and television cable lines in street terraces.
- (j) **Repair by City.** The City may elect to make the pavement repair for any street or sidewalk opening, in which case the cost of making such repair and of maintaining it for one year shall be charged to the person making the street opening. In the event such charges are not paid within ninety (90) days of actual notice of the same having been furnished the applicant and owner of the premises for which said permit was issued, it shall become a lien against said premises and thereafter be assessed and collected as a special tax.

Sec. 6-2-5 Obstructions and Encroachments.

- (a) **Obstructions and Encroachments Prohibited.** No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in Subsections (b) and (c).
- (b) **Exceptions.** The prohibition of Subsection (a) shall not apply to the following:
- (1) Temporary encroachments or obstructions authorized by street privilege permit under Section 6-2-6 pursuant to Sec. 66.045, Wis. Stats.
 - (2) Building materials for the period authorized by the Common Council, Common Council, or authorized designee, which shall not obstruct more than one-half (1/2) of the sidewalk or more than one-third (1/3) of the traveled portion of the street and which do not interfere with the flow in the gutters.
 - (3) Excavations and openings permitted under Sections 6-2-3 and 6-2-4 of this Code.
 - (4) Awnings which do not extend below any point seven (7) feet above the sidewalk, street or alley.
 - (5) Public utility encroachments duly authorized by state law or the Common Council or Common Council.
 - (6) Temporary obstructions authorized by permit pursuant to Subsection (c).

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- (7) Goods, wares, merchandise, or fixtures being loaded or unloaded which do not extend more than three (3) feet on the sidewalk, provided such goods, wares, etc., do not remain thereon for a period of more than two (2) hours.
- (8) Signs or clocks attached to buildings which project not more than six (6) feet from the face of such building and which do not extend below any point ten (10) feet above the sidewalk, street or alley.
- (c) **Removal by City for Sidewalk Obstructions and Encroachments.** In addition to any other penalty imposed, if any City enforcement official determines that a sidewalk is unlawfully obstructed in violation of this Section, he shall issue a written notice to the owner or occupant of the premises which adjoins the obstructed sidewalk directing that the obstruction be removed within twenty-four (24) hours.
- (d) **Removal by City for Obstruction and Encroachments Located in the City Streets, Alleys, Public Grounds or Lands Dedicated for Public Use.** In addition to any other penalty imposed, if the Chief of Police, Director of Public Works or Building Inspector determines that a City street, alley, public grounds or land dedicated for public use is obstructed or encumbered, he shall issue a written notice to the property owner of the premises which adjoin the obstructed public area directing that the obstruction be removed within twenty-four (24) hours.
- (e) **Failure to Remove Obstruction.**
 - (1) If the owner or occupant fails to remove the obstruction within the time period established in Section (d) or (e) respectively, the Council shall cause the removal of the obstruction, keeping an account of the expense of the abatement, and such expenses shall be charged to and paid by such property owner. Notice of the bill for abatement of the obstruction shall be mailed to the owner of the premises and shall be payable within ten (10) calendar days from receipt thereof. Within sixty (60) days after such costs and expenses are incurred and remain unpaid, the City Clerk-Treasurer shall enter those charges onto the tax roll as a special tax as provided by the State Statutes.
 - (2) The failure of the City Clerk-Treasurer to record such claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to place the City expense on the tax rolls for unpaid bills for abating the obstruction as provided for in this Section.

Sec. 6-2-6 Street Privilege Permit.

- (a) **When Required.** Permits for the use of the streets, alleys, sidewalks or other public ways or places of the City may be granted to applicants by the Director of Public Works for the purpose of moving any building or structure or of encumbering the street, alley, sidewalk or way with materials necessary in and about the construction or demolition of any building or structure, provided such applicant has complied with the other requirements of this

Section and has obtained a building permit if required by this Code of Ordinances. The Director of Public Works may request advisory recommendations from the Chief of Police and Building Inspector prior to issuance of the permit. City officials may attach conditions to the permit, including proof of liability insurance.

- (b) **Bond.** No street privilege permit shall be issued until the applicant shall execute and file with the City Clerk-Treasurer a bond not exceeding Ten Thousand Dollars (\$10,000.00), conditioned that the applicant will indemnify and save harmless the City of Colby from all liability for accidents or damage caused by reason of operations under said permit and will remove such encumbrance upon termination of the operations and will leave the vacated premises in a clean and sanitary condition and repair any and all damage to the streets, alleys, sidewalks or public property of the City of Colby resulting from such building or moving operations.
- (c) **Fee.** The fee for a street privilege permit shall be in the sum of Ten Dollars (\$10.00), plus any actual City costs.
- (d) **Conditions of Occupancy.** The permission to occupy or obstruct the streets, alleys, sidewalks or public grounds is intended only for use in connection with the actual erection, alteration, repair, removal or moving of buildings or structures and shall be given upon the following terms and conditions and subject to revocation without notice by the Building Inspector, Chief of Police or Director of Public Works for violation thereof:
- (1) Such temporary obstruction shall cover not more than one-third (1/3) of any street or alley.
 - (2) Obstructions shall be sufficiently lighted at night so as to be in full view of the public from all directions.
 - (3) Sidewalk traffic shall not be interrupted, but temporary sidewalks of not less than four (4) feet in width guarded by a closed fence at least four (4) feet high on both sides may be maintained during the period of occupancy.
 - (4) No building or structure shall be allowed to remain overnight on any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant.
 - (5) Upon termination of the work necessitating such obstruction, all parts of the streets, alleys, sidewalks or public grounds occupied under the permit shall be vacated, cleaned of all rubbish and obstructions and placed in a safe condition for public travel at the expense of the permittee.
- (e) **Termination.** All street privilege permits shall automatically terminate at the end of three (3) months from the date of issuance unless an earlier termination date is specified thereon at the discretion of the Common Council.
- (f) **Removal by City.** In addition to any other penalty imposed, if the owner or occupant of the premises adjoining any lawfully obstructed sidewalk shall remove or neglect to remove such obstruction within twenty-four (24) hours after such notice from the Common Council to do so, it shall be the duty of the City to remove such obstruction and make return of the costs and expenses thereof to the City Clerk-Treasurer who shall enter such cost on the next annual tax roll as a special charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate.

State Law Reference: Sec. 66.045, Wis. Stats.

Sec. 6-2-7 Snow and Ice Removal.

- (a) **Purpose.** In the interests of public safety, the City of Colby has undertaken a sidewalk improvement and construction policy. To further facilitate public safety and the movement of pedestrians, it has been determined to be in the public interest that certain sidewalks within the corporate limits of the City of Colby shall be kept free of snow and ice, and that all sidewalks in certain specified locations shall be cleaned of snow and ice within a stated period of time.
- (b) **Removal.**
- (1) All snow and/or ice or a combination thereof from whatever source shall be removed from public sidewalks in the City of Colby within twenty-four (24) hours after the termination of the precipitation. In the event that the sidewalk remains uncleared following twenty-four (24) hours after the cessation of the first measurable precipitation after October 31, the City Clerk-Treasurer shall advise the homeowner or property owner by letter that the homeowner or property owner is in violation of this City Ordinance and that the snow and/or ice or a combination thereof shall be removed from the public sidewalk within twenty-four (24) hours after receipt of the notice to comply. If after subsequent snow fall an accumulation of snow and/or ice or a combination thereof, from whatever source accumulates, the City Clerk-Treasurer shall then mail a letter notice to the property owner in accordance with the foregoing policy. Only one (1) notice may be given during the season from November 1 through March 31, and such notice shall constitute a continuing notice of a continuing obligation to keep the affected sidewalk free of snow and/or ice or a combination thereof.
 - (2) Such letter shall be addressed to the homeowner or property owner at the homeowner's or property owner's last known address and mailing by the City Clerk-Treasurer by regular mail, postage prepaid thereon, shall constitute presumptive evidence of receipt of such notice. If within twenty-four (24) hours after notice, the sidewalk remains uncleared of snow and ice or a combination thereof, the City maintenance crews or City employees shall arrange for the clearing of the sidewalk at the rate established by the City of Colby and shall be revised from time to time as the City deems appropriate.
- (c) **Sidewalks Affected.** The following sidewalks are to be kept open for pedestrian travel and are those governed by the terms of this Section:
- (1) All sidewalks on Second Street from Broadway north to the High School.
 - (2) All sidewalks on Division Street.
 - (3) All sidewalks on Spence Street west of Division Street.
 - (4) All sidewalks on First Street.
 - (5) All sidewalks on Clark Street, except sidewalks between 3rd and 4th Streets on Clark Street shall not be required to be maintained.
 - (6) All sidewalks on Broadway Street from Second Street east to Division Street.

- (7) All sidewalks on Dolf Street.
- (d) **Other Sidewalks.** Sidewalks not specifically named herein shall not be subject to compulsory snow removal and/or snow and ice removal by City workers, but in the event of such failure to do so, the abutting property owner shall assume all responsibility for any injuries that may be caused by such failure to remove snow and/or ice or a combination thereof.
- (e) **Prohibited Placement.** Except as provided herein, no person shall deposit or cause to be deposited any snow or ice taken and removed from his premises or elsewhere upon any sidewalk, alley, parkway, public place or street in the City of Colby, provided however, that the person, firm, or corporation depositing such snow shall, within one (1) hour thereafter, cause the same to be removed from such street.
- (f) **Penalties.** In addition to the liability of the owner or occupant of lands under Subsection (b), the penalty for violation of any provision of this Section of the Colby Code of Ordinances will be a penalty as provided in Section 1-1-7. A separate offense shall be deemed committed for each day of which a violation of this Section occurs or continues.

State Law Reference: Sections 66.60(16) and 66.615(3)(f) and (5), Wis. Stats.

Sec. 6-2-8 Terrace Areas.

- (a) **Definition.** The definition of "terrace" (or "boulevard") shall be as defined in Section 6-4-2(f).
- (b) **Noxious Weeds; Paving.** All that part of the terrace not covered by a sidewalk shall be kept free and clear of all noxious weeds and shall not be paved, surfaced or covered with any material which shall prevent the growth of plants and shall be maintained as a lawn, except in areas specifically approved by the Common Council or its designee. Basketball backstops, statuary, structures, flag poles and other objects shall not be placed in the terrace area.
- (c) **Responsibility to Maintain.** Every owner of land in the City whose land abuts a terrace is required to maintain, or have maintained by his tenant, the terrace directly abutting such land as provided in this Section and elsewhere in this Code of Ordinances. Every owner shall keep mailboxes located on a terrace free and clear of snow.

Cross-Reference: Title 6, Chapter 4.

Sec. 6-2-9 Vaults.

All vaults and cisterns under sidewalks shall be prohibited.

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Sec. 6-2-10 Requests for Improvements.

Requests or petitions by City of Colby property owners for new streets, street resurfacing, curb and gutter, storm sewers, utility work and sidewalks shall be presented to the Common Council on or before September 15th to be considered for installation in the following year.

Sec. 6-2-11 Unlawful Dumping on Streets.

It shall be unlawful for any person to deposit or cause to be deposited, dump, sort, scatter or leave any rubbish, stone, wire, earth, ashes, cinders, sawdust, hay, glass, manure, filth, paper, snow, ice, dirt, grass, leaves, construction waste, garbage or other offensive or noxious material in any public street, sidewalk, alley, or upon any public property or upon any property of another, without the express permission of the owner of occupant thereof.

Sec. 6-2-12 Street Numbers.

- (a) **Buildings to Have Street Numbers.** Each principal building in the City of Colby shall be assigned an official street number by the Building Inspector. All lots and parts of lots in the City shall be numbered in accordance with a street numbering map on file in the office of the City Clerk-Treasurer. Plats shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined in this Section.
- (b) **Numbering of Buildings.**
 - (1) If a building has two (2) or more doors serving separate occupants, a separate number shall be assigned to each door serving a separate occupant, provided the building is not less than twenty-five (25) feet in width; and if the building is of lesser width, each door after the first shall be assigned a consecutive fractional number.
 - (2) A building fronting on two (2) or more streets shall have a number assigned only to its main entrance, unless entrances serve separate occupants.
 - (3) Where only one (1) number can be assigned to any house or building, the owner, occupant or agent thereof who shall desire distinctive numbers for the upper and lower portion of the house or building, or for any part thereof fronting on any street, shall use the suffix "A", "B", "C", etc., as may be required.
- (c) **Street Numbers to Be Displayed.**
 - (1) The owner, occupant, or agent in charge of the premises shall cause to be affixed and to be maintained when so affixed to each principal building controlled by him the official street number assigned to that building as provided in (a) hereof.
 - (2) The numbers and holders shall be uniform throughout the City, with the numbers being three (3) inches by one and one-half (1-1/2) inches in black enamel upon white enameled vitrified tile, and shall be conspicuously placed immediately above, on or

at the side of the proper door of each building. Any building situated more than fifty (50) feet from the street line shall have its number displayed at the street line near its walk, driveway or common entrance.

- (d) **New Houses and Buildings.** Whenever any new house, building or structure shall be erected, in order to preserve the continuity and uniformity of numbers, the owner or his agent shall procure the correct number or numbers as designated, from the Building Inspector, and the owner or agent shall immediately install the numbers so assigned upon the house, building or structure in the manner provided for in this Section.
- (e) **Altering Numbers.** No person shall alter any number or retain an improper number, other than the one given under this Section.
- (f) **Noncompliance.** No building permit shall be issued for any house, building or structure until the owner has procured from the City the official number of the premises. If the owner or occupant of any building neglects for twenty (20) days to duly attach and maintain the proper numbers on the building, the City shall serve him a notice requiring him to properly number the same, and if he neglects to do so for ten (10) days after service, he shall be subject to a forfeiture as provided in Section 1-1-7. The cost of such numbers shall be paid for by the owner.

Sec. 6-2-13 Obstruction of Public Ditches.

No person shall in any manner obstruct or cause to be obstructed the free passage of water in any public gutter, ditch, culvert, swale or drain or place or cause to be placed any rubbish, dirt, sand, gravel or any other matter or thing so that the same is likely to be carried by the elements into any public gutter, ditch, culvert, swale or drain.

Sec. 6-2-14 Board of Public Works; Rules and Regulations.

In addition to the rules and regulations contained in this Chapter for the construction, use and repair of streets, alleys, sidewalks and public places, the Board of Public Works may prepare, promulgate, and enforce such other rules, regulations and conditions, not inconsistent with this Chapter, as may be deemed useful for the preservation of streets, alleys, sidewalks and public places.

Sec. 6-2-15 Use and/or Lease of City Equipment.

The City of Colby shall not permit any person to use and/or lease any City equipment for private purposes.

Sec. 6-2-16 Public Construction Without Bids.

In accordance with Sec. 62.15(1), Wis. Stats., any class of public construction or any part thereof may be done directly by the City of Colby without submitting the same for bids.

Chapter 3

Driveways

- 6-3-1** Driveway Permit Required
- 6-3-2** Driveway Location, Design and Construction Requirements

Sec. 6-3-1 Driveway Permit Required.

- (a) **Purpose.** For the safety of the general public, the City shall determine the location, size, construction and number of access points to public roadways within the City limits. It is the City's intent to provide safe access to properties abutting public roadways suitable for the property to be developed to its highest and best use, provided that access is not deficient or dangerous to the general public.
- (b) **Permit Required to Construct, Reconstruct, Alter or Enlarge.** No person, firm or corporation shall construct, reconstruct, alter or enlarge any private driveway within the limits of the dedicated portion of any public street under the control and jurisdiction of the City of Colby without first obtaining a permit therefor as provided by this Chapter.
- (c) **Application.** Application for such permit shall be made to the City Clerk-Treasurer for referral to the Director of Public Works on a form provided by the City and shall be accompanied by a drawing accurately depicting the portion of the proposed private driveway to be constructed, reconstructed, altered or enlarged lying within the dedicated portion of the public street, the dimensions thereof and a statement of the materials proposed to be used. The applicant shall pay a fee of Five Dollars (\$5.00). Upon receipt of the application and the fee if required, unless the proposed private driveway is a part of construction for a building or other structure for which a building permit has been applied for, in which case no additional fee is required, the Director of Public Works shall approve such application if the proposed driveway complies with the terms and conditions of this and any other applicable City ordinance.
- (d) **Application Provisions.** All driveway permit applications shall contain the applicant's statement that:
 - (1) The applicant represents all parties in interest, and that such proposed driveway is for the bona fide purpose of securing access to his property and not for the purpose of parking or servicing vehicles, advertising, storage or merchandising of goods within the dedicated portion of the City street, or for any other purpose.

- (2) The City, notwithstanding the construction of such driveway, reserves the right to make any changes, additions, repairs or relocations within the dedicated portion of the City street at any time, including relocation, reconstruction, widening and maintaining the street without compensating the owner of such private driveway for the damage or destruction of such private roadway.
- (3) The permittee, his successors or assigns, agrees to indemnify and hold harmless the City of Colby, its officials, officers, agents or employees, against any claim or any cause of action for personal injury or property damage sustained by reason of the exercise of such permit.
- (4) The City does not assume any responsibility for the removal or clearance of snow, ice or sleet or the opening of any windrows of such material upon such portion of such driveway within the dedicated portion of the City street.

Sec. 6-3-2 Driveway Location, Design and Construction Requirements.

- (a) **General Requirements.** The location, design and construction of driveways shall be in accordance with the following:
 - (1) **General Design.** Private driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street of the property served. Driveways shall not provide direct ingress or egress to or from any street intersection area and shall not encroach upon or occupy areas of the street right-of-way required for effective traffic control or for street signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the street. Driveway approaches shall be at least ten (10) feet apart except by special permission from the Director of Public Works, and driveways shall in all cases be placed wherever possible as not to interfere with utilities in place.
 - (2) **Number.** The number of driveways to serve an individual property fronting on a street shall be one (1), except where deemed necessary and feasible by the Common Council for reasonable and adequate service to the property, considering the safety, convenience and utility of the street.
 - (3) **Island Area.** The island area in the street right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way shall constitute a restricted area and may be filled in and graded only as provided in Subsection (7).
 - (4) **Drainage.** The surface of the driveway connecting with street cross sections shall slope downward and away from the highway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the street roadbed. No driveway apron shall extend out into the street further than the face of the curb, and under no

circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches, or roadside areas or with any existing structure on the right-of-way.

- (5) **Reconstruction of Sidewalks and Curb and Gutter.** When the construction of a driveway requires the removal of a curb or gutter the new connections shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat, workmanlike manner. The driveway surface shall be connected with the highway pavement and the sidewalk, if any, in a neat, workmanlike manner. The driveway construction shall include the replacement of such sidewalk areas which are inadequate or which are or may be damaged by means of vehicle travel across the sidewalk. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code insofar as such requirements are applicable, including thickness requirements. Standard thickness of residential driveway approaches will be six (6) inches thick.
 - (6) **Restricted Areas.** The restricted area between successive driveways may be filled in and graded only when the following requirements are complied with:
 - a. The filling or draining shall be to grades approved by the Director of Public Works and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the street roadbed in a suitable manner.
 - b. Culvert extensions under the restricted area shall be of the same size and of equivalent acceptable material as the culvert under the driveway. Intermediate manholes adequate for cleanout purposes may be required where the total culvert length is excessive.
 - c. Where no street side ditch separates the restricted area from the street roadbed, permanent provision may be required to separate the area from the street roadbed to prevent its use for driveway or parking purposes by construction of a border, curb, rail or posts as may be required by the Director of Public Works.
 - (7) **Relocation of Utilities.** Any costs of relocating utilities shall be the responsibility of the property owner with approval of the Director of Public Works necessary before any utility may be relocated and the driveway installed.
 - (8) **Construction Across Sidewalks.** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code insofar as such requirements are applicable, including thickness requirements.
 - (9) **Variations.** Any of the above requirements may be varied by the Common Council in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
- (b) **Special Requirements for Commercial and Industrial Driveways.** The following regulations are applicable to driveways serving commercial or industrial establishments:

- (1) **Width of Drive.** The maximum permitted width of a commercial or industrial driveway approach shall be thirty-five (35) feet at the curb line, except as increased by permissible radii. In instances where the unique nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Common Council in its discretion may permit a driveway of additional width.
 - (2) **Angular Placement of Driveway.** The angle between the center line of the driveway and the curb line shall not be less than 45°.
 - (3) **Island Areas.** Where the public sidewalk is adjacent to the curb, an island of a minimum length of six (6) feet measured along the curb line shall be placed between each entrance to a City street. The curb shall be left intact for the length of this island. Where the public sidewalk is remote from the curb, an island of a minimum length of ten (10) feet measured along the right-of-way line shall be maintained along each entrance to the City street. All flares shall be tangent to the curb line. A curb length of not less than three (3) feet shall be left undisturbed adjacent to each property line to serve as an island area in the event an adjoining property owner applies for a driveway permit to serve his property.
- (c) **Special Requirements for Residential Driveways.** The following regulations are applicable to driveways serving residential property:
- (1) **Width.** Unless special permission is first received from the Common Council, a residential single-type driveway shall be no greater than twenty-four (24) feet wide at the curb line and twenty-four (24) feet wide at the outer or street edge of the sidewalk; residential double-type driveways shall be no greater than twenty-four (24) feet wide at the curb line and twenty-four (24) feet wide at the outer or street edge of the sidewalk.
 - (2) **Angular Placement.** The center line of the drive may be parallel to the property line of the lot where access is required or at right angles to the curb line.
- (d) **Appeal from Permit Refusal.** Any person feeling himself aggrieved by the refusal of the Director of Public Works to issue a permit for a private driveway may appeal such refusal to the Common Council within twenty (20) days after such refusal to issue such permit is made.
- (e) **Prohibited Driveways.**
- (1) No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the City of Colby except as permitted by this Section. As used herein the word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is in non-conformance with this Chapter.
 - (2) No driveway shall be closer than thirty-five (35) feet to the extended street line at an intersection. At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the City for effective traffic control or for highway signs or signals.

- (3) The grade of that portion of any private driveway or pedestrian path located within the limits of any public road, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway.
- (4) No driveway apron shall extend out into the street further than the facing of the curb and under no circumstances shall such driveway apron extend into any gutter area. All driveway entrances and approaches shall be constructed as not to interfere with the drainage of streets, side ditches or roadside areas, or with any existing structure on the right-of-way.
- (5) No portion of any curb, parapet or retaining wall, rising above the grade of the driveway, erected by the owner of the premises involved shall extend beyond the culvert spanning the water course located in such public way.

(f) **Culvert Construction Standards.**

- (1) **Size.** Culverts shall be installed prior to construction work being commenced on the property served. No pipe smaller than twelve (12) inches in diameter (or equivalent elliptical or arch pipe) will be allowed. All culverts shall be constructed of galvanized steel or reinforced concrete, and shall be of new manufacture, unless specifically excepted by the Director of Public Works.
- (2) **Guage.** The minimum wall thickness for the galvanized steel pipe culverts shall be in accordance with the following:

Pipe Diameter	Guage
15 to 24 inch	16
30 to 36 inch	14
42 to 54 inch	12
60 to 72 inch	10
78 to 84 inch	8

The class of reinforced concrete pipe shall be in accordance with the following:

Height of Cover (in feet)	Class of Pipe
0-2	IV
2-3	III
3-6	II

- (3) **Drainage.** The culverts shall be placed in the ditchline at elevations that will assure proper drainage.
- (4) **Endwalls.** Culverts shall be provided with a concrete or metal apron endwalls as directed by the Director of Public Works.

- (5) **Backfill Material.** Material used for backfill shall be of a quantity acceptable to the Director of Public Works and shall be free from frozen lumps, wood, or other extraneous or perishable materials. The minimum cover, measured from the top of the pipe to the top of the subgrade, shall be six (6) inches.
- (6) **Erosion Control.** Erosion control measures shall be implemented as necessary to control erosion, or as directed by the Director of Public Works.
- (7) **Distance.** The distance between culverts under successive driveways shall not be less than ten (10) feet except as such restricted area is permitted to be filled pursuant to Subsection (a)(6).
- (8) **Cost.** The property owner shall install the culvert and be responsible for the cost thereof. The property owner shall keep his culverts unobstructed and clean.
- (9) **Appeal.** Persons may request a variance from the culvert requirements of this Section by filing a written appeals request with the City Clerk-Treasurer, who shall place the matter as an agenda item for the Common Council's next meeting. The Common Council may only waive the requirement for a culvert upon a finding that unique physical characteristics of the location in question render a culvert unnecessary. The Director of Public Works may be asked to render an opinion on the request.

Chapter 4

Trees and Shrubs

6-4-1	Statement of Policy and Applicability of Chapter
6-4-2	Definitions
6-4-3	Authority of City Forester to Enter Private Premises
6-4-4	Interference with City Forester Prohibited
6-4-5	Abatement of Tree Disease Nuisances
6-4-6	Planting of Trees and Shrubs
6-4-7	Trimming
6-4-8	Trees and Shrubbery Obstructing View at Intersections or View of Traffic Signs
6-4-9	Removal of Trees and Stumps
6-4-10	Prohibited Acts
6-4-11	Appeal from Determinations and Orders
6-4-12	Tree Costs Chargeable to Lands
6-4-13	Inspection of Trees
6-4-14	Adoption of State Statutes

Sec. 6-4-1 Statement of Policy and Applicability of Chapter.

- (a) **Intent and Purpose.** It is the policy of the City of Colby to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.
- (b) **Power to Regulate Trees and Shrubs.**
- (1) The Common Council has empowered the City Forester to plant, transplant, remove, trim, treat and otherwise care for and protect all trees, shrubs and plants on all public lands not specifically delegated to other City boards, all to insure public safety and to preserve and enhance the beauty of such public lands.
 - (2) Public lands under the jurisdiction of the City Forester includes but is not limited to all lands within the lines of all public streets and alleys in the City, more specifically the terrace strip between the lot line and curb or improved portion of any public street or alley.

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- (3) The Common Council is empowered to require landowners to remove, trim or treat specified trees, shrubs or plants under certain conditions and to prohibit the planting of certain trees or tree species, shrubs or plants on private lands within the City of Colby.

Sec. 6-4-2 Definitions.

Whenever the following words or terms are used in this Chapter, they shall be construed to have the following meanings:

- (a) **Person.** Person, firm, association or corporation.
- (b) **Public Areas.** Includes all public parks and other lands owned, controlled or leased by the City except the terrace areas.
- (c) **Public Trees and Shrubs.** All trees and shrubs located or to be planted in or upon public areas.
- (d) **Public Nuisance.** Any tree or shrub or part thereof which, by reason of its condition, interferes with the use of any public area; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.
- (e) **Boulevard or Terrace Areas.** The land between the normal location of the street curbing and sidewalk. Where there is no curb and gutter, the area four feet from the curb line shall be deemed to be a boulevard for the purpose of this Chapter. "Boulevard" shall have the same meaning as "terrace." Where there are no sidewalks, the area four (4) feet from the curb shall be deemed boulevard areas under this Chapter.
- (f) **Major Alteration.** Trimming a tree beyond necessary trimming to comply with this Chapter.
- (g) **Shrubs.** Any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.
- (h) **Tree.** Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.
- (i) **Evergreen Tree.** Any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.
- (j) **City Forester.** The Common Council shall designate a City Forester, or assign such duties to a City employer.

Sec. 6-4-3 Authority of City Forester to Enter Private Premises.

The City Forester or his authorized representative may enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this Chapter. If a request to inspect such trees

or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to Sec. 66.122, Wis. Stats.

Sec. 6-4-4 Interference with the City Forester Prohibited.

No person shall interfere with the Common Council or its authorized representative while they are engaged in carrying out any work or activities authorized by this Chapter.

Sec. 6-4-5 Abatement of Tree Disease Nuisances.

- (a) **Dutch Elm and Other Tree Diseases a Public Nuisance.** Whereas the Common Council has determined that there are many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases such as Dutch Elm disease, which is spread by the elm bark beetles *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.), the Common Council hereby declares its intention to control and prevent the spread of such disease and the insect pests and vectors which carry such diseases and specifically declares Dutch Elm disease and the elm bark beetles which carry such disease to be public nuisances.
- (b) **Definitions.** As used in this Section, unless otherwise clearly indicated by the context:
- (1) **Public Nuisance** means:
 - a. Dutch Elm disease.
 - b. Elm bark beetles *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.).
 - c. Any living or standing elm tree or part thereof infected with the Dutch Elm disease fungus or in a weakened condition which harbors any of the elm bark beetles, *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.).
 - d. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle destroying concentrate.
 - e. Any other deleterious or fatal tree disease.
 - f. Any tree or part thereof which by reason of its condition and location is hazardous or dangerous to persons and property using or upon any public street, sidewalk, alley, park or other public place, including the terrace strip between curb and lot line.
 - g. Any tree or part thereof which is infested by the eastern tent caterpillar or other defoliating larvae.
 - (2) **Public property** means owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, streets, alleys, sidewalks, boulevards, and the terrace strip between the lot line and the curb or improved portion of any public way.

(3) **Person** means person, firm or corporation.

(c) **Inspection.**

- (1) The City Forester shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The City Forester shall also inspect or cause the inspection of any elm tree reported or suspected to be infested with the Dutch Elm disease or any elm bark bearing materials reported or suspected to be infested with elm bark beetles.
- (2) Whenever necessary to determine the existence of Dutch Elm disease or elm bark beetles in any tree, the person inspecting such tree shall remove or cut specimens from the tree in such manner as to avoid fatal injury thereto and deliver such specimens to the City Forester which shall forward them to the Wisconsin Department of Agriculture at Madison for analysis to determine the presence of such nuisances.
- (3) The City Forester or his agents shall have authority to enter upon private premises at reasonable times for the purpose of carrying out any of the provisions of this Section.

(d) **Abatement of Nuisances.**

- (1) The City Forester shall order, direct, supervise and control the abatement of public nuisances as defined in this Section by spraying, removal, burning or by other means which it determines to be necessary to prevent as fully as possible the spread of Dutch Elm disease fungus, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.
- (2) Whenever the City Forester after inspection or examination shall determine that a public nuisance as herein defined exists on public property in the City, it shall immediately abate or cause the abatement of such nuisance in such manner as to destroy or prevent as fully as possible the spread of Dutch Elm disease, other deleterious tree diseases, or the insect pests or vectors known to carry such disease fungus.
- (3)
 - a. When the City Forester shall determine with reasonable certainty that a public nuisance exists upon private premises, it shall immediately serve or cause to be served personally or by registered mail upon the owner of such property, if he can be found, or upon the occupant thereof, a written notice of the existence of such nuisance and of a time and place for a hearing before the City Forester, not less than ten (10) days after service of such notice, on the abatement action to be taken. Such notice shall describe the nuisance and recommend procedures for its abatement, and shall further state that unless the owner shall abate the nuisance in the manner specified in the notice, or shall appear at the hearing to show that such nuisance does not exist or does not endanger the health of trees in the City, the City Forester shall cause the abatement thereof at the expense of the property served. If the owner cannot be found, such notice shall be given by publication in a newspaper of general circulation in the City.
 - b. If, after hearing held pursuant to this Subsection, it shall be determined by the City Forester that a public nuisance exists, it shall forthwith order the immediate abatement thereof. Unless the property owner abates the nuisance as directed

within five (5) days after such hearing, the City Forester shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property in accordance with the procedures provided in this Section. The City Forester may extend the time allowed the property owner for abatement work but not to exceed ten (10) additional days.

(e) **Spraying.**

- (1) Whenever the City Forester shall determine that any tree or part thereof is infected with a deleterious or fatal tree disease or is in a weakened condition or harbors elm bark beetles, he/she may cause all trees within a one thousand (1,000) foot radius thereto to be sprayed with an effective disease destroying concentrate or other insecticide.
- (2) In order to facilitate the work and minimize the inconvenience to the public of any spraying operations conducted under this Section, the Forester shall cause to be given advance public notice of such operations by newspaper, radio, television, public service announcements or other effective means and shall also cause the posting of appropriate warning notices in the areas and along the streets where trees are to be sprayed at least twenty-four (24) hours in advance of spraying.
- (3) When appropriate warning notices and temporary "no parking" notices have been given and posted in accordance with Subsection (b) of this Section, the City shall not allow any claim for damages to any vehicle caused by such spraying operations.
- (4) When trees on private property are to be sprayed, the Forester shall notify the owner of such property and proceed in accordance with the requirements of Subsection (d)(3).

Sec. 6-4-6 Planting of Trees and Shrubs.

- (a) **Prohibition.** No trees or shrubs shall be planted in the street right-of-way and boulevards in the City of Colby. Any abutting owner who is in violation of the prohibition against planting trees or shrubs shall be required by the City Forester to remove the same within thirty (30) days of written notification. In the event that removal is not accomplished by the owner within the thirty (30) days time period, the City may remove such trees or shrubs and assess the costs of removal to the owner.
- (b) **Certain Species Restricted.** No person shall plant within the City of Colby any tree of the species *Populus Deltoidea*, commonly called the "Cottonwood", or any tree commonly called the seed bearing "Box Elder" or "Acer Negundo", which may now or hereafter become infested with Box Elder bugs, and such trees are hereby declared a nuisance. Any person having any such trees on his or her premises shall cause the same to be removed.

Sec. 6-4-7 Trimming.

- (a) Trees and shrubs standing in or upon any terrace, public area or upon any private premises adjacent to any public right-of-way or public areas shall be kept trimmed so that the lowest

branches projecting over the public street or alley provide a clearance of not less than fourteen (14) feet. The City Forester may waive the provisions of this Section for newly planted trees if he/she determines that they do not interfere with public travel, obstruct the lights of any street light or endanger public safety.

- (b) The necessity of the pruning may be determined by the City Forester.
- (c) Clearance from sidewalk to lower branches shall not be less than ten (10) feet. All trees standing upon private property in the City, the branches of which extend over the line of the street, shall be trimmed so that no branch shall grow or hang over the line of the sidewalk lower than ten (10) feet above the level of the sidewalk. No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp.
- (d) Trimming or pruning of more than two-thirds (2/3) of the crown of a public area tree shall be considered to be a major alteration and shall require a permit from the City Forester.

Sec. 6-4-8 Trees and Shrubbery Obstructing View at Intersection or View of Traffic Signs.

- (a) Notwithstanding any other provision of this Chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two (2) or more streets or alleys in the City any hedge, tree, shrub or other growth which may obstruct the view of the operator of any motor vehicle or pedestrian approaching such intersection.
- (b) It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- (c) Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel and the City Forester may order, by written notice, the owner or occupant of any private place or premises on which there stands a tree or shrub which unreasonably interferes with or encroaches upon the street or sidewalk, to take such steps as are necessary to remove such interference. If such owner or occupant fails, within ten (10) days of receipt of notice, to take such necessary steps, the City Forester shall order City employees to remove the interference. The cost of removing the interference shall be levied and collected as a special tax upon the property upon which or in front of which such tree or shrub stands.
- (d) Any person who is an owner or occupant or firm or corporation failing to obey the written notice of the City Forester as specified in Subsection (c) above shall, upon conviction thereof, be subject to a forfeiture as established in Section 1-1-7 of this Code of Ordinances.

Cross Reference: Section 13-1-90.

Sec. 6-4-9 Removal of Trees and Stumps.

- (a) **Dangerous, Obstructive and Infected Trees.** Any tree or part thereof, whether alive or dead, which the City Forester shall find to be infected, hazardous or a nuisance so as to endanger the general public or other trees, plants or shrubs growing within the City, or to be injurious to sewers, sidewalks or other public improvements whether growing upon public or private premises, shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The City Forester shall give written notice to said owner to remedy the situation which shall be served personally, mailed, or posted upon the affected tree. Such notice shall specifically state the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the City Forester on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time limited, the City Forester shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the City Clerk-Treasurer, who shall thereupon enter such cost as a special charge against the property.
- (b) **Removal Standards.** In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least nine (9) inches below grade measured in a straight line with the normal grade of sidewalk to top of nine (9) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil as soon as practicable. The abutting property owner shall have a right of first refusal to keep the wood, provided such wood is not diseased.
- (c) **Private Removal.** No person, firm, organization or corporation shall plant, injure, trim, remove or destroy any tree or shrub located in or upon any public place, until a permit shall have been issued by the City Forester. Such permit shall be issued only when the removal, trimming or cutting of the tree or shrub is necessary, as determined by the City Forester, because of disease, damage, hazardous condition, and/or location, or its location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Such permit shall expressly state the premises upon which the tree stands and the location of the tree thereon.

Sec. 6-4-10 Prohibited Acts.

- (a) **Damage to Public Trees.** No person shall, without the consent of the owner in the case of a private tree or shrub, or without written permits from the City Forester in the case of a terrace-area tree, public tree or shrub, perform or cause to be performed by others any of the following acts:

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- (1) Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
 - (2) Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.
 - (3) Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place cement or other solid substance around the base of the same.
 - (4) Remove any guard, stake or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
 - (5) Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails, screws or other device to any tree; except that the City may tie temporary "no parking" signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.
 - (6) Cause or encourage any fire or burning near or around any tree.
 - (7) Except with a written permit from the City Forester to place or maintain upon the ground any stone, brick, cement or other impervious substance in such manner as may obstruct the free access of air or water to the roots of any tree, shrub or plant in or upon any public way or public place.
- (b) **Excavations.** All trees on any parkway or other publicly owned property near any excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of ten (10) feet from any public tree without a permit from the City Forester.
- (c) **Interference With Forester.** No person shall:
- (1) Interfere with or prevent any acts of the City Forester or his/her agents while it is engaged in the performance of duties imposed by this Section.
 - (2) Refuse to permit the City Forester or his representative to enter upon his/her premises at reasonable times to exercise the duties imposed by this Section.
- (d) **Refusal to Abate Nuisance.** Permits any public nuisance to remain on any premises owned or controlled by him/her when ordered by the City Forester to abate such nuisance.

Sec. 6-4-11 Appeal from Determinations or Orders.

Any person who receives a determination or order under this Chapter from the City Forester and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of Title 4 of this Code of Ordinances, to the Common Council within seven (7) days of receipt of the order and the Common Council shall hear such appeal within thirty (30) days of receipt of written notice of the appeal. After such hearing, the Common

Council may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Common Council shall, by letter, notify the party appealing the order or determination of its decision within ten (10) days after the hearing has been concluded. The Council shall file its written decision with the City Clerk-Treasurer.

Sec. 6-4-12 Tree Costs Chargeable to Lands.

- (a) **Assessment.** The entire cost of planting, removal, spraying, trimming or treatment of trees, shrubs and plants in front of or upon any lot or parcel of land abutting on any public way, may be chargeable to and assessed upon such lot or parcel of land.
- (b) **Account to Be Kept.** The City Forester shall keep a strict account of the cost of planting, removal, trimming or treating of any tree, shrub or plant in front of or on each lot or parcel of land abutting any public way, and prior to the 10th day of November in each year shall make a report to the City Clerk-Treasurer of all work done for which assessments are to be made stating and certifying the description of land, lot, parts of lots or parcels of land abutting on any public way, in which any such work shall have been done and the amount chargeable to each piece of property; the City Clerk-Treasurer at the time of making the annual report to the Common Council of the lots or parcels of land subject to special assessments shall include therein the lots or parcels of land so reported during the proceeding year.
- (c) **Amounts Chargeable as Lien.** The amounts so reported to the Council shall be levied on said lots or parcels of land, respectively, to which they are chargeable and shall constitute a lien thereon and shall be collected by the City. The City Forester shall advance out of the proper fund sufficient money for doing said work and the said special assessment shall be credited to said fund of the City and shall not be diverted or used for any other purpose.

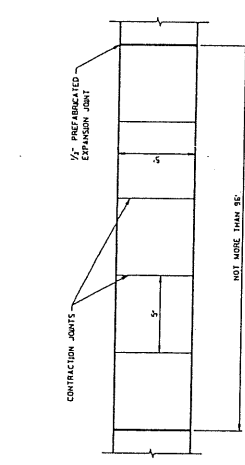
Sec. 6-4-13 Inspection of Trees.

An annual inspection by competent personnel shall be of all trees within the terrace strip along every public way within the City, and also those trees on private lands within falling distance of any public way or public place.

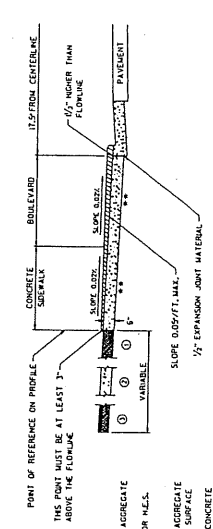
Sec. 6-4-14 Adoption of State Statutes.

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.

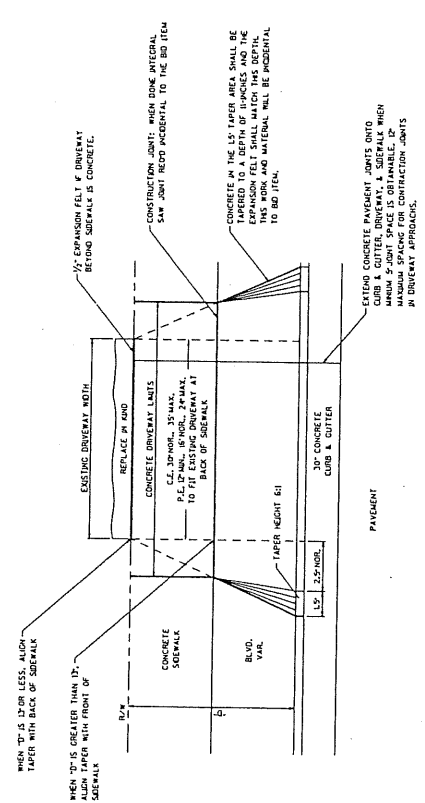
State Law Reference: Sections 27.09 and 86.03, Wis. Stats.



BACK OF SIDEWALK PROFILE DETAIL

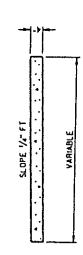
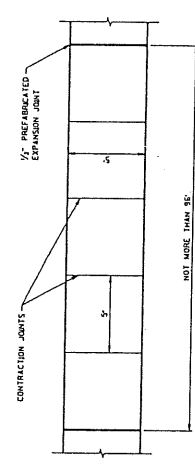


PROFILE VIEW

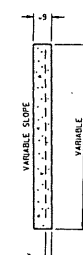


ENTRANCE DETAIL WITH SIDEWALK, CURB & GUTTER

NOTE: THE EXACT LOCATION AND WIDTH OF ENTRANCES TO BE DETERMINED IN THE FIELD BY THE ENGINEER.

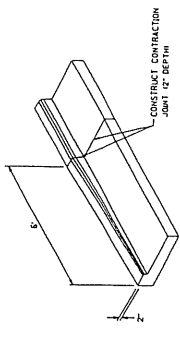


STANDARD SIDEWALK



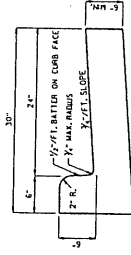
REINFORCE WITH WIRE MESH MEETING ASTM A-185S LONGITUDINAL WIRE #4, C.A. OR LARGER AND SPACED 6\"/>

STANDARD DRIVEWAY SIDEWALK



CURB & GUTTER TERMINUS DETAIL

TYPICAL SECTION - CURB & GUTTER



DATE	REVISION	BY
CITY OF COLBY		
DETAILS		
SIDEWALK & CURB & GUTTER REPLACEMENT		
DESIGN	S.J.C.	B-00 FILE NO. COLBY
DRAWN	S.S.D.	F.B. L.L.
APPROVED		
		SCALE: NOT TO SCALE
PERRY-CARRINGTON ENGINEERING CORP. 1000 W. WILSON		
PROJECT NO. 20050		SHEET 2 OF 3

Chapter 5

Curb and Gutter and Driveway Entrance Sidewalk Removal and Replacement

6-5-1 Requirements Concerning Curb and Gutter and Driveway Entrance Sidewalk Removal and Replacement

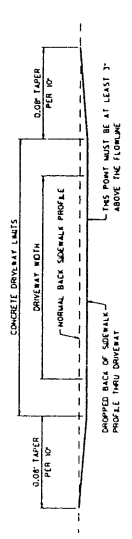
Sec. 6-5-1 Requirements for Curb and Gutter and Driveway Sidewalk Removal and Replacement.

(a) **Requirements.**

- (1) Removal and replacement of curb and gutter and sidewalk for driveway entrances shall be in accordance with the attached drawing.
- (2) If the curb and gutter is to be removed to within thirty-six (36) inches or less of an existing joint, storm inlet or curb end; then the existing curb and gutter shall be removed all the way to the joint, inlet or curb and gutter end.
- (3) The entire curb and gutter section shall be removed after it has been saw cut at both ends. The curb and gutter shall be saw cut to an adequate depth before removal so that smooth vertical faces remain after removal.
- (4) Breaking off or sawing off the back curb portion will only be permitted on a temporary basis during construction. Ends must be tapered so that no vertical faces are left remaining on the curb and gutter.
- (5) The new curb and gutter shall match the existing section in all dimensions.
- (6) Curb end tapers at curb cuts shall be a minimum of fifteen (15) inches in length and at the end of curb sections shall be three (3) feet in length.
- (7) Drive entrances at the curb shall be a minimum of twelve (12) feet in width and a maximum of twenty-four (24) feet in width for residential property, and a maximum of thirty-five (35) feet in width for commercial property.
- (8) Prior to pouring of concrete, the owner/contractor shall contact the Director of Public Works to request an inspection of the forms. The form installation shall be complete by the scheduled inspection time. Inspections shall be scheduled twenty-four (24) hours in advance. In addition, the owner/contractor shall schedule a final inspection when all work is complete, including patching of any damaged asphalt.
- (9) There shall be no standing water in the excavation at the time of inspection or at the time of pouring concrete.

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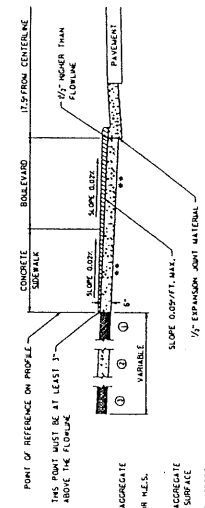
- (10) The bottom of the excavation shall be four (4) inch minimum compacted granular material.
 - (11) The concrete shall be six (6) bag mix.
 - (12) Joints in the curb and gutter shall be installed or saw cut at approximate ten (10) foot intervals. A one-half (1/2) inch expansion joint shall be provided at one end. No longitudinal joints will be permitted in the gutter line.
 - (13) Care shall be taken when removing the existing curb and gutter in order not to damage the existing asphalt. Any asphalt damage shall be replaced in kind at the expense of the owner. Asphalt shall be hot mix and equal in thickness to the existing street thickness, minimum three (3) inch. If asphalt is damaged and removed, a front form, on the asphalt side, will be required prior to pouring concrete.
 - (14) No concrete shall be placed when the air temperature is less than 40 degrees Fahrenheit (40°F). Any owner/contractor pouring curb and gutter during a time when it may be damaged by plowing/street salting operation, does so at their own risk and will be responsible for replacing damaged concrete if so directed by the City.
 - (15) The new curb and gutter shall be protected and not driven on for three (3) days from the time of pour.
 - (16) The entire construction area shall be adequately protected by barricades or cones.
 - (17) All joints and curb edges shall be tooled and all work done in a workmanship like manner.
- (b) **Alteration of Grade.** No person shall alter the grade of any curb or gutter or any part of such curb or gutter unless authorized or instructed to do so by the Director of Public Works.
- (c) **Notice.**
- (1) **Service.** Such notice shall be in writing and shall be served personally on the owner or his/her agent, and in case the owner or agent cannot be found, such notice shall be published in the official newspaper and a copy of the notice mailed to the owner's last known address.
 - (2) **Contents.** Such notice shall specify that the curb and gutter shall be constructed in accordance with Subsection (e).
- (d) **Specifications.** All curbs and gutters shall be constructed in accordance with specifications established herein and any additional specifications which shall be on file for inspection in the City Clerk's office.
- (e) **Permits.**
- (1) **When Required.** No person shall lay, remove, replace, raise, lower or repair any curb and gutter without first obtaining a permit therefor from the Director of Public Works unless ordered to do such work in accordance with Subsection (d).
 - (2) **Fee.** The fee for such curb and gutter permit shall be set by resolution of the Common Council and shall be paid to the City Clerk at the time of application.
 - (3) **Application and Issuance.** The Director of Public Works shall receive all such applications and issue such permit.
- (f) **Penalty.** Any person who shall be found guilty of violating any provision of this Section shall be subject to penalties as provided in Section 1-1-7 of this Code of Ordinances.



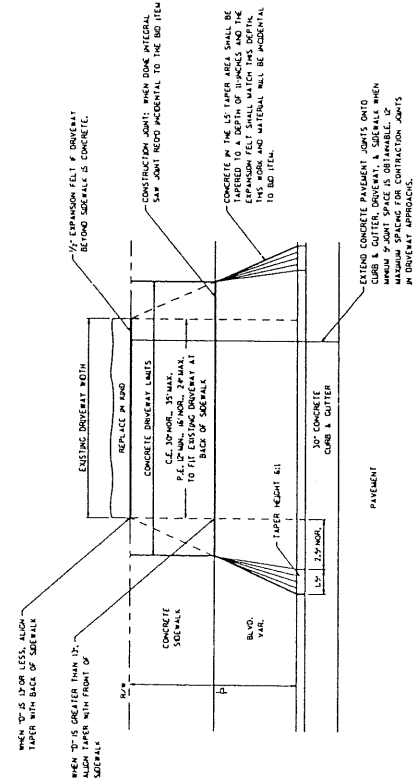
BACK OF SIDEWALK PROFILE DETAIL

↑

- ① 2" COMPACTED ENRICHED AGGREGATE
- ② 4" CONCRETE DRIVEWAY ON H.E.S.
- ③ 4" CONCRETE DRIVEWAY
- ④ 4" COMPACTED FINISHED AGGREGATE BACK WITH 2" ASPHALT OR SAND FILL
- ⑤ 6" SLABE REINFORCED CONCRETE DRIVEWAY ON H.E.S.



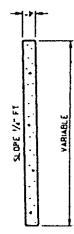
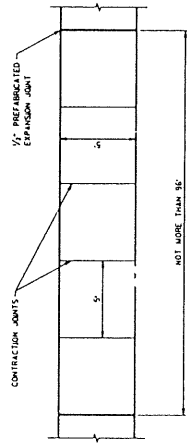
PROFILE VIEW



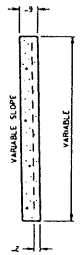
PLAN VIEW

ENTRANCE DETAIL WITH SIDEWALK, CURB & GUTTER

NOTE: THE EXACT LOCATION AND WIDTH OF SIDEWALK SHALL BE DETERMINED BY THE FIELD BY THE CONTRACTOR.

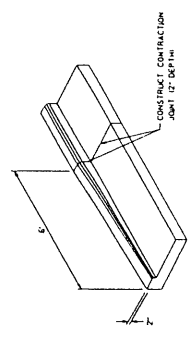


STANDARD SIDEWALK

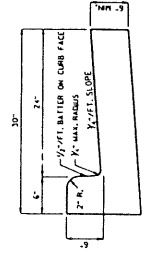


REINFORCE WITH WIRE MESH MEETING ASTM A-185 LONGITUDINAL WIRE, 9\"/>

STANDARD DRIVEWAY SIDEWALK



CURB & GUTTER TERMINAL DETAIL



TYPICAL SECTION - CURB & GUTTER

DATE	REVISION	BY
CITY OF COLBY		
DETAILS		
SIDEWALK & CURB & GUTTER REPLACEMENT		
REGION	SCALE	FILE NO. COLBY
DRAWN	8:00	FEB. 11.1.
CHECKED	8:00	
APPROVED		SCALE: NOT TO SCALE
PERRY-GARRINGTON ENGINEERING CORP. MARSHFIELD, WISCONSIN		
PROJECT NO. 200050		SHEET 2 OF 3