

10.00 Utility Accommodation Policy

10.00 Utility Accommodation

Policy Title/Section

10.01 DEFINITIONS

A. General Definitions

B. Specific Definitions

1. Clear Zone
2. Department
3. Emergency Utility Work
4. Expressway
5. Freeway
6. Highway(s)
7. Permit
8. Pipeline
9. Private Utility Facilities
10. Responsible Person
11. Right-of-Way
12. Applicant
13. Traveled Way
14. Roadway
15. Utility
16. Utility Construction
17. Utility Facilities
18. Utility Maintenance
19. Utility Operation

10.02 INTRODUCTION

- A. Overview of Utility Accommodation
- B. Purpose of the Utility Accommodation Policy
- C. Utility Accommodation Statutes
- D. Utility Accommodation
 1. Permits
 2. Additions
 3. Alterations

10.03 INDEMINIFICATION

10.04 GENERAL INFORMATION

- A. Buried Line Location Notification
- B. Design Responsibility
- C. Utility Facility Condition Requirements

- D. Chemical Treatment and Cutting of Trees
- E. Draining Wetlands

10.05 EMERGENCY WORK

Page 1 of 3

Policy/Title Section

10.06 ABANDONED FACILITY

- A. Above Ground Facilities
- B. Underground Facilities
- C. Structure Attachments

10.07 COMPLIANCE

- A. Authority
- B. Failure to Comply
 1. Verbal Request for Corrective Action
 2. Written Reprimand
 3. Suspension of Work Activities
 4. Removal of Installed Facilities
 5. Permit Revocation
 6. Public Service Commission (PSC) Notification
 7. Withholding Approval of Future Permits
- C. Procedures
 1. Inspection of Work- in- Progress
 2. Inspection of Completed Work
- D. Immediate Action (Work- in-Progress)

10.08 ENVIRONMENTAL CONDITIONS

- A. Introduction
- B. Department Responsibility
- C. Utility Responsibility
- D. Site Assessments
- E. Discovery of Environmental Conditions
- F. Utility Facility Placement Options
- G. Financial Responsibility

10.10 PERMIT REQUIREMENTS

- A. Need for a Permit
- B. Permit Authorization to Use and/or Occupy Right-of-Way

10.11 REQUIRED INFORMATION

- A. General Policy
- B. Permit Application Forms
- C. Permit Limits

- D. Permit Drawings
- E. Installation Information
- F. English Units

Policy Title/Section

10.12 ANNUAL SERVICE CONNECTION PERMITS (ASCP)

- A. General Policy
- B. Application Information
- C. Coverage
- D. Implementation
- E. Work Restrictions

10.13 APPLICATION MODIFICATION

10.20 LOCATION REQUIREMENTS

- A. General Location
- B. Crossing Location
- C. Underground Longitudinal Location
- D. Above Ground Longitudinal Location
- E. Existing Utilities
- F. Subsurface Utility Engineering

10.21 APPURTENANCES

- A. General Policy
- B. Buildings
- C. Cabinets
- D. Manholes

10.22 VERTICAL LOCATION

- A. Underground
- B. Overhead

10.23 INSTALLATION ON STRUCTURES

- A. General Definitions
- B. Installation Location Requirements
- C. Installation Openings

10.24 MEDIAN INSTALLATIONS

- A. General Policy
- B. Median Work

10.25 BREAKAWAY CONSTRUCTION

10.26 SCENIC CONSIDERATIONS

- A. General Policy
- B. Scenic Areas

Page 2 of 3

Policy Title/Section

10.30-35 FREEWAYS

10.40-44 EPRESSWAYS

10.50 CONSTRUCTION REQUIREMENTS

- A. Permit at Job Site
- B. Use of Highway Median
- C. Use of Temporary Guard Poles
- D. Unexpected Field Conditions
- E. Blasting
- F. Survey Markers
- G. Vegetation
- H. Completion Notice
- I. Highway Signs

10.51 TRAFFIC CONTROL

- A. Authority
- B. General Policy
- C. Traffic Control Selection
 - 1. Factors
 - 2. Long-Term Duration
 - 3. Short-Term Duration

10.52 WORK SITE SAFETY

- A. General
- B. Equipment/Material Storage
- C. Vehicle/Equipment Visibility
- D. Individual Conduct

10.53 SPECIAL PROVISIONS

- A. Trenched Construction
- B. Untrenched Construction
- C. Non-Metallic Line
- D. Casing

10.54 CLEANUP AND RESTORATION

- A. Work Site Cleanup
- B. Highway Restoration

10.55 EROSION CONTROL AND STORM WATER MANAGEMENT

- A. Authority
- B. Implementation
- Policy Title/Section

10.56 EROSION CONTROL AND STORM WATER MANAGEMENT (continued)

- C. Major Projects
 - 1. Definition
 - 2. Specific Guidelines
- D. Minor Projects
 - 1. Definition
 - 2. Guidelines for Erosion Control

10.60 SPECIFIC REQUIREMENTS

10.61 COMMUNICATIONS

- A. Standards
- B. Type of Construction
 - 1. Single Pole
 - 2. Joint Use
- D. Down Guy Locations
- E. Maintenance Activities

10.62 ELECTRIC

- A. Standards
- B. Additional Permit Information
- C. Type of Construction
 - 1. Single Pole
- D. Down Guy Locations
- E. Maintenance Activities

10.63 FLUIDS AND GASES

- A. Standards
- B. Irrigation and Drainage Pipes, Ditches, and Canals
- C. Requirements for Appurtenances
- D. Special Treatment of Pipelines
 - 1. General Policy
 - 2. Special Treatment
- E. Attachments to Structures
- F. Maintenance Activities

10.64 PRIVATE UTILITY FACILITIES

- A. General
- B. Occupation Fees
- C. Additional Requirements

Policy Title/Section Page 3 of 3

10.90 APPENDICES

10.91 TOWN MAP

10.92 TOWN DIRECTORY

10.93 SAMPLE PERMIT FORM CU-99-1

10.94 HIGHWAY CLEARANCE DIAGRAM

10.95 BACKFILLING DETAILS

10.96 DNR DISTRICT OFFICES LIST

10.97 ENVIRONMENTAL CONDITIONS DISCOVERY CHECKLIST

10.98 COMPLETION CERTIFICATE

10.00 Utility Accommodation 10.01 Definitions

A. General Definitions

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

B. Specific Definitions

1. Clear Zone

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

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

2. Department = TOWN OF LIND

3. Emergency Utility Work

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

4. Expressway

A divided highway with limited access control at grade intersections in rural areas, and generally having grade separations at major intersections.

5. Freeway

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

6. Highway(s)

A. State Trunk Highways

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

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

2. "Connecting Highways" in Section 86.32, Wisconsin Statutes, are actually local jurisdictional streets and not part of the State Trunk Highway System.

Note: The "Official State Trunk Highway System Maps" denotes all connecting highways within Wisconsin. Call (608) 266-2782 for more information.

1

10.00 Utility Accommodation 10.01 Definitions

B. Specific Definitions (continued)

B. County Trunk Highways

The County Trunk Highways as authorized under Section 83.025, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

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

C. Town Roads

The Town Roads as authorized under Section 80.07(1), Wisconsin Statutes. This includes the entire area within the highway right-of-way.

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

7. Permit

The document by which the Town of Lind grants a utility permission to work within, use, occupy, or cross the town roadway.

8. Pipeline

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

9. Private Utility Facilities

Facilities which convey or transmit the commodities as defined by utility (see #15), but are owned and operated by an individual(s) or non-utility business and are not accessible to the public.

10. Responsible Person

A person having control over a utility project that is not administered by the Town of Lind.

11. Right-of-Way

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

12. Applicant

The individual or entity that will own the utility facility which is to be placed in Town of Lind right-of-way.

13. Traveled Way

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

14. Roadway

The traveled way plus shoulders.

2

10.00 Utility Accommodation 10.01 Definitions

B. Specific Definitions (continued)

15. Utility

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

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

16. Utility Construction

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

17. Utility Facilities

A. Transmission Facilities

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

B. Distribution Facilities

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

C. Service Facility

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

18. Utility Maintenance

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

19. Utility Operation

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

3

10.00 Utility Accommodation 10.02 Introduction

A. Overview of Utility Accommodation

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

B. Purpose of the Utility Accommodation Policy

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

The Policy applies to all public and private utilities as defined in 10.01(B) (9) and (15). It also applies to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed on the Town of Lind right-of-way.

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

C. Utility Accommodation Statutes

The Town of Lind regulates the use, occupation, and utility accommodation of the township roadway system under sec. 66.047, 84.08, 85.15, 86.07(2), 86.16, and 718.017, Wis. Stats.

D. Utility Accommodation

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

1. Permits

The Town of Lind permits utility facilities on its roadways when:

- a. Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities.
- b. There will be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein.
- c. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.
- d. A utility shall abide by the current version of the Policy each time a permit is authorized for its work. When future changes are made to the Policy, an existing utility facility is not required to meet the new version unless proposed changes to that facility require a new permit from the Town of Lind.

4

10.00 Utility Accommodation 10.02 Introduction

2. Additions

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

3. Alterations

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit

approval. All costs for construction, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific Town of Lind-executed utility parcel or agreement otherwise provides.

5

10.00 Utility Accommodation 10.03 Indemnification

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

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

Applicant shall mean the individual or entity which will own the utility facility which is to be placed in the Town right-of-way.

6

10.00 Utility Accommodation 10.04 General Information

A. Buried Line Locating Notification

Each applicant for a permit to work on a Town of Lind's roadway shall provide a reliable line-locate notification service by either or both of the following means:

1. If the applicant has membership in a one-call utility notification service, it shall enter the current telephone number(s) for the service on the face of each Town of Lind permit application. The applicant shall also provide written notification to the Town of Lind upon or in advance of any subsequent changes in the one-call contact information such as cessation of membership, changes in the contact telephone number(s), etc.
2. If the Applicant lacks membership in a one-call utility notification service at the time of applications for the Town of Lind permit, or has membership but desires to provide a second resource for line locates, they shall:
 - a. Provide operational area maps which accurately specify the area(s) in which the applicant has lines or a franchise to install lines. A minimum of one such map shall be furnished to the

Town of Lind. The Applicant shall advise the Town of Lind of any future changes in its operational area(s), and supply updated maps showing the current conditions, and
b. Enter on the face of each permit application the current telephone number(s) to be called to obtain specific line locates from the applicant. The Applicant should notify the Town of Lind of any change to these telephone numbers.

B. Design Responsibility

The utility shall be responsible for the design of the facility to be installed or adjusted within the right-of-way. The Town of Lind shall be responsible for review of the utility's proposal and for permit approval.

C. Utility Facility Condition Requirements

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

D. Chemical Treatment and Cutting of Trees

Utilities shall be prohibited from chemical treatment or cutting of trees on Town of Lind roadways without a permit from the Town of Lind except as provided under maintenance type activities (see policies 10.61 through 10.64) and the utility shall provide the Town of Lind with MSDS sheets for chemicals being used along with an annual spraying plan.

E. Draining Wetlands

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

7

10.00 Utility Accommodation 10.05 Emergency Work

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

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

8

10.00 Utility Accommodation 10.06 Abandoned Facility

A. Above Ground Facilities

If a utility discontinues use of an above ground facility, the facility shall be entirely removed from the right-of way within one year after its use is discontinued unless written approval for a time extension is granted by the Town of Lind or a proper permit is requested and approved by the Town of Lind for sale to another utility.

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

Effective January 1, 2009, a record of underground utility facilities abandoned in the right-of-way shall be maintained in a utility's permanent files until the facility is completely removed from the ground. The record should be of similar quality and detail as any other map or plan submitted to the Town of Lind for permit approval. A utility shall take the steps it feels is necessary to be able to provide an approximate location of abandoned facilities in the future. The approximate location provided by the utility shall be within a ten (10) foot wide corridor (i.e. five feet either side as measured perpendicular to a facility). If a utility facility is to be abandoned as part of a permit for a new facility, it shall be field located and shown on the permit request for the new facility.

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

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

Upon request by the Town of Lind, the utility shall provide a map (noted above) indicating all facilities abandoned prior to January 1, 2009 on record, if the utility has maintained such records.

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

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

The Town of Lind shall not require a utility to physically remove any abandoned underground facility so long as a permanent record of it is maintained, and if it does not prevent the construction or modification of any roadway improvement and/or structure. However, abandoned appurtenant facilities such as manholes and pull boxes shall be filled in or removed in accordance with the

9

10.00 Utility Accommodation 10.06 Abandoned Facility

B. Underground Facilities (continued)

Wisconsin Department of Transportation's Standard specifications for Road and Bridge Construction, current edition.

C. Structure Attachments

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

10

10.00 Utility Accommodation 10.07 Compliance

A. Authority

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

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

A Town Ordinance adopting this "Town of Lind Utility Accommodation Policy" and noting exceptions shall precede it.

The utility must first appeal to the Town of Lind Clerk and Town Board with the assistance of their Town Attorney. In the final appeal process under Section 82.07(3) the utilities can appeal to WisDOT if they feel the Town of Lind is not treating them fairly.

B. Failure to Comply

At the Town of Lind's option, the following measures may be taken if a utility fails to comply with the Policy or its permit provisions:

1. Verbal Request for Corrective Action

The request shall include:

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

2. Written Reprimand

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

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

3. Suspension of Work Activities

If a responsible person of an inspected work site fails to comply with a verbal and/or written request, the designee may order the suspension of all work activities at the site. If this occurs, the Town of Lind Chairperson shall be informed of the situation.

If the Town of Lind Chairperson cannot be contacted, the Town of Lind Supervisors, engineer, or Town Clerk shall be notified.

11

10.00 Utility Accommodation 10.07 Compliance

B. Failure to comply (continued)

4. Removal of Installed Facilities

Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an unacceptable location and the utility is notified, the utility shall have two weeks response time to decide on its corrective action. If the utility fails to take corrective action, The Town of Lind shall take action to have that facility relocated or removed at the utility's expense.

5. Permit Revocation

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

6. Public Service Commission (PSC) Notification

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

7. Withholding Approval of Future Permits

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

C. Procedures

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

1. Inspection of Work-in-Progress

Upon reaching a work site, the inspector shall locate a responsible person and ask to review and discuss the utility operation. If applicable, a review of a copy of the permit which the utility or its contractor is required to have available at the site shall also be performed. If the inspector decides that changes to the operation are needed in order to bring it into compliance with the Policy or provisions of its permit, then a verbal request is the first corrective measure which shall be taken. [see(B)(1)].

2. Inspection of Completed Work

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

12

10.00 Utility Accommodation 10.07 Compliance

D. Immediate Action (Work-in-Progress)

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

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

13

10.00 Utility Accommodation 10.08 Environmental Conditions

A. Introduction

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

B. Department Responsibility

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

C. Utility Responsibility

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

D. Site Assessments

If contacted, the Town of Lind will provide any information it has available on environmental issues under the Public Records Law.

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

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

E. Discovery of Environmental Conditions

Whether the discovery of environmental conditions occurs during a site assessment, facility installation, or maintenance operation, ALL WORK SHALL BE SUSPENDED IMMEDIATELY.

10.00 Utility Accommodation 10.08 Environmental Conditions

Discovery of Environmental Conditions (Continued)

Failure to do so may result in financial responsibility (see Section G) for the utility due to subsequent site assessments, mitigation, remediation, or possible fines. Specifically, if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility's action. A checklist has been developed (Appendix 10.97) to help utilities obtain the necessary information which may be asked of them by site investigators.

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

NOTIFICATION TABLE (NOTE: CALL ALL THAT APPLY)

Utility Discovers Environmental Conditions while Working on Town of Lind right-of-way

CATEGORY: PLEASE CALL:

Archeological Sites or Historic Structures

Historic structure State Historic Preservation Office

608-264-6506

Archeological site State Historic Preservation Office

608-264-6507

Burial Sites Preservation Office

608-264-6503 or 800-342-7832

Utility project but no Town of Lind project Town of Lind

Town of Lind project Town of Lind

Contaminated Soils, UST's, LUST's, etc. Town of Lind

Local Department of Natural Resources Office¹ See appendix 10.96 for contacts

Utility project but no Town of Lind project Town of Lind

Town of Lind project Town of Lind

1. Required under Wisconsin Law

The Town of Lind will notify the utility when it can resume its operation.

F. Utility Facility Placement Options

When environmental conditions are discovered in the right-of-way, the Department of Natural Resources (DNR) or State Historic Preservation Office (SHPO) shall determine whether a utility can locate its facility within the affected area. Based upon their decision, the following may occur:

1. The utility entirely avoids the affected area:

a. The DNR or SHPO mandate that the area shall be left in its natural state, and no utility facilities shall be allowed in the area.

15

10.00 Utility Accommodation 10.08 Environmental Conditions

F. Utility Facility Placement Options (Continued)

b. The utility decides that it wants to locate in another area and avoid possible delays to its project due to site assessments, remediation, mitigation, or the possible decision noted in 1a.

2. The utility can locate around or through the affected area:

a. The DNR or SHPO orders the site to be completely remediated or mitigated before any utility installation can take place. The utility would then have a clear corridor in which to locate its facility.

b. The DNR or SHPO decide that the area can be left in its natural state, but any area that is disturbed or affected by the utility operation (based upon DNR's or SHPO's assessment) has to be remediated or mitigated. The utility may also elect to go around the area, if possible, and avoid remediation or mitigation after getting approval for permit revision.

c. The DNR or SHPO decide that the area can be left in its natural state, and the conditions do not have to be remediated or mitigated as long as the utility exercises extreme care to avoid any significant disruption to the area. In the case of an archeological or historical site, a utility may be allowed to place a facility in an area that was already disturbed. In the case of a hazardous materials site, a utility would have to utilize construction methods that would prevent any contamination from spreading.

Unless the Town of Lind has taken charge of the remediation or mitigation process due to a Town of Lind project, a utility that decides to locate its facility through an affected area, as described in 2a, b, and c, shall document in its permit application that it has contracted the DNR or SHPO and has received the proper authorization to locate in the area along with its proposed construction methods. The utility will be responsible for all associated costs.

G. Financial Responsibility

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

16

10.00 Utility Accommodation 10.08 Environmental Conditions

FINANCIAL RESPONSIBILITY TABLE

Utility Discovers Environmental Conditions while Working on Town of Lind Right-of-Way
AND DECIDES TO LOCATE IN THE AFFECTED AREA

Category/Activity Who is financially responsible for the Activity?

Archeological Sites or Historic Structures

A) Site Assessments (Identification or Evaluation surveys)¹

-Utility project but no Town of Lind project Utility

– Town of Lind project Utility or Town of Lind²

B) Mitigation¹

– State Historic Preservation Office order Utility

– No State Historic Preservation Office order Utility

Contaminated Soils, UST's, LUST's, etc.

C) Site Assessments

-Utility project but no Town of Lind project RP⁴ or Town of Lind or Utility³

– Town of Lind Project RP⁴ or Town of Lind or Utility³

D) Remediation

– Department of Natural Resources order RP⁴ or Town of Lind or Utility³

– No Department of Natural Resources order Utility

1. Town of Lind policy is to not spend available resources for assessments or mitigation, but rather to preserve archeological sites and historic structures in place. This is in accordance with Section 106 of the National Historic Preservation Act.

2. Applicable only when the Town of Lind is required to obtain environmental information for its project.

3. Specifically, if a utility fails to comply with Section E of this Policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility's action.

If the Town of Lind is not the RP⁴, then a utility which incurs costs due to encountering contaminated soils, UST's or LUST's will have to recover them from the RP⁴.

4. RP = Responsible Party (owner of the source of the hazard as determined by DNR)

17

10.00 Utility Accommodation 10.10 Permit Requirements

A. Need for a Permit

A utility shall obtain a permit from the Town of Lind before any use or occupancy of Town of Lind roadways is allowed. This includes utilities that want to occupy an existing pole line or duct system (e.g. CATV attaching to another utility company's existing poles). Exceptions to this are enumerated in Polices 10.61 through 10.64

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

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

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

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

Written authorization from the Town of Lind does not relieve the utility from compliance with all applicable federal and state laws and codes, nor any local laws and ordinances which affect the design, construction, materials, or performance of its work. The Town of Lind's authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

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

All utility permits issued by the Town of Lind are revocable for cause as provided herein. Policy 10.07 highlights the steps that may be used by the Town of Lind in order to revoke a permit.

18

10.00 Utility Accommodation 10.10 Permit Requirements

10.11 Required Information

A. General Policy

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

B. Permit Application Forms

Utilities shall only use the single-page permit application forms which are made by the Town of Lind. Alteration of the permit form by the applicant is prohibited and shall be just cause for application rejection or permit revocation. Electronic versions of the permit form are also prohibited.

One original, with an authorized signature, plus two copies of the permit form shall be submitted per application to the Town of Lind via regular mail, courier service, or delivered in person. The

copies may be reproduced from the original. If the utility has an annual service connection permit, location drawings for the service may be submitted by fax or other method at least three working days prior to the start of the work. See Policy 10.12 for details.

The telephone and pager number of the applicant's local contact person and person in charge of construction shall be included on each permit form.

The current Town of Lind Permit Form, TOL-1, is shown in Appendix 10.93. This form can be obtained from the Town of Lind Clerk.

C. Permit Limits

The permit application shall include the limits (project endpoints) of all proposed work. If the utility facility extends into more than one township, a separate permit application shall be submitted for each township.

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

D. Permit Drawing

Each permit application shall contain adequate drawings showing the proposed location of the utility facility within the right-of-way with respect to the existing roadway or any proposed roadway improvement and any existing utility facilities. The details shall include dimensions from the proposed utility installation to the commonly accepted right-of-way line and edge of the traveled way.

For roadway crossings, a cross-section detail showing depth of bury or overhead clearance is required along with the location of any bore pits (if needed). A distance reference from the crossing to the nearest public roadway intersection is also required. Land ties (e.g. approximate distance from the proposed facility to side road intersection(s), town line, etc.) shall be submitted with all permit drawings.

19

10.00 Utility Accommodation 10.10 Permit Requirements

10.11 Required Information

E. Installation Information

The utility shall provide the following installation information:

1. This information shall include, but is not limited to, a general description of the location, size, type, nature, and extent of the utility facilities to be installed or to be adjusted, and the impact on the utility's existing facilities to remain in place within the right-of-way.
2. The Town of Lind may require a utility to provide a description of proposed construction procedures, special traffic control and protection measures, proposed access points, coordination of activities with the roadway contractor, or trees to be removed.

3. When an attachment to a structure is proposed, the Town of Lind may request additional information. This information may include, but not limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

See Policy 10.23 for additional requirements regarding structure attachments.

F. English Units

The Town of Lind is expecting to work exclusively with English units which shall be used on all permit forms.

20

10.00 Utility Accommodation 10.10 Permit Requirements

10.12 Annual Service Connection Permits (ASCP)

A. General Policy

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

This Policy does not affect Policy 10.05, Emergency Work. Approvals for emergency service connections should still be handled by a phone call to the Town of Lind.

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

B. Application Information

A utility shall use the Town of Lind's Standard Permit Form, TOL-1, to apply for an ASCP which shall be sent to the Town of Lind for review. The ASCP shall only be effective during the calendar year and in the district and county in which it is issued. Hence, a utility may want to obtain additional ASCP's if its service territory crosses county or district boundaries. A copy of the ASCP shall be kept on the job site at all times. To properly fill out a TOL-1 form to make it into an ASCP, see Figure 1.

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

C. Coverage

The ASCP shall pertain to service connections only. In addition, an extension of the existing distribution line up to 300 feet is allowed to facilitate the installation of the service. Both

overhead and underground short-side (same side of roadway and the distribution lien) service connections are allowable. See Figures 2 and 3. Long-side (opposite side of roadway as the distribution line) service connections are also allowable, but may be limited to underground installations. See Figures 4 and 5.

D. Implementation

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

1. Utility's ASCP number
2. County name and town, range, and section numbers
3. Distance from the nearest intersection to the service line.
4. Name of the utility and employee who needs the Town of Lind's reply along with that person's telephone and fax numbers.

21

10.00 Utility Accommodation 10.10 Permit Requirements

10.12 Annual Service Connection Permits (ASCP)

D. Implementation (continued)

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

E. Work Restrictions

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

1. Without any interference or disruption to traffic. Exceptions may be granted for low-volume (500 ADT or less), two-lane rural highways.
2. Without open cutting the pavement, paved shoulders or medians.
3. For long-side connections, using un-trenched construction techniques only. Any boring machine that is used shall not be guided from the roadway surface. The use of the median area is prohibited [Policy 10.24(b)] – even to check or guide the boring machine. Boring shall be accomplished no closer to the roadway than the toe of inslope or back of curb in accordance with Policy 10.53(B). The bore shall be perpendicular to the roadway.

Overhead, long-side service connections may be allowed on low-volume (500 ADT or less), two-lane rural highways during off-peak travel hours. The use of a law enforcement officer to stop traffic may be required.

22

TOWN OF LIND POLICY Policy 10.12_____

FIGURE 1

TOWN OF LIND

Permit No.:_____

Road Name:_____

Town of Lind

_____ 1/4 of _____ 1/4 Sec. _____

T N R E

Annual Service Connection Permit _____

Annual Maintenance Permit _____

APPLICATION/PERMIT TO CONSTRUCT,

MAINTAIN, AND OPERATE UTILITIES

WITHIN ROAD RIGHT-OF-WAY

APPLICANT'S NAME _____

ADDRESS _____

OFFICE PHONE _____ LOCAL PAGER _____

TYPE OF UTILITY INSTALLATION _____

PLANS PREPARED BY _____

NAME AND PHONE NUMBER OF UTILITY PERSON RESPONSIBLE FOR CONSTRUCTION:

CHECK ALL THAT APPLY:

To cross roadway

Overhead

Underground

Parallel to centerline of road

Tunnel

Trench

Open cut

Suspend on towers

Jack & bore

Cased

Suspend of Poles

Tree cutting/removal

Bridge attachment

Water

Sanitary sewer

Gas/petroleum

Chemical Treatment
 Telephone/
communicator
 Other

CONSTRUCTION:

Major
Minor

Estimated Starting Date _____ Estimated Restoration Date _____

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of the town of Lind Utility Policy in effect at the time of this application, and with any special provisions listed or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof.

BY _____ Title _____

(Signature of Authorized Representative)

Date _____

PERMIT APPROVAL BY PERMITTING AUTHORITY

The foregoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated in the Town of Lind Utility Accommodation Policy including the Indemnification as included in 10.03 of the Town of Lind Utility Accommodation Policy in effect on the date of this application.

Other Special Provisions:

BY _____ Title _____

(Signature of Authorized Representative) Date _____

Fee, if required _____

RECEIVED OF _____

(Authorizing Agent Signature)

FORM TOL-1 23

10.00 Utility Accommodation 10.10 Permit Requirements

10.13 Application Modification

The Town of Lind has the right to modify the utility's permit application as necessary to protect the roadway interest. The modifications may be more restrictive than what was originally proposed. The permit, as approved, shall embody the conditions to which the utility shall comply in order to use or occupy the right-of-way. Changes to the permit could include, but are not limited to, changing the traffic control plan, utility location due to conflicts, or utility locations due to field conditions.

10.00 Utility Accommodation 10.20 Location Requirements

A. General Location

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

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

B. Crossing Location

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

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

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

C. Underground Longitudinal Location

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

To maintain a reasonable uniform utility alignment, location variances may be allowed when irregular- shaped portions of the right-of-way extend beyond the normal right-of-way limits.

10.00 Utility Accommodation 10.20 Location Requirements

D. Above Ground Longitudinal Location

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

If any above ground utility facility is within the clear zone or is determined to be in a location that has a higher than average accident potential, the Town of Lind may require:

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

To maintain a reasonably uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits.

E. Existing Utilities

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

1. It conflicts with any construction activities, or
2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstruction project.

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

F. Subsurface Utility Engineering

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

27

10.00 Utility Accommodation 10.20 Location Requirements

10.21 Appurtenances

A. General Policy

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

B. Buildings

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

C. Cabinets

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

D. Manholes

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

28

10.00 Utility Accommodation 10.20 Location Requirements

10.22 Vertical Location

A. Underground

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

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

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

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

B. Overhead

Vertical clearances for overhead utility facilities installed after January 1, 2009 shall comply with all applicable State and National Electrical Codes. In all cases, facilities crossing over the roadway shall at no time be less than 17 feet above the high point of the traveled way. All pre-existing facility clearances before January 1, 2009 are grandfathered under the applicable state and national electric codes in effect at the original date of installation. Unless otherwise agreed to by the utility and the Town of Lind, facility clearances affected by the normal and emergency work activities as defined in the maintenance section of this policy, which do not require a new permit, are also grandfathered.

10.00 Utility Accommodation 10.20 Location Requirements

10.23 Installation on Structures

A. General Definitions

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

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

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

B. Installation Location Requirements

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

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

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

C. Installation Openings

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

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

10.00 Utility Accommodation 10.20 Location Requirements

10.24 Median Installations

A. General Policy

On both crossing installations and longitudinal installations, poles, guys, or other related facilities shall not be located in a roadway median. The Town of Lind may grant an exception for a crossing installation on a freeway or expressway. See Policies 10.32(b) and 10.35 for freeways and 10.42 for expressways.

B. Median Work

No work shall be performed in the median of any roadway without prior approval from the Town of Lind.

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

1. The permit holder or its contractor shall notify the county sheriff/local law enforcement agency of the expected beginning and completion time of work in the median.
2. All equipment, operations, and spoil material shall be located within the center area of the median.
3. No openings, vehicles, equipment, or materials of any type shall be located within the median overnight.
4. All vehicles used to conduct the work operation shall be equipped with conspicuously visible roof-mounted revolving or strobe lights. These lights shall be in operation just prior to and during the work operation. Hazard warning lights on the vehicles shall also be operating.

31

10.00 Utility Accommodation 10.20 Location Requirements

10.25 Breakaway Construction

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

Foundations beneath breakaway poles shall be flush with the ground.

32

10.00 Utility Accommodation 10.20 Location Requirements

10.26 Scenic Considerations

A. General Policy

When feasible, the Town of Lind strives to enhance visual qualities of the roadway system by:

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

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

B. Scenic Areas

Areas which have been acquired or set aside for their scenic quality, such as scenic strips, overlooks, rest areas, recreation areas, public parks, historic sites, etc., and the right-of-way

which traverse these areas, are in a special category and new utility installations shall not be permitted except as provided in this section.

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

33

10.00 Utility Accommodation 10.30-35 Freeways

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

34

10.00 Utility Accommodation 10.40-44 Freeways

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

35

10.00 Utility Accommodation 10.50 Construction Requirements

A. Permit at Job Site

When the Town of Lind issues a permit to a utility for its proposed work, a complete copy of the permit shall be in the possession of the utility's work force, consultant, contractor, or subcontractor at all times when utility work is being performed within the right-of-way. This includes the Annual Service Connection Permit (see Policy 10.12) when appropriate.

B. Use of Highway Median

Any use of a highway median is prohibited unless specifically authorized by a permit. See Policy 10.24(B) for specific conditions that shall be met if median work is permitted.

C. Use of Temporary Guard Poles

No guard pole shall be set within the right-of-way unless specifically authorized by a permit. By definition a guard pole is used to prevent aerial lines from falling onto the traveled way. Any guard poles permitted in the clear zone shall comply with Policy 10.20(D).

D. Unexpected Field Conditions

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

E. Blasting

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

F. Survey Markers

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

Any Public Land Survey (PLS), Certified Survey Map (CSM), or Town of Lind survey marker that is disturbed, removed, or destroyed shall be restored by the utility at its expense under the supervision of a registered land surveyor or county surveyor. (Reference: Sec. 59.635 and 236.32, WI Stats.)

G. Vegetation

No tree or shrub shall be sprayed, cut, trimmed, or damaged to facilitate the installation of a utility facility unless specifically authorized by a permit. Vegetation which is proposed to be damaged or destroyed may have to be replaced at the discretion of the Town of Lind. When the removal of a tree is permitted, the stump shall be removed and the hole properly backfilled or cut flush with the ground upon approval from the Town of Lind. At no time shall trees or shrubs be cut on Town of Lind right- of-way in front of the property owners' home, yard, barn, etc. without approval of the Town of Lind.

Utilities should be aware of rare or endangered plant species or animal and insect species that feed off of native vegetations* in the right-of-way that must be protected or avoided by law. Utilities may receive assistance in identifying these areas by calling the local Department of Natural Resources

36

10.00 Utility Accommodation 10.50 Construction Requirements

G. Vegetation (continued)

office. The chipping or grinding of trees may be allowed by the Town of Lind on a permit-by-permit basis. This includes spreading the resulting mulch evenly over the right-of-way such as not to leave mounds or humps or interfere with drainage.

*For example, the Karner Blue Butterfly is currently an endangered species that feeds off the wild lupine plant.

H. Completion Notice

Upon completion of permitted work and restorations, written notice shall be filed within 10 calendar days with the Town of Lind indicated on the face of the permit.

I. Highway Signs

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

37

10.00 Utility Accommodation 10.50 Construction Requirements

10.51 Traffic Control

A. Authority

All traffic control for utility work performed on the Town of Lind roadways shall abide by:

1. The current Wisconsin Manual on Uniform Traffic Control Devices (MUTCD) and any supplements thereto.
2. Section 643 in the current edition of the Wisconsin Department of Transportation's Standard Specification for Highway and Structure Construction.
3. Traffic control will be in accordance with appropriate diagrams found in the Wisconsin Department of Transportation Booklet entitled "Work Zone Safety Guidelines for Construction, Maintenance, and Utility Operations, January 1999".
4. The specific provisions within this section.

The standard set forth in the Wisconsin MUTCD and any supplements thereto are minimum guidelines, and additional traffic control shall be used when necessary.

B. General Policy

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

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

All warning signs shall have reflectorized sheeting which, beginning January 1, 2003, shall comply with 643.2.12.2 of the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction, current edition. Warning signs shall be removed, covered, turned, or laid flat when workers or workers' vehicles are not at the job site or

when the signs' messages are not relevant. All barricades and barrels shall be reflectorized with Type H reflective sheeting as a minimum. Cones used during nighttime operations shall be a least 28" in height and reflectorized.

C. Traffic Control Selection

1. Factors

When selecting the appropriate traffic control, consideration shall be given to such factors as:

- a. Physical characteristics of the road. e. Posted speed limit
- b. Available sight distance. f. Weather.
- c. Traffic Volume. g. Light conditions.
- d. Time of day. h. Lane closure may require flagging.

2. Long Term Duration

All stationary daytime utility work which takes longer than one hour to perform should utilize the six traffic control diagrams. The Town of Lind may require a more extensive traffic control plan if any of the following situation occur:

38

10.00 Utility Accommodation 10.50 Construction Requirements

10.51 Traffic Control

C. Traffic Control Selection

2. Long Term Duration (continued)

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

3. Short Term Duration

Daytime utility work that will be completed in one hour or less usually may not require the use of a formal traffic control plan or the six traffic control diagrams. The utility is still responsible for providing traffic control adequate to protect public safety.

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

39

10.00 Utility Accommodation 10.50 Construction Requirements

10.52 Work Site Safety

A. General

The utility is responsible to assure that the work site is secure against any hazard to the public at all time until all of the work is completed. Vehicles, equipment, and materials which are in

active use at the work site shall be regulated by the utility as to assure consistently safe conditions.

B. Equipment/Material Storage

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

C. Vehicle/Equipment Visibility

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

D. Individual Conduct

All Town of Lind, County, utility, and contractor personnel who are out of their vehicles and within the right-of-way should wear their retro-reflective safety vests at all times. During daytime hours only the use of a highly visible, non-reflectorized shirt or jacket is acceptable in lieu of a safety vest. Colors commonly used for these garments include, but are not limited to, orange, lime-green and yellow-green.

40

10.00 Utility Accommodation 10.50 Construction Requirements

10.53 Special Provisions

A. Trenched Construction

Trenched construction and backfill shall provide for the:

1. Restoration of the structural integrity of the highway facility.
2. Security of the facility against deformation likely to cause leakage.
3. Assurance against the trench entrapping excessive moisture or becoming a drainage channel.
4. Assurance against highway drainage being blocked by the backfill.

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

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

B. Untrenched Construction

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

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

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

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

C. Non-Metallic Lines

Any non-metallic pipe, cable, or other kind of utility line which lacks a continuous and integral metallic component capable of detection by locating instruments shall be accompanied in its location by a continuous detectable metallic tracer wire or metallic tape.

D. Casing

Where crossing by underground lines are encased in protective conduit or duct, the encasement shall extend at least two feet beyond the toe of slope or three feet beyond the ditch line. On curbed sections it shall extend at least outside the outer curbs.

41

10.00 Utility Accommodation 10.50 Construction Requirements

10.54 Cleanup and Restoration

A. Work Site Cleanup

All debris, refuse and waste resulting from the utility's activities shall be removed from the site and the motorists' view unless otherwise provided by the permit. Burning of cuttings, brush or other debris shall not be permitted within the limits of the right-of-way. Also see Policy 10.50(G) regarding chip spreading.

All replaced poles shall be completely removed from the highway. No replaced pole shall be allowed to remain, in whole or in part, and it shall not be sawed off. The pole's hole shall be properly backfilled and compacted. All anchor rods shall be removed or cut off one foot below ground level.

B. Highway Restoration

The utility shall be responsible for restoring the highway and the adjacent right-of-way to its original (as close as possible) condition within two weeks after completion of the facility installation. Exceptions may be allowed (e.g. in the case of bad weather) with prior approval from the Town of Lind. Failure of the utility to make prompt and satisfactory restorations of the roadway or adjacent right-of-way may cause the Town of Lind to arrange for restoration by others at the utility's expense.

Any curb, gutter, pavement, sidewalk, driveway, gravel base, ballast, shouldering material, or other highway element disturbed by the utility shall be restored to the qualities, grades, compactions, conditions, etc. in accordance with the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction, current edition. Any subsequent heaving settlements, or other faulting attributable to the permitted work shall be repaired in a manner satisfactory to the Town of Lind at the utility's expense. Appendix 10.95 shall be used as a guide for backfilling excavation operations.

Any turfed area of the roadway disturbed by the utility shall be restored with topsoil to the depth that existed prior to construction within the right-of-way and reseeded to perennial grass or sodded to the satisfaction of the Town of Lind. Trees or vegetation which are damaged or destroyed shall be replaced in-kind unless specified in the utility's permit. Once replaced, the utility shall also maintain turfed areas, trees, and vegetation until they achieve sustained growth.

If, in the opinion of the Town of Lind, the permitted work or facilities are found to obstruct roadway drainage, unduly increase the difficulty of roadway maintenance, or in any other manner adversely affect a roadway interest, the utility shall, upon notice, cure the fault as directed and restore the roadway facility to the satisfaction of the Town of Lind.

42

10.00 Utility Accommodation 10.50 Construction Requirements

10.55 Erosion Control and Storm Water Management

A. Authority

A utility shall assure that proper erosion control and storm water management measures are implemented at all times during work operations. The utility shall also be responsible for providing erosion control and storm water management measures to protect all restored areas upon completion of the project until the replacement vegetation achieves sustained growth.

B. Implementation

The Town of Lind has divided utility operations into two categories – major and minor – for the purpose of determining erosion control and storm water management plan requirements. When submitting its permit application, a utility shall check the appropriate box for the category in which it feels the proposed operation belongs. Based upon the information submitted, the Town of Lind has the option to change the category.

Should a change become necessary, the utility has some options. If the change is from the minor to major category, the utility may elect to submit an erosion control plan. It could also amend or revise and resubmit its permit application provided a change in work methods could place the utility operation into the minor category. If the change is from major to minor, the utility may still use its proposed erosion control plan.

C. Major Projects

1. Definition

Major projects are defined as excavations which will not be restored in the same day or immediately the next day. Examples of utility projects that may fall under the major category include, but are not limited to, the following:

1. Grading on right-of-way.
2. Large, open pavement/shoulder cuts.
3. Large boring operation and boring pits.
4. Trenching operations.
5. Any project adjacent to a waterway which is not classified as "routine" under the DNR Waterway Crossing Agreement.

2. Specific Guidelines

Some key elements are highlighted as follows:

A utility shall submit an Erosion Control Plan along with its permit application. The plan may be either in written or pictorial format or both formats. A utility may use Chapter 10 of the Wisconsin Department of Transportation's Facilities Development Manual (FDM) or WCHA (DNR approved) Standard Erosion Control Plan as a guide in the proper selection, installation, and maintenance of erosion control and storm water management measures. Standard Detail Drawings for some erosion control devices are also available in FDM Chapter 16. Joint Town of Lind/utility field meetings may also be needed to review proposed erosion control and storm water management plans.

43

10.00 Utility Accommodation 10.50 Construction Requirements

10.55 Erosion Control and Storm Water Management

C. Major Projects

2. Specific Guidelines (Continued)

All required erosion control and storm water management measures shall be installed at the job site prior to the commencement of work. The utility shall notify the Town of Lind at least 24 hours before the installation of the measures. The utility should check major construction box on the application form indicating that is aware of the notification requirement.

Comment: It is evident that with minor projects there is no need for a utility to have erosion control and storm water management measures in place prior to the start of construction. Therefore, prior notification to the Town of Lind is not required.

After the installation of the permanent erosion control and storm water management measures is completed at a site or when the temporary erosion control and storm water management measures are no longer required for their intended purpose, the utility shall remove all temporary erosion control and storm water management measures. A utility should be aware that after the installation or alteration of a facility a considerable amount of time (e.g. one to six months) may lapse between restoration of the right-of-way and removal of temporary erosion control measures. The Town of Lind will not consider a utility project to be "final" until the right-of-way has been restored and all temporary erosion control measures have been removed.

Failure to remove temporary erosion control measures shall be handled under the guidelines listed in Policy 10.07.

After completion of construction activities and the installation of permanent erosion control and storm water management measures, the utility shall promptly notify the Town of Lind which will render an inspection of the site. The purpose of this inspection is to ensure that all permanent erosion control and storm water management measures are adequate and functioning properly.

In the case of a project not administered by the Town of Lind, {inspections shall be performed by an inspector] at least once per week during the time construction or maintenance activity is being pursued on a project site.

“Inspector” means an elected official or authorized representative of the Town of Lind assigned to make inspections.

The Town of Lind may authorize a utility to perform the once-per-week inspections required for a major project. The utility shall maintain a written record of the inspections and keep those notes on file for at least three years along with the utility’s permit.

44

10.00 Utility Accommodation 10.50 Construction Requirements

10.55 Erosion Control and Storm Water Management

D. Minor Projects

1. Definition

The Town of Lind is aware of various utility operations that disturb minor amounts of soil or, in fact, no soil. These “minor” projects shall not require a formal erosion control plan; however, a utility shall follow the guidelines listed in the next section. Minor projects are defined as excavation which will be restored in the same day or immediately the next day. Examples of utility projects that may fall under the minor category include, but are not limited to, the following:

1. Overhead crossings
6. Hand digging.
2. Pole installations
7. Small boring operations (moles).
3. Plowing operations
8. Small open pavement/shoulder cuts.
4. Trenching operations.
5. Any project adjacent to a waterway which is classified as “routine” under the DNR Waterway Crossings Agreement.

The DNR defines “routine” water crossings as commonly simply plowed-in or directional bored crossings.

2. Guidelines for Erosion Control

The utility shall respond to any soil disturbance by promptly replacing the soil and topsoil and/or temporary seeding and mulching the soil. This includes repairing equipment and vehicle tracks which also may disturb soil.

Erosion control devices such as hay or straw bales and silt fence shall be present at the job site or be immediately accessible in case changing weather conditions force a utility to take immediate action to protect bare or loose soil. Soil piles left overnight shall be covered or protected with silt fence, etc. to prevent possible runoff.

45

10.00 Utility Accommodation 10.60 Specific Requirements

The following sections, 10.61 through 10.64, cover the various specific requirements relevant to communications, electric, fluids, and gases, and private utility facilities.

46

10.00 Utility Accommodation 10.60 Specific Requirements 10.61 Communications

A. Standards

The minimum standards for the design, construction, operation, and maintenance of communication type utility activities shall be those embodied in the Wisconsin Administration Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes nor the local governmental regulations apply, the communication facility shall at least conform with the currently applicable National Electrical Safety Code.

B. Type of Construction

For above ground (overhead) installations, the following should be considered:

1. Single Pole

Any longitudinal installations of overhead lines within the right-of-way should utilize single pole construction.

2. Joint Use

Joint use pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alterations of trees.

C. Down Guy Locations

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and traveled way where they would encroach upon the clear zone unless specifically authorized by the Town of Lind utilizing breakaway technology.

D. Maintenance Activities

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit provided that such maintenance shall be performed in accordance with this Policy. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Town of Lind.

47

10.00 Utility Accommodation 10.60 Specific Requirements

10.61 Communications

D. Maintenance Activities (continued)

1. Repair or replacement of overhead service wire.
2. Repair or replacement of overhead cable and terminal hardware two spans or less.
3. Replace pole, same location, maximum of 10 poles per 5-mile section.
Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole in a timely manner. The old pole shall then be completely removed in accordance with Policy 10.54(A).
4. Locate buried facilities.
5. Stake route for proposed buried cable.
6. Connect and test wiring at buried cable pedestal locations.
7. Cross arm, bracket, and hardware repair/replacement.
8. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
9. Trench a pole to maintain or increase roadside clearance.
10. Repair or replace overhead conductor 2 spans or less.
11. Line patrolling.
12. Inspection of manholes (includes water removal, cable tagging, and minor modifications, etc.).
13. Electrolysis surveys.
14. Test for location of underground lines.
15. Paint poles, towers, or cross arms.
16. Straighten pole, towers, or cross arms.
17. Test or treat existing pole.
18. Remove debris from overhead line.
19. Repair or add grounds.
20. Re-sag, reattach or rearrange conductor.
21. Repair cable bonding.
22. Survey lines.
23. Replace pole tags and signs.
24. Reinforce existing pole.
25. Mark location of proposed pole; proposed cable.
26. Grass cutting or snow plowing.

27. Trim trees or remove brush for existing line.
28. Minor repair of lines (installation of buried splices, etc.)
29. Sign and marker installation/replacement.
30. Replace/remove line in existing duct.
31. Surveying and resetting re-closures.
32. Abandonment of underground facilities shall be done in accordance with 10.06(B) of this Policy.

48

10.00 Utility Accommodation 10.60 Specific Requirements

10.62 Electric

A. Standards

The minimum standards for the design, construction, operation, and maintenance of electric-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes or the local governmental regulations apply, the electrical power facility shall at least conform with the currently applicable National Electrical Safety Code.

B. Additional Permit Information

For transmission-type installations, the permit shall specify the proposed operating voltage or voltages.

C. Type of Construction

For above ground (overhead) installations, the following should be considered:

1. Single Pole

Joint use single pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alteration of trees.

D. Down Guy Locations

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and the traveled way where they would encroach upon the clear zone unless specifically authorized by the Town of Lind utilizing breakaway technology.

E. Maintenance Activities

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit same as 10.61(D). However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way (except #37) or significantly impact the free flow of traffic on any other roadway

(closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Town of Lind.

No additional permit is required for:

1. Switching.
2. Fuse replacement.
3. Transformer replacement.
4. Cross arm, bracket, and hardware repair/replacement.
5. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
6. Trench a pole to maintain or increase roadside clearance.
7. Replace pole, same location, maximum of 10 poles per 5-mile section.

Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole and the old pole removed within 60 days. The old pole shall be completely removed in accordance with Policy 10.54(A).

49

10.00 Utility Accommodation 10.60 Specific Requirements

10.62 Electric

E. Maintenance Activities (continued)

8. Repair or replacement of overhead conductor 2 spans or less.
9. Line patrolling.
10. Manhole inspection (includes water removal, cable tagging, minor modifications, etc.)
11. Electrolysis surveys.
12. Test for location of underground lines.
13. Paint poles, towers or cross arms.
14. Straighten pole, cross arm, or brace
15. Test or treat existing pole.
16. Clean insulators.
17. Remove debris from overhead line.
18. Repair or add grounds.
19. Re-sag, reattach, or rearrange conductor.
20. Sample or test insulating oil.
21. Repair cable bonding.
22. Install or remove transformer or regulator.
23. Survey lines.
24. Replace outdoor lighting bulbs and cleaning glass.
25. Repair or replace outdoor lighting control.
26. Reset time clock or control switch.
27. Replace old tags or signs.
28. Reinforce existing pole.
29. Mark location of proposed pole/proposed cable.
30. Grass cutting or snow plowing.
31. Trim trees or remove brush for existing line.
32. Sign and marker installation/replacement.
33. Minor repair of lines (splice, etc.).

34. Replace/remove line in existing duct.
35. Repair or replace overhead service.
36. Reading service meters (access from expressway or free shoulders is allowed during non-peak rush hours only).
37. Locate buried facilities.
38. Surveying and resetting enclosures.
39. Abandonment of underground facility shall be performed in accordance with 10.06(B) of this Policy.

50

10.00 Utility Accommodation 10.60 Specific Requirements

10.63 Fluids and Gases

A. Standards

The minimum standards for the design, construction, operation, and maintenance of fluid and gas type utility facilities shall be those embodied in the Wisconsin Administrative code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern.

In addition to the Wisconsin Administrative Codes and local governmental regulations, the utility installations shall at least meet the following requirements:

1. Water lines shall conform with the currently applicable specifications of the American Water Works Association and the Standard Specifications for Water and Sewer Construction in Wisconsin.
2. Pressure pipelines shall conform with the currently applicable requirements of Title 49, Code of Federal Regulations of the Office of Pipeline Safety.
3. Liquid petroleum pipelines shall conform with the currently applicable recommended practice of the American Petroleum Institute for pipeline crossings under railroads and highways.
4. Sanitary and storm sewers shall conform with the currently applicable specifications of the Standard Specifications for Water and Sewer Construction.

B. Irrigation and Drainage Pipes, Ditches, and Canals

Irrigation and drainage facilities installed across the right-of-way generally shall be designed and constructed in accordance with the Wisconsin Department of Transportation's specifications as shown in Chapter 160 Standard Detail Drawings, of the Facilities Development Manual.

Appurtenances which would constitute a hazard to traffic shall not be permitted within the clear zone and should be located outside of the right-of-way. Where ditch rider roads are adjacent to ditches or canals that cross the highway, consideration shall be given to safety, traffic, operations, and economic features when providing the continuity of such roads.

C. Requirements for Appurtenances

Vent standpipes are not required for casings but when used, the vent shall be located and constructed to not interfere with maintenance of the highway nor be concealed by vegetation. These pipes should stand near a fence or the right-of-way line.

If drains are provided for casings, tunnels, or galleries enclosing carriers of liquids, liquefied gases, or heavy gases, they shall not outfall into highway ditches or natural water courses.

D. Special Treatment of Pipelines

1. General Policy

Special treatment of pipelines beneath highways, including interstates and other freeways and including any median, should not be required provided the pipe would be installed by jacking and/or dry boring the carrier pipe to an essentially snug fit.

51

10.00 Utility Accommodation 10.60 Specific Requirements

10.63 Fluids and Gases

D. Special Treatment of Pipelines (continued)

2. Special Treatment

The Town of Lind shall require special treatment such as casing, cathodic protection, thickened wall carrier pipe, coating and wrapping, concrete sleeves, or caps of particular pipe crossings if, in the determination of the Town of Lind, such installation shall be more protective of the highway or of the safety and convenience of the traveling public. Some examples of locations where special treatment may be required include, but are not limited to, the following:

- a. Locations where a pipeline (whether crossing or a portion of pipe paralleling the highway) would pass in close proximity to a sub-structural part of a highway structure. This refers to pipes underground and not to pipes suspended on a highway structure, the latter of which should not require special treatment.
- b. Locations where a pipeline would pass beneath the slope wall below a highway structure.
- c. Locations where restraints inhibit a pipe from being placed or remaining at the depth required by code.
- d. Locations where the ground conditions are known to be particularly unstable.
- e. Locations where restraints inhibit a water pipe from being placed or remaining below the frost line.

E. Attachments to Structures

Pipelines that will be attached to a highway structure shall not exceed a maximum internal pressure of 150 PSIG. Pipelines carrying pressures in excess of 150 PSIG shall be considered only if no other alternative location off the structure is feasible.

F. Maintenance Activities

Certain maintenance and other types of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Town of Lind.

No additional permit required for:

1. Leak surveys (vehicle or walk patrol), line patrolling.
2. Pressure surveys (gauge check or setting of charts).
3. Odorant checks.
4. Regulator maintenance (change out, lockup check, spring change, etc.).
5. Valve maintenance (activation check, grease, replacement, etc.).
6. Line purging.
7. Exposed line survey and maintenance (on bridges, exposed valve assembly, etc.).
8. Line locates and facility marking.
9. Up rating pressure of main (monitoring).
10. Abandonment of underground facilities in place shall comply with 10.06(B) of this Policy.
11. Pit (vault) maintenance (water removal, painting, minor modifications).
12. Minor cutouts and repair of lines (installation of clamps, welds, etc.).
13. Cathodic protection checks and related repair.

52

10.00 Utility Accommodation 10.60 Specific Requirements

10.63 Fluids and Gases

F. Maintenance of Activities (continued)

14. Sign and marker installation/replacement
15. Relief vent line inspections.
16. Maintenance and repair of tele-metering equipment.
17. Land surveying.
18. Painting above ground facilities.
19. Grass cutting or snow plowing.
20. Trim trees or remove brush for existing line.

53

10.00 Utility Accommodation 10.60 Specific Requirements

10.64 Private Utility Facilities

A. General

Private utility-type facilities may be allowed to cross Town of Lind roadways and are not subject to approval by the Federal Administration (FHWA).

All private utility facilities shall follow the requirements of the Policy and shall be designed, constructed, operated, and maintained as described in the specific policies for communications, electric, fluid or gas lines, whichever more closely resembles the facility.

B. Occupation Fees

Private utility installations may be assessed a fee by the Town of Lind for right-of-way crossing or occupation. The fee for each installation shall be determined on a case-by-case basis and may be based upon, but not limited to, the following:

1. The value of the facility.
2. Complexity of the installation.
3. Town of Lind review time.

4. Comparison with the value of private easements adjacent to the proposed location.
5. Comparison with fee schedules for other similar utility installations in Wisconsin and across the nation.

C. Additional Requirements

Based upon the proposed private utility installation's potential for damage to the roadway, adjacent right-of-way, or the environment, the Town of Lind may require the following to be submitted with a permit application:

1. Evidence of commercial general liability, worker's compensation and employer's liability, and commercial motor vehicle liability insurance.
2. A Certificate of Insurance which names the Town of Lind as an additional insured.
3. Approval from the Department of Natural Resources that the project will have no significant impact upon the environment.

54

10.00 Utility Accommodation 10.90 Appendices

The following sections have been included with this policy to provide the user with additional information.

- 10.91 Town of Lind map.
- 10.92 Town Board Directory
- 10.93 Sample permit form TOL-1.
- 10.94 Highway clearance diagram.
- 10.95 Backfilling detail.
- 10.96 DNR District Boundary Map/Phone Listings.
- 10.97 Environmental Conditions Discovery Checklist.
- 10.98 Completion Form.

55

10.00 Utility Accommodation 10.90 Appendices
10.91 Township Map

56

10.00 Utility Accommodation 10.90 Appendices
10.92 Town Board Directory
TOWN OF LIND
TOWN BOARD

PERMIT ADMINISTRATION

Please contact current Chairman, Supervisor or Clerk from the latest issue of the Waupaca County Directory of Public Officials. This directory is available from the County Clerk Office located at 811 Harding Street, Waupaca, Wisconsin.

57

10.00 Utility Accommodation 10.90 Appendices

10.93 Sample Permit Form TOL-1

TOWN OF LIND

Permit No.: _____

Road Name: _____

Town of Lind

_____ 1/4 of _____ 1/4 Sec. _____

T N R E

Annual Service Connection Permit _____

Annual Maintenance Permit _____

APPLICATION/PERMIT TO CONSTRUCT,

MAINTAIN, AND OPERATE UTILITIES

WITHIN ROAD RIGHT-OF-WAY

APPLICANT'S NAME _____

ADDRESS _____

OFFICE PHONE _____ LOCAL PAGER _____

TYPE OF UTILITY INSTALLATION _____

PLANS PREPARED BY _____

NAME AND PHONE NUMBER OF UTILITY PERSON RESPONSIBLE FOR CONSTRUCTION:

CHECK ALL THAT APPLY:

To cross roadway

Overhead

Underground

Parallel to centerline of road

Tunnel

Trench

Open cut

Suspend on towers

Jack & bore

Cased

Suspend of Poles

Tree cutting/removal

Bridge attachment

Water

Sanitary sewer

Gas/petroleum

Chemical Treatment

__Telephone/
communicator

__Other

CONSTRUCTION:

Major__

Minor__

Estimated Starting Date _____ Estimated Restoration
Date _____

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of the Town of Lind Utility Policy in effect at the time of this application, and with any special provisions listed or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof.

BY _____ Title _____

(Signature of Authorized Representative)

Date _____

PERMIT APPROVAL BY PERMITTING AUTHORITY

The foregoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated in the Town of Lind Utility Accommodation Policy including the Indemnification as included in 10.03 of the Town of Lind Utility Accommodation Policy in effect on the date of this application.

Other Special Provisions:

BY _____ Title _____

(Signature of Authorized Representative)

Date _____

Fee, if required _____

RECEIVED OF _____

(Authorizing Agent Signature)

FORM TOL-1 58

10.00 Utility Accommodation 10.90 Appendices

10.94 Highway Clearance Diagram

10.00 Utility Accommodation 10.90 Appendices

10.95 Backfilling Details

60

10.00 Utility Accommodation 10.90 Appendices

10.96 DNR District Offices List

Contact the following for more information:

Scott Koehnke
647 Lakeland Road
Shawano, WI 54166
715-526-4232
715-526-3214 Fax
koehns@dnr.state.wi.us

61

10.00 Utility Accommodation 10.90 Appendices

10.97 Environmental Conditions Discovery Checklist

As soon as environmental conditions are discovered in the Town of Lind's right-of-way,
STOP WORK IMMEDIATELY

And be prepared to report the following information to the contacts listed in 10.08(E):

SITE LOCATION:

Highway _____ If divided, please indicate direction __NB __SB __EB __WB

Waupaca County, Town of Lind

Distance from nearest public roadway intersection or mile marker _____

Other landmarks? _____

ENVIRONMENTAL CONDITION:

1. Archaeological/Historical

What was found (burials, foundation, arrowheads)? _____

Is the location of the find marked? __Yes __No

If yes, how is it marked? _____

Approximate area (dimensions) of the find? _____

2. Contaminated Sites, UST's LUST's

What was found? _____

Appearance of soils or liquid: _____

Odor of soils or liquid? _____

Approximate size of tank or area of contamination uncovered: _____

Is there an obvious liquid or product in the tank? __Yes __No

Is there an obvious smell? __Yes __No If yes, can you describe it (varnish, kerosene, gasoline, diesel, Other, unknown)? _____

Soil type(s) encountered (sand, gravel, clay, till): _____

Depth to groundwater (if known): _____

Any previous land use knowledge (local history, memory of site as a business)?

Is the location of the find marked? Yes No

If yes, how is it marked? _____

CONTACTS:

If arrowheads or buildings were discovered, has the State Historic Preservation Officer been notified?

Yes No By whom? _____

Name of contact: _____ Phone: _____

If a burial was encountered, has the Burial Sites Preservation Office been notified?

Yes No By whom? _____

Name of contact: _____ Phone: _____

62

10.00 Utility Accommodation 10.90 Appendices

10.97 Environmental Conditions Discovery Checklist

CONTACTS: (continued)

If a contaminated site, UST or LUST was discovered, has DNR been notified?

Yes No By whom? _____

Name of contact: _____ Phone: _____

Has WisDOT been contacted? Yes No

By whom? _____

Name of contact: _____ Phone: _____

Name of contact: _____ Phone: _____

Has the Bureau of Environment been notified (this is not a utility responsibility)?

Yes No By whom? _____

Name of contact: _____ Phone: _____

Name of contact: _____ Phone: _____

Other contacts: _____

STATUS OF PROJECT:

Has work stopped in the area? Yes No IF NO, STOP WORK IMMEDIATELY!

Has the area been secured (fenced, staked, or marked, roped off or delineated by traffic control devices)? Yes No

Can project work continue in another area? Yes No If yes, for how long? _____

Can the affected area be avoided (utility facility places in another location)? Yes No

Has any completed utility work been clearly marked (staked, paint marked, or flagged)?
__Yes __No

Is any of the completed utility facility active, energized, etc.? __Yes __No

Is the utility being relocated to facilitate a roadway project? __Yes __No

RESUMING WORK:

Did WisDOT indicate a time frame in which someone would respond? __Yes __No

What is that time frame?

Who will authorize resuming work?

When can the work be resumed?

Date authorization received:

63

10.00 Utility Accommodation 10.90 Appendices

10.98 Completion Certificate

TOWN OF LIND

COMPLETION CERTIFICATE

(For Utility Permits)

Mail or Fax to Address Listed Below

Date _____

To: Town of Lind

Send to Town of Lind Clerk from the latest issue of the Waupaca County Directory of Public Officials available at the Waupaca County Clerk's office located at 811 Harding Street, Waupaca, Wisconsin

FROM: _____

ADDRESS: _____

CONTACT: _____

FAX: _____

TELEPHONE: _____

PERMIT NO.: _____

The work requested under the above-mentioned roadway permit has been completed. The Town of Lind can now review to insure proper restoration of the affected roadway right-of-way has been made.

Signature: _____