

CHAPTER 8
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8.01 OFFICIAL MAP.

(1) ADOPTED. Pursuant to §62.23(6), Wis. Stats., the Official Map of the City dated 1984, is hereby adopted by reference. The Official Map and amendments thereto shall be kept in the office of the Building Inspector and recorded as required by law.

(2) AMENDMENTS TO OFFICIAL MAP:

(3) ANNEXATIONS TO CITY:

8.02 STREET GRADES.

(1) ESTABLISHMENT. The grade of all streets and alleys shall be established by the Council and recorded by the Clerk in his/her office. No street or alley shall be worked or sidewalk constructed until the grade thereof is established.

(2) ALTERATION OF GRADE PROHIBITED. No person shall alter the grade of any street, alley, sidewalk or public ground, or any part thereof, in the City unless authorized or instructed to do so by the Council or the Director of Public Works. All such alterations of grade shall be recorded in the office of the Clerk.

8.03 STREET AND SIDEWALK EXCAVATIONS AND OPENINGS.

(1) PERMIT REQUIRED. No person shall, without first obtaining a permit from the Public Works Manager, make any opening in any street, alley, sidewalk or any public way within the City. No permit shall be granted when the ground is frozen unless the Manager determines such opening is necessary. The work shall be completed within 30 days after the permit is issued.

(2) APPLICATION. Application for a permit shall be made on a form supplied by the Public Works Manager. The application shall be accompanied by the fee provided in sub. (3), a written description of the work, including a sketch designating the trench location. The completed and signed street opening permit application shall hold the City harmless from liability arising from the work or activity covered by the permit

(3) FEE. The permit fee shall be set by Council resolution.

(4) INSURANCE. A certificate of insurance shall be presented to the City Clerk evidencing that the application has in force and will maintain during the term of the permit public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident, and \$500,000 for property damage.

BONDING. A cash bond or certified check of not less than \$3,000 shall be presented to the City Clerk at the time of application.

(5) REQUIREMENTS FOR THE PROTECTION OF THE PUBLIC. Every permittee shall enclose each opening which he may make in the streets or public ways of the City with barricades and barricade lights in accordance with Part 6 of the United States Department of Transportation Federal Highway Administration Manual during the period the excavation is open and until the street or sidewalk is restored and made passable for vehicular and pedestrian traffic. All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents or employees. Except by written permission from the Public Works Manager, no trench shall be unfilled more than 500 feet where pipe has been laid. All necessary precautions shall be taken to guard the public effectively from accidents or damage to persons or property through the period of the work.

(6) EXCAVATION, REFILLING AND REPAVING REQUIREMENTS. The permittee shall restore the street, pavement, curbing, terrace, and sidewalk if disturbed to as close to its original condition as possible and shall be responsible for the completion of this work within 30 days or as soon as frost allows. If disturbed areas are not restored in 30 days, the City will repair all damages or hire a contractor to complete the work. The Treasurer shall enter the total cost thereof upon the tax roll as a special tax against said lot or parcel number. The permittee shall make a determination whether or not sheathing and bracing shall be required. The permittee shall notify the Public Works Manager when repaving has been completed. In the event caving occurs within the year of the completion of the project, the permittee shall be responsible for restoring the street.

(7) PLUMBING PERMIT REQUIRED. See ch. 15 of this Code.

(8) EMERGENCY EXCAVATIONS AUTHORIZED. In the event of an emergency, any person owning or

controlling any sewer, conduit or utility in or under any street may take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit; provided that such person shall apply for an excavation permit not later than the end of the next succeeding business day.

- (9) CITY WORK EXCLUDED. The provisions of this section shall not apply to excavation work done under the supervision of the City Engineer or Public Works Manager by City employees or contractors performing work under contract with the City necessitating excavation in City streets.

8.31 REMOVAL OF SIDEWALKS. (1) PERMIT REQUIRED. No person shall, without first obtaining a permit from the Public Works Manager, remove any sidewalk within the City.

- (2) APPLICATION. Application for a permit to remove a sidewalk shall be made on the form supplied by the Public Works Manager. The application shall be accompanied by the fee provided for in (3), including a sketch designating the location where the sidewalk will be removed. The completed and signed permit application shall hold the City harmless from any liability arising from the removal of said sidewalk.
- (3) FEE. The permit fee shall be set by Council resolution.
- (4) REQUIREMENTS. The following requirements shall apply to the removal of a sidewalk within the City:
 - (a) The Public Works Manager shall determine which sidewalks can be removed. Only sidewalks which are not connected to other sidewalks or not part of the sidewalk system, as determined by the Public Works Manager, shall be removed;
 - (b) The property owner or the property owner's subcontractor shall be entitled to remove the sidewalk upon obtaining a permit for the same from the Public Works Manager;
 - (c) The property owner/subcontractor must dispose of all material related to the removal of said sidewalk;
 - (d) The property owner/subcontractor shall be responsible to restore the area that the sidewalk was removed from in any manner acceptable to the Public Works Manager, including proper restoration and drainage.

8.04 PUBLIC WORK TO BE DONE WITHOUT BIDS. The following public work, irrespective of the estimated cost thereof, may be done directly by the City by its own forces without submitting the same for bids:

- (1) The construction and laying of additions or extensions to the existing sanitary sewer and water systems of the City.
- (2) The construction of sidewalk and curb and gutter.
- (3) The surfacing and improving of City streets.

8.05 CITY CONTRACTS All contractors performing public work for the City shall supply the Director of Public Works with a certificate of insurance evidencing that the contractor has in force and will maintain, during the term of the contract, public liability insurance in the following amounts:

- (1) For a contract that amounts to more than \$500,000, public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.
- (2) For a contract in an amount of \$10,000 or more, but less than \$500,000, public liability insurance of not less than \$250,000 for any one person, \$500,000 for any one accident and \$25,000 for property damage.
- (3) For a contract of less than \$10,000, public liability insurance of not less than \$250,000 for any one person, \$250,000 for any one accident and \$25,000 for property damage.

8.06 OBSTRUCTIONS AND ENCROACHMENTS.

(1) **PROHIBITED.** No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in sub. (2) below.

(2) **EXCEPTIONS.** The prohibition of sub. (1) above shall not apply to the following:

(a) Public utility encroachments duly authorized by State law or the Council.

(b) Temporary encroachments or obstructions authorized by permit granted pursuant to §66.045, Wis. Stats.

(c) Excavations and opening permitted under sec. 8.03 of this chapter.

(d) Any agreements between the City and a business or individual which allows the placement of an obstruction or encroachment on any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof.

8.07 SALE OR DISPLAY OF MERCHANDISE PROHIBITED. Except for sales permitted by Statute or other sections of this Code, no person shall display, sell, or offer to sell, on any street, sidewalk, alley or other public place within the City, anything of value or service of any kind, except in connection with a City-wide enterprise or promotion of community trade approved by the Council.

8.08 SNOW AND ICE REMOVAL.

(1) **REQUIRED.** The owner or lessee of every lot or parcel of land in the City abutting upon a sidewalk shall clear such sidewalk, including crosswalks, of all snow or ice within 24 hours after the end of the snowfall or icing condition.

(2) No person shall deposit or cause to be deposited any snow or ice upon any sidewalk, alley, parkway, public place or street in the city; provided, however, that snow or ice removal from sidewalk in front of or abutting any premises or the premises which abut such sidewalk may be deposited on the parkway and, in the event there is no parkway on the street fronting such premises prior to snow or ice being plowed, wind rowed and removed from the street by the city.

(3) **REMOVAL BY CITY.** If snow or ice is not removed from sidewalks, as required by sub. (1) above, or if snow or ice is deposited on any sidewalk, alley, parkway, public place or street in the City in violation of sub. (2) above, the City may remove or cause to be removed all such snow or ice and the person in charge of the premises from which the snow or ice was removed and so deposited shall be charged for the City cost of such removal. If not paid within 30 days, such charge shall be placed on the tax roll, pursuant to §66.60 (16), Wis. Stats.

8.09 UTILITY EXTENSIONS REQUIRED. All utilities and sewer mains and service laterals to be abutting property shall be installed before any street is permanently surfaced or resurfaced.

8.10 PUBLIC IMPROVEMENTS AND ASSESSMENTS.

(1) **GENERAL APPLICATION.**

(a) The installation of any public improvement shall be an exercise of the police power of the City, as may from time to time be determined by the Council, and the property served shall be assessed pursuant to the provisions of §66.60 and §66.62, Wis. Stats.

(b) **ALTERNATIVE RESIDENTIAL SUBDIVISION DEVELOPMENT POLICY.** When it deems desirable and necessary to advance and to promote new residential subdivision development, the Common Council may, on behalf of the City of Clintonville, enter into a development agreement with the appropriate persons. Such a development agreement shall

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be considered by the Plan Commission before acted upon by the Common Council. The Plan Commission may or may not make a formal recommendation to the Common Council prior to action by the Council.

In implementing this policy, the City shall take into consideration the availability of funds, competing demands, and statutory limitations, if any.

It is the City's intention to implement this policy so as to limit its involvement to these new residential subdivision development projects which require city assistance to significantly reduce developer risk. Further, it is the City's objective to secure full repayment of any financial assistance provided via special assessments or other appropriate means.

TYPES OF ASSISTANCE

The City may choose to use any or all of the following mechanisms to achieve the purposes of this policy:

1. Deferred assessments
2. Deferred construction of infrastructure
3. Discounts as incentives for enhanced utilization
4. Payment or entry of special assessments at a date certain.

It is the intention of this policy to allow the City or its representatives the opportunity to explore the possible use of a development agreement as opposed to use of §8.10(2)(b) of the Code of Ordinances.

(c) The total cost of any public improvement to be paid in whole or in part by special assessment shall include the direct and indirect costs reasonably attributable thereto including, but not limited to, materials, supplies, labor, equipment, site preparation and restoration, damages occasioned by the public improvement, interest on bonds or notes issued in anticipation of improvement, interest on bonds or notes issued in anticipation of the collection of assessments, and a reasonable charge for engineering, legal and administrative costs.

(d) The total assessment for any public improvement shall be based upon the total cost, as defined in paragraph (b) above, and shall be apportioned among the individual parcels benefitted. Such apportionment shall generally be computed on a lineal frontage basis unless the council otherwise determines that extenuating circumstances require a different method of apportionment.

(2) SEWER AND WATER MAINS.

(a) All sewer and water main extensions shall be constructed by the City in accordance with specifications established by the Board of Public Works.

(3) STREETS.

(a) Streets shall be constructed by the City in accordance with specifications established by the Board of Public Works.

(b) Special assessments or the subgrading and gravel of all new streets hereafter constructed shall be levied at 100% of the cost of construction; the City shall provide the final grading and install the blacktop. The cost of maintaining and resurfacing existing streets shall be borne by the City.

(4) CURB AND GUTTER.

(a) Curb and gutter shall be constructed by the City in accordance with specifications established by the Board of Public Works.

(b) Special assessments for all new curb and gutter shall be levied at 100% at the cost and replacement curb and gutter shall be borne by the City.

(5) SIDEWALKS.

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(a) Sidewalk Standards. The sidewalk shall be located in such places and at such grades as designed by the Council and shall be constructed in accordance with standards established by the Board of Public Works.

(b) New Sidewalks. Special assessments for all new sidewalks in new developments shall be levied at 100% of the cost.

(c) Major Sidewalk Repair or Replacement. Pursuant to §66.612, Wis. Stats., the Board of Public Works may order property owner to repair or remove and replace any sidewalk which is unsafe, defective or insufficient. The property owner or any contractor hired by the property owner prior to commencement of any repair or replacement shall contact the Public Works Manager. The owner or the owner's contractor shall satisfy the Public Works Manager of the qualifications and competence of the person doing the repair or replacement, the existence of the insurance required by sub(e), and that the planned repair and replacement will correct the problems associated with the sidewalk, including the elimination of back pitched sidewalk sections. If the property owner shall fail to so repair or remove and replace such sidewalk for a period of twenty (20) days after service of the notice to repair, the Board of Public Works shall repair or construct such sidewalk and the Treasurer shall enter the total cost thereof upon the tax roll as a special tax against said lot or parcel of land.

(d) Minor Sidewalk Repair. If the cost of repair of any sidewalk in front of any lot or parcel of land does not exceed the sum of \$100, the Board of Public Works or the Street Commissioner may immediately repair such sidewalk, without notice or letting the work by contract and shall charge the cost thereof to the owner of the lot or parcel of land, as provided in §66.615, Wis. Stats.

(e) All persons performing any sidewalk repair or removal and replacement shall supply the Public Works Manager with a certificate of insurance evidencing that the person has in force and will maintain during the term of the repair or removal and replacement public liability insurance in the following amounts:

1. For repair or removal and replacement in the amount of more than \$500,000, public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.

2. For repair or removal and replacement in the amount of \$10,000 or more, but less than \$500,000, public liability insurance of not less than \$250,000 for any one person, \$500,000 for any one accident and \$25,000 for property damage.

3. For repair or removal and replacement in the amount of less than \$10,000, public liability insurance of not less than \$250,000 for any one person, \$250,000 for any one accident and \$25,000 for property damage.

8.11 SPECIAL ASSESSMENT PROCEDURES.

(1) ALTERNATE METHOD SELECTED. As provided in §66.62, Wis. Stats., in addition to other methods provided by law, special assessments for any public work or improvement may be levied by alternate methods. The Council hereby elects to levy such special assessments as provided in this section.

(2) PRELIMINARY RESOLUTION. Whenever the Council shall determine that any public work or improvement shall be financed in whole or in part by special assessments levied under this section, it shall adopt a preliminary resolution setting forth the following:

(a) Its intent to exercise its police powers for the purpose of levying special assessments for the stated municipal purpose.

(b) The limits of the proposed assessment district.

(c) The time, either before or after completion of the work or improvement, when the amount of such assessments shall be determined and levied.

(d) The number of installments in which the special assessments may be paid, or that the number of installments shall be determined after the public hearing required by sub. (4) below, and shall be included in the final resolution.

(e) The rate of interest to be charged on the unpaid installments or that the rate of interest will be determined after the public hearing required by sub. (4) below, and shall be included in the final resolution.

(f) The terms on which any of such assessments may be deferred while no use of the improvement is made in connection with the property, or that such terms will be determined after the public hearing required by sub. (4) below, and will be included in the final resolution.

(g) The Director of Public Works shall prepare a report as required by sub. (3) below.

(3) **REPORT OF DIRECTOR OF PUBLIC WORKS.** Whenever the Council, by preliminary resolution, directs the Director of Public Works to prepare a report, the Director of Public Works shall prepare a report consisting of the following:

(a) Preliminary or final plans and specifications for the public work.

(b) An estimate of the entire cost of the proposed work or improvement, except that when the Council determines by preliminary resolution that the hearing on such assessments shall be held subsequent to the completion of the work or improvement, the report shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of such costs.

(c) A schedule of the proposed assessments.

(d) A statement that each property against which the assessments are proposed has been inspected and is benefitted, setting forth the basis for such benefit.

(e) Upon completion of the report, the Director of Public Works shall file a copy of the report with the Clerk-Treasurer.

(4) **INCORPORATION OF STATUTORY PROVISIONS.** The provisions of §66.60, Wis. Stats., including those related to notice, hearing and the adoption of a final resolution shall, to the extent not inconsistent with this section, apply to special assessments levied under this section.

(5) **LIEN.** Every special assessment levied under this section shall be a line against the property assessed from the date of the final resolution of the Council determining the amount of such levy.

8.12 DRIVEWAYS AND CULVERTS.

(1) **PERMIT REQUIRED.** No person shall construct any new driveway across any sidewalk
or

curbing without first obtaining a driveway and/or culvert permit from the Public Works Manager. The applicant for a driveway permit shall file the application with the Manager and furnish a drawing designating his property lines, the location and width of the proposed driveway and the location of any driveway and street intersection within 150 feet of the proposed driveway. In the event that the Public Works Manager fails to issue such permit, the applicant may appeal to the Street Committee for the issuance of said permit. The Street Committee shall then make a determination as to whether said permit shall be issued.

(2) **FEE.** The fee for a driveway permit shall be set by Council resolution and shall accompany the application.

(3) **SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION.**

(a) **Width.** No driveway shall exceed 16 feet in width at the outer or street edge of the sidewalk in residential areas where a single car garage exists and 24 feet in width where a two car garage exists, and 35 feet in industrial and commercial areas unless approved by the Public Works Manager. If the Public Works Manager fails to approve the variation from the width requirements as set forth herein, the property owner can appeal to the Street Committee to seek approval for the width requested by the property owner. The Street Committee shall then have authority to grant or deny said request.

(b) **Interference With Intersections Prohibited.** At street intersections, a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Board of Public Works for effective traffic control or for highway signs or signals. All applications providing for location of a driveway within 50 feet of an intersection in residential districts and 150 feet in commercial and industrial districts shall be submitted to the Board of Public Works. The Board shall approve or disapprove the granting of the permit upon determining whether or not such driveway would be detrimental to traffic control and safety.

(c) Interference With Street Prohibited. No driveway apron shall extend out into the street farther than the face of the curb or roadway surface.

(d) Number of Driveways Limited. No more than one driveway shall be constructed for any residential lot or premises without the approval of the Board of Public Works.

(e) Workmanship and Materials. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in §8.10(5) of this chapter. When curb or gutter is removed, the new connection shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in neat workmanlike manner.

(4) SPECIFICATIONS FOR CULVERT CONSTRUCTION.

(a) Size and Location. All culverts placed on, in or along the highways, streets or alleys of the City, either under private driveways leading from the public highways to private property or otherwise, shall be of sufficient size and constructed in such a manner and of such materials as to provide means for the flow of water naturally accumulating or flowing along the ditches on such highways, streets or alleys. Such culvert shall not be less than 15 inches in diameter, and shall be of sufficient length to prevent injury to persons or property in the use of the highways and the entrance to persons or property in the use of the highways and the entrance to and exit from the highways over and across such culverts. The Director of Public Works shall review all proposed culvert installations for proper sizing, and may determine the minimum size of the culvert required. Any new or replacement culvert hereafter installed in the City shall be installed with factory-built apron endwalls constructed of materials compatible with the culvert pipe.

(b) Conditions For Building. No building permit for any lot or parcel shall be issued by the Building Inspector until he is satisfied that the culvert has been placed, that sufficient gravel has been placed thereon to afford ingress and egress, and that the apron endwalls are in place.

(c) Existing Culverts. The Director of Public Works may investigate, approve or disapprove the various existing culvert or other drain pipes placed in the highways, streets or alleys in the City. The Director may require apron endwalls to be placed on existing culvert installations where he determines it to be in the best interest of the City and the abutting property owners. The Director may also require the owner of an abutting property to remove, or cause to be removed or replaced with adequate facilities, as provided herein when, in his judgement, it is necessary to do so, either for the orderly construction, maintenance or repair of any such highway, street or alley or in providing for a proper drainage system thereon.

(d) Fill in Ditches. No fill shall be placed in existing ditches or drainage courses, either natural or man-made, without the prior approval of the Director of Public Works, and then only when provisions have been made to allow for the proper drainage and flow of water naturally accumulating or flowing along the ditches on such highways, streets or alleys.
ADOPTED 9-10-91.

8.13 MOVING BUILDINGS.

(1) PERMIT REQUIRED. No person shall move any building of 250 square feet or larger into or within the City without a permit from the Building Inspector upon 30 days' notice.

(2) APPLICATION. Application for a permit shall be made on a form provided by the Building Inspector and the Department of Public Works.

(3) PERMIT FEE. Fee shall be set by Council resolution. Such fees shall not include the fee for a building permit to rebuild or alter the building upon its new location within the City.

(4) BOND REQUIRED. Before a permit is issued, the mover must give a bond in the amount of \$10,000 with good and sufficient sureties to be approved by the City Attorney conditioned that the mover shall save the City harmless from any liability arising out of the move and shall restore any street damaged by the move. This provision may be waived by the Building Inspector for small buildings. REVISED 9-10-91

(5) INSURANCE REQUIRED. Before a moving permit shall be issued, the applicant shall submit to the Building Inspector a certificate of insurance evidencing that the applicant has in force and will maintain during the term of the permit public

liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.

(6) **POLICE ESCORT SERVICE.** The Police Department shall provide escort service at the request of the building mover. The first hour of escort service shall be provided without charge and each hour or fraction thereof shall be billed at the current hourly rate of the officer or officers. The estimated amount of the escort fee shall be paid with the permit fee.

(7) **NOTICE TO UTILITIES.** Prior to the issuance of said permit, the owner or mover shall certify that he has notified all public utilities whose lines or poles may be interfered with during the movement of the building. Such utilities shall take whatever steps are necessary to permit the building to be moved without damage to its lines and poles and may charge the permittee the cost thereof.

(8) **TIMELINESS OF MOVE.** Once the move has commenced, the mover shall complete the move as soon as conveniently may be.

(9) **INSPECTION AND REPAIR OF STREETS AND HIGHWAYS.** Every permittee shall, within one day after reaching his destination, report that fact to the Director of Public Works. The Director shall thereupon inspect the streets and highways over which said building has been moved and ascertain their condition. If the moving of said building has been moved and has caused any damage to the streets or highways, the house mover shall forthwith place them in as good condition as they were before the permit was granted. Upon failure of the house mover to do so within 10 days thereafter to the satisfaction of the Director, the City shall repair the damage done to such streets and highways and hold the sureties of the bond given by the house mover responsible for the payment of the same.

8.14 HOUSE NUMBERING SYSTEM ESTABLISHED.

(1) **HOUSE NUMBERING OR SUBDIVISION MAP.** All lots and parts of lots in the City shall be numbered in accordance with the House Numbering or Subdivision Map on file in the office of the Building Inspector. All lots and parts of lots hereafter platted shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined on said Map.

(2) NUMBERING REQUIRED.

(a) **Existing Buildings.** The owner of every house, dwelling and business establishment in the City shall cause to be designated on or attached to such structure within five (5) feet of its front entrance or directly above the garage door of a garage which is attached to or a part of the main structure, and which faces the street upon which such structure is located and to which such numbering pertains, City issued reflective, block-type Arabic numerals indicating the house number of such structure and shall maintain such numbering in a good state of repair..

(b) **New Buildings.** Within 20 days of completion, the builder or owner of every new dwelling or business establishment in the City shall designate on or attach to such structure City issued reflective, block-type Arabic numerals.

(3) **NUMBER STANDARDS.** The City requires City residents to affix City issued reflective, block-type Arabic numerals. Any additional decorative-type address may be located on the premise.

(4) VARIANCE.

(a) **Application.** In the event any person shall encounter great practical difficulty in complying with the provisions of sub. (2)(a) above because of lot size, location of building or topography or have an objection or other reasonable cause, such person may file application for no-fee variance with the Building Inspector on a form supplied by the Building Inspector.

(b) **Limitations.** Any variance granted by the Building Inspector shall be limited as follows:

1. **Grant Or Denial Of Application.** The Building Inspector shall review the application and view the premises. He shall grant or deny the variance in accordance with the provisions of this subsection with primary goal being ease of observation from the street.

2. **Appeal.** Any person aggrieved by any determination of the Building Inspector under this subsection may file a written appeal with the Council within 30 days.

8.15 EXCAVATION. (repealed 3/11/03)

8.16 FILL.

(1) PERMIT REQUIRED. A permit is required any time an individual wants to fill any land within the City limits. Application for a permit shall be made on prescribed forms which may be obtained from the Director of Public Works.

(2) PERMIT FEE. The permit fee shall be set by Council resolution.

(3) SPECIAL CONDITIONS. When filling with broken concrete, brick or rubble free of debris, the applicant shall cover the fill with at least 6" of soil and grade the site. Earth type fill shall also be leveled. These requirements shall be met within 30 days after the expiration of this permit. The Director of Public Works shall enforce these requirements. If these requirements are not met, the Director of Public works may order the Street Department to complete the covering and/or leveling and invoice the property owner.

(4) The Director of Public Works and the Building Inspector shall draft such rules and regulations as may be necessary for the implementation of the ordinance.

(5) Any violations of this ordinance shall be reported to the Building Inspector or the Director of Public Works.

(6) EXEMPTIONS. The following activities are exempt from obtaining this permit:

(a) Department of Public Works operations.

(b) Operations being completed under a contract administered by or for the City of Clintonville.

8.19 DIRECTOR OF PUBLIC WORKS. The Director of Public Works and his or her designee shall be responsible for the enforcement of this chapter except for §8.07 and §8.14 and shall be permitted to issue municipal citations for any violations.

8.20 PENALTY. The penalty for violation of any provision of this chapter shall be a penalty as provided in §25.04 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.