

**TOWN OF GIBRALTAR ORDINANCE NUMBER 2015-01**  
**UNDERGROUND RIGHT-OF-WAY ACCESS**

The Town Board of the Town of Gibraltar does hereby ordain as follows:

**Section 1: Title/Purpose**

This ordinance shall be known as the Underground Right-of-Way Access Ordinance.

This ordinance is intended to further public safety and welfare by the establishment of permit requirements to facilitate adherence to underground right-of-way access standards, all as set forth below.

**Section 2: Authority**

The Town Board of the Town of Gibraltar has the specific authority, powers and duties pursuant to Chapters 60, 66 and 86, Wis. Stats., pursuant to the specific statutory sections noted in this ordinance, and/or by its adoption of village powers under Section 60.10, to regulate and control certain uses, activities and operations in the Town of Gibraltar.

The Town Board of the Town of Gibraltar has been granted village powers pursuant to Section 60.10 Wis. Stats.

**Section 3. Applicability**

This ordinance shall apply to any utility facility, whether public or private, that currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the Town of Gibraltar has jurisdiction.

**Section 4: Adoption of Ordinance**

The Town Board of the Town of Gibraltar has, by adoption of this ordinance, confirmed the statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance the regulation and control of certain uses, activities and operations in the Town of Gibraltar.

**Section 5: Permit**

Utility work within a Town right-of-way, including (without limitation) installation, repair or replacement, may only be performed pursuant to a valid permit issued by the Town of Gibraltar.

Applications for a permit shall be made available at the Town office.

The permit fees shall be determined by the Town Board of the Town of Gibraltar from time to time, and may be changed without notice or amendment to this ordinance.

A permit when issued may set forth an expiration date; if work is not completed during the permit period, the permit shall lapse and the applicant must reapply for a new permit.

## **Section 6: Compliance with Underground Right-of-Way Crossing Policy**

All utility work which is subject to this Ordinance shall be performed in accordance with the Town of Gibraltar Underground Right-of-Way Access Policy in effect at the time the work is performed or to be performed.

The Town Board of the Town of Gibraltar shall maintain a Town of Gibraltar Underground Right-of-Way Access Policy, and the same may be changed by the Town Board from time to time without notice or amendment to this ordinance. The Town of Gibraltar Underground Right-of-Way Access Policy shall be available for review at the Town office.

## **Section 7: Violations**

### **1. Citations**

- a. This ordinance shall be enforced by the issuance of a citation by the Gibraltar Police Department or any authorized member of the Door County Sheriff's Department. The Town will prosecute the violation(s) according to Wisconsin law and Town ordinance, specifically, but not limited to, provisions of Section 66.12, Wis. Statutes.
- b. The citation shall include the following:
  - i. Name and address of the alleged violator;
  - ii. Factual allegations describing the alleged violation;
  - iii. Time and place of offense;
  - iv. Section number of ordinance violated;
  - v. A designation of the offense in such a manner as can be reasonably understood by a person making a reasonable effort to do so;
  - vi. The time at which the violator may appear in court;
  - vii. Penalty for violation of the ordinance.
- c. Injunctive relief may be sought at the discretion of the Town.

### **2. Penalties and Remediation**

In the event utility work that would require a permit under this ordinance is performed without an appropriate permit being granted, or the work being done exceeds the scope of an issued permit, or otherwise fails to comply with the requirements of the permit, the owner(s) of the utility shall be subject to the following:

- a. A Forfeiture of an amount not to exceed \$1000.
- b. Each day of violation shall be considered an additional violation.
- c. Any remediation or repair work determined to be necessary by the Town Board due to violations of this ordinance shall be done at the expense of the utility owner. Such work may be performed by Town of Gibraltar employees, or by a third-party contractor selected by the Town of Gibraltar. Any remediation or repair expenses

remaining outstanding more than thirty days after the date due shall be billed to the owner or owners of the parcel or parcels of land benefitted by the utility work.

- d. Any remediation or repair expenses that are billed to an owner of a parcel of land and that remain outstanding more than thirty days after the date due shall be entered on the tax roll as a special charge against that owner's parcel or parcels of land that are benefitted by the utility work.

### Section 8: Severance Clause

The provisions of this ordinance are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of the ordinance.

This ordinance shall take effect upon passage and publication as provided by law.

BE IT RESOLVED that the foregoing ordinance be adopted and shall become effective on passage and publication

Dated this 4 day of February, 2015.



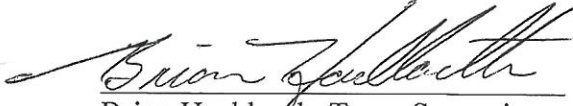
Brian Merkel, Town Chairperson



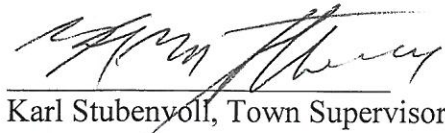
Dick Skare, Town Supervisor



Steven Sohns, Town Supervisor



Brian Hackbarth, Town Supervisor



Karl Stubenyoll, Town Supervisor

Attest:



Beth Hagen, Town Clerk

**TOWN OF GIBRALTAR  
UNDERGROUND RIGHT-OF-WAY  
ACCESS PERMIT APPLICATION**

APPLICATION/PERMIT TO CONSTRUCT, MAINTAIN, AND  
OPERATE UTILITIES WITHIN HIGHWAY  
RIGHT-OF-WAY

APPLICANT'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

OFFICE PHONE \_\_\_\_\_

LOCAL PHONE \_\_\_\_\_ CELLPHONE \_\_\_\_\_

TYPE OF UTILITY INSTALLATION \_\_\_\_\_

PLANS PREPARED BY \_\_\_\_\_

NAME AND PHONE NUMBER OF UTILITY \_\_\_\_\_

RESPONSIBLE FOR CONSTRUCTION \_\_\_\_\_

**CHECK ALL THAT APPLY:**

- |  |                                      |   |   |
|--|--------------------------------------|---|---|
| <input type="checkbox"/> to cross roadway  | <input type="checkbox"/> water       | <input type="checkbox"/> underground            | <input type="checkbox"/> tree cutting/removal |
| <input type="checkbox"/> tunnel            | <input type="checkbox"/> trench/bore | <input type="checkbox"/> open cut               | <input type="checkbox"/> chemical treatment   |
| <input type="checkbox"/> jack & bore       | <input type="checkbox"/> cased       | <input type="checkbox"/> sanitary sewer         | <input type="checkbox"/> parallel             |
| <input type="checkbox"/> bridge attachment | <input type="checkbox"/> wetland     | <input type="checkbox"/> telephone/communicator |   |
| <input type="checkbox"/> gas/petroleum     | <input type="checkbox"/> 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 Underground Right-of-Way Access Policy in effect at the time of this application, and with any special provisions listed below 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 Underground Right-of-Way Access Policy including the Indemnification as included in the Town of Gibraltar Underground Right-of-Way Access 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)

Permit No.: \_\_\_\_\_

Road: \_\_\_\_\_

Town of Gibraltar

\_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_

T N R E

Parcel No.: \_\_\_\_\_

TOWN OF GIBRALTAR UNDERGROUND RIGHT-OF-WAY ACCESS  
APPLICATION FEE SCHEDULE

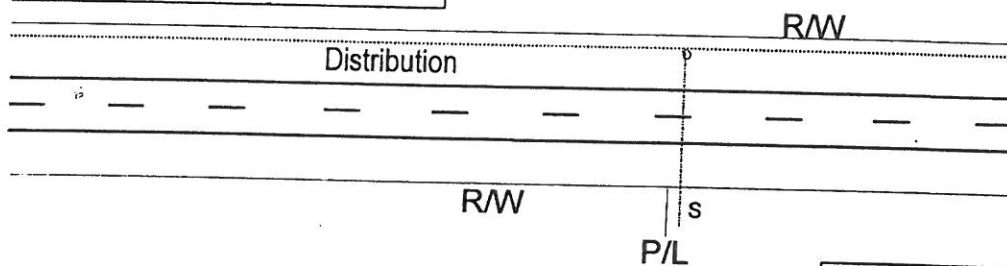
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The Town of Gibraltar has established the following fee structure for utility work within the public right of way.

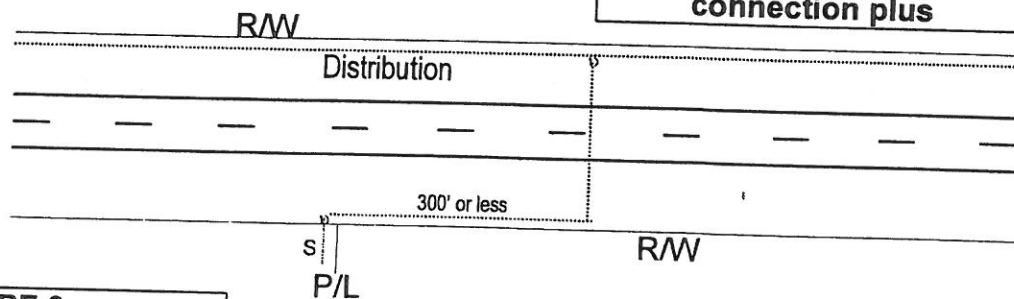
Permit Application Fee	\$ 50.00
Additional Inspection/Review Fee	\$ 50.00
Underground Access Parallel ROW (2 Inspections)	\$ 100.00
Opening or Boring of a Paved Roadway	\$ 650.00
Penalty for Starting Work Without a Permit	\$1,000.00

KEY: R/W = right-of-way    P/L = property line    S = service    v = pedestal, pole or valve

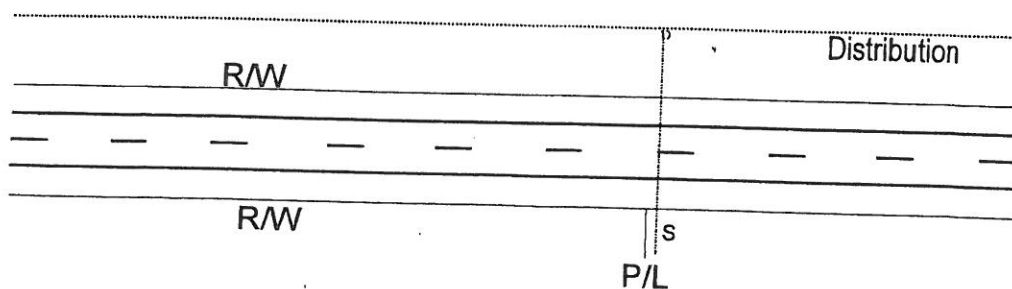
**FIGURE 4**  
**Long-side service**

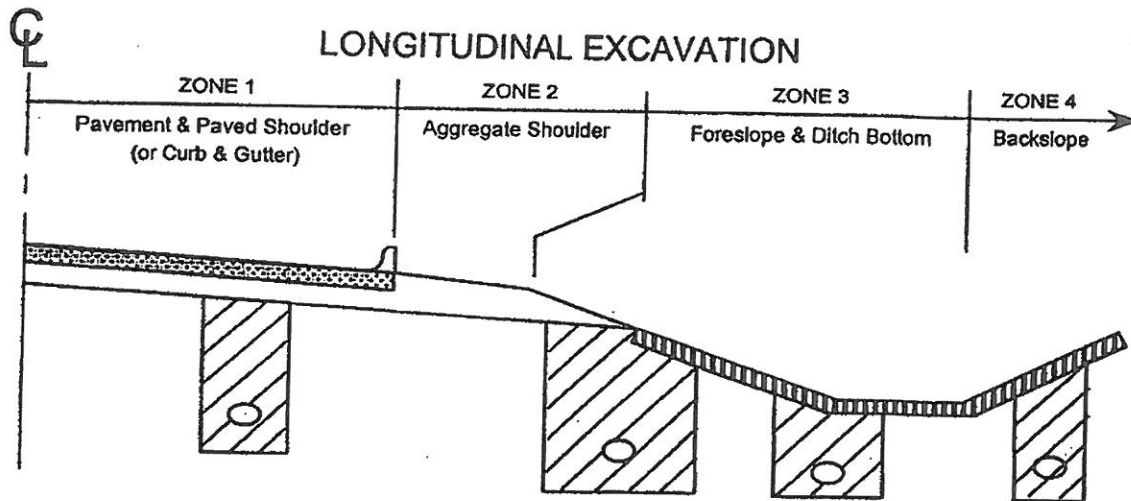


**FIGURE 5**  
**Long-side service connection plus**

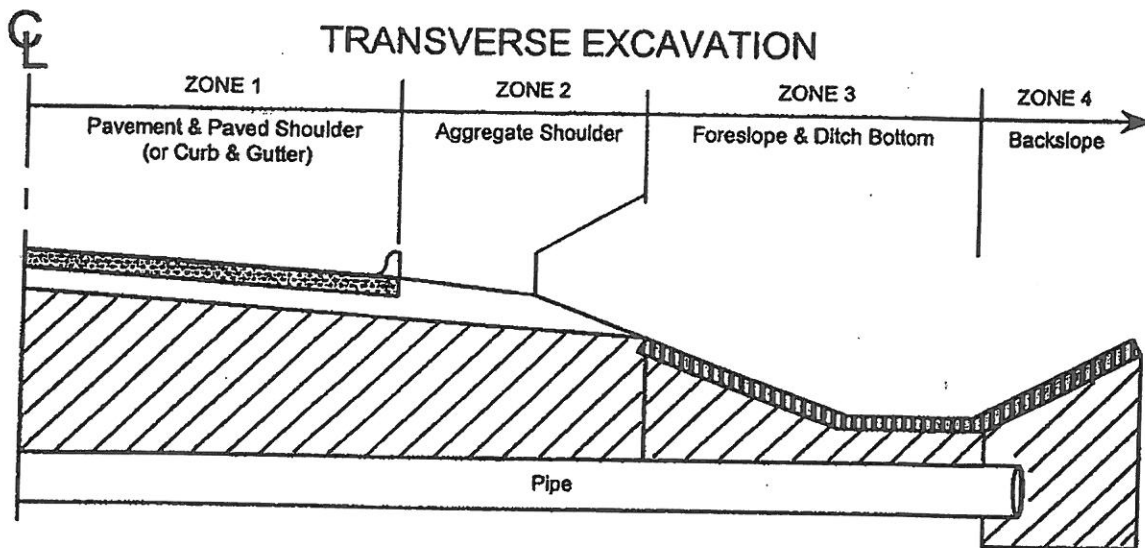


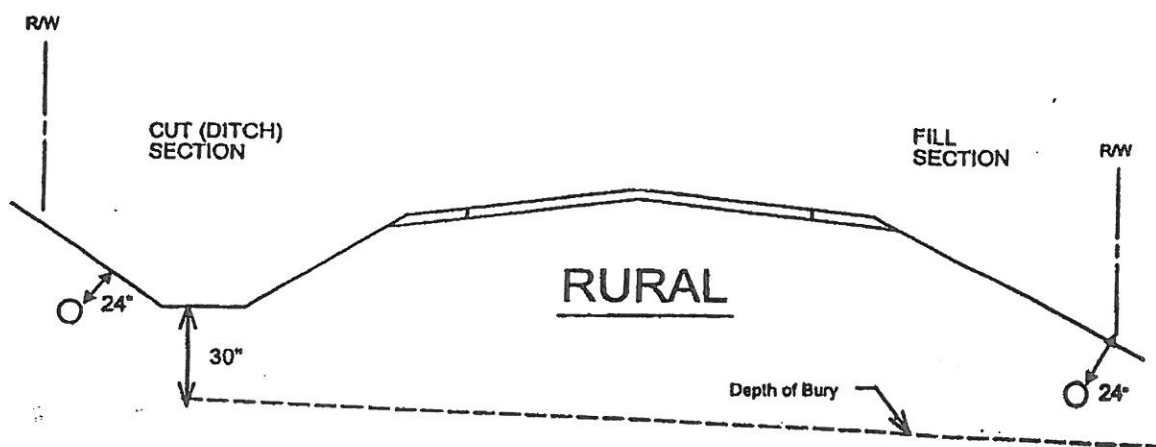
**FIGURE 6**  
**Service connection from distribution line outside R/W**



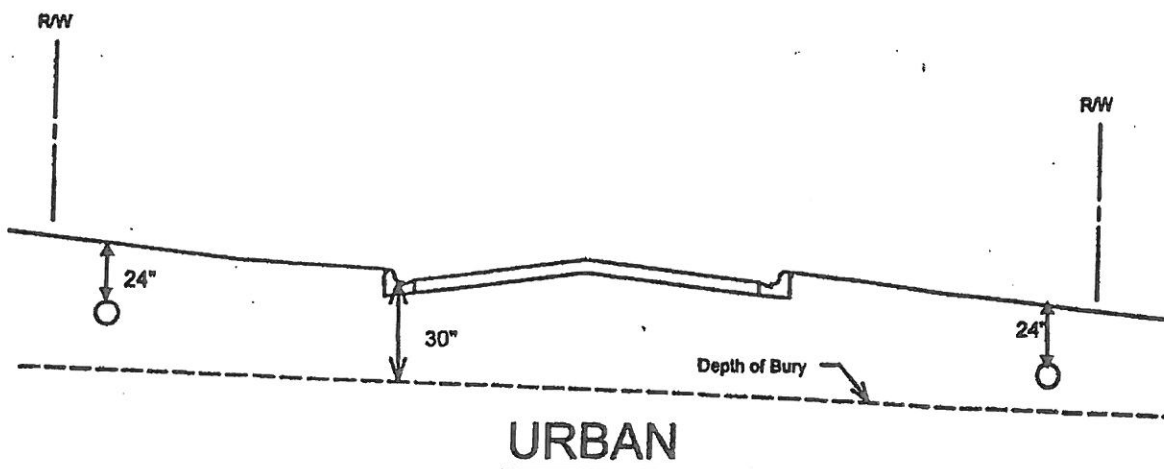


**BACKFILLING EXCAVATION DETAIL DRAWINGS**





### MINIMUM CLEARANCES





# **TOWN OF GIBRALTAR**

## **UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

### **Policy Overview**

The Town 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 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 interests. Although the Town 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.

### **Purpose of the Underground Right-of-Way Access Policy**

The purpose of the Underground Right-of-Way Access 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 has jurisdiction.

The Policy applies to all public and private utilities. It also applies to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed on Town right-of-way.

### **Utility Accommodation**

#### **1. Permits**

The Town permits utility facilities on its highways when:

- a. Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities.
- b. There would be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein.
- 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.
- e. A utility shall obtain a permit from the Town before any use or occupancy of Town highways is allowed.
- f. By issuance of a permit, the Town formally indicates that, subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not adverse to the highway interests at the time of the permit approval.

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

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

Written authorization from the Town does not relieve the utility from compliance with all applicable federal and state laws and codes, and local laws and ordinances which affect the design, construction, materials, or performance of its work. The Town's authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

**TOWN OF GIBRALTAR**  
**UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

All utility permits issued by the Town are revocable for cause as provided herein.

**2. Additions**

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

**3. Alterations**

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for construction, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific Town-executed utility parcel or agreement otherwise provides.

**4. 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:

Water lines shall conform to the currently applicable specifications of the American Water Works Association and the Standard Specifications for Water and Sewer Construction in Wisconsin.

Pressure pipelines shall conform to the currently applicable requirements of Title 49, Code of Federal Regulations of the Office of Pipeline Safety.

Electrical lines shall conform to the currently applicable specifications of the National Electrical Code.

Liquid petroleum pipelines shall conform to the currently applicable recommended practice of the American Petroleum Institute for pipeline crossings under railroads and highways.

Sanitary and storm sewers shall conform to the currently applicable specifications of the Standard Specifications for Water and Sewer Construction.

**Special Treatment**

The Department 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 Department, 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:

## **TOWN OF GIBRALTAR**

### **UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

- 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.

#### **Indemnification**

The Applicant shall save and hold the Town 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 right-of-way which is the subject of this permit. Notwithstanding the foregoing, Applicant shall not be obligated to indemnify the Town of 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, or its officers, employees, or agents.

The Town remains responsible for issues relating to road design but will not incur liability on behalf of Utility simply by granting a permit unless the grant of 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.

#### **General Information**

##### **Chemical Treatment and Cutting of Trees**

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

##### **Emergency Work**

Emergency situations may arise when immediate action to protect the safety of the general public requires utility operations within a Town's highway 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 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 any alterations deemed necessary through the permit approval process shall be made.

## **TOWN OF GIBRALTAR**

### **UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

#### **Method of Underground Right-of-Way Access**

**Utility installations shall be accomplished by jacking, boring or auguring the pipe or cable under the roadway. In case of a road cut or emergency, a variance may be granted by the Town Board.**

#### **Inspection of Work**

After a permit has been issued, the utility is required to notify the Town 48 hours in advance when work on the jobsite is to begin. Normally, backfilling will take place on the same day of the trenching. The permittee is responsible for maintaining traffic flow and shall provide proper signage, barricades, flashing lights or other methods to warn the public of open trenches and impediments to traffic. Survey monuments shall be protected and if disturbed or damaged, the permittee shall have them reset, at the permittee's cost by a registered land surveyor. Permittee is responsible for coordinating the location of other utilities a minimum of two business days before digging. The contractor shall adhere to all OSHA standards. Shoring or sheeting must be provided in a roadway where depths exceed un-shored depths. Cutting back on a slope will not be allowed where shoring is required.

The following inspections are required to be completed by the Town representative;

1. An inspection of the depth and bedding of the utility pipe/cable.
2. An inspection during compaction of the trench fill material.
3. An inspection after completion of the finish grade surface material.
4. An inspection of the site will be made at two years eleven months. Cut remediation is the responsibility of the utility for 3 years.

#### **Restoration of the Site**

1. When construction or repair is performed by a governmental agency, that agency shall accomplish restoration of the site.
2. All contracts shall contain a provision in the contract for restoration of the site by the contractor in accordance with specifications contained herein.
3. Completion date for restoration of the site for each project shall be not more than 30 days after completion of the excavation.
4. Backfilling of the excavation must be done with proper materials and methods in order to keep settling to a minimum. The contractor shall backfill with a flowable cementitious backfill material meeting the following requirements: Flowable Backfill material is self-compacting, cementitious material used primary as a backfill in lieu of compacted materials. The cementitious material is to meet design requirements of a Controlled Low-Strength Material (CLSM) which is designed to be comparable in strength to the surrounding soil after hardening, making excavation at a later time possible.

CLSM is also described under the following terms; controlled density fill, K-Krete, unshrinkable fill, flowable fill shrinkcrete, flashfill or concrete slurry. CLSM consists of cement and/or fly ash, sand and water. Meeting the requirements of a low strength fast fix flowable fill for use as a base fill. This fill shall develop a minimum compressive strength of 1,200 lab/sq.ft. (8.3 psi) within one-two hours after placement and a 28 day compressive strength within the range of 75-125 psi. The material shall flow and fill all voids in the excavation and must be such that it can be capped in 1.5 to 2 hours.

5. Washed pea gravel or washed stone (three-fourths inch maximum size) shall be used to bed sewer pipe. The pea gravel or stone shall begin at the uncut earth at the bottom of the excavation and extend upward to at least the midpoint of the pipe. Sand shall be used on top of the pea gravel or washed stone to a point 18 inches above the pipe. Material from the excavation shall not be used under any paved surface, unless approved by the Town.

**TOWN OF GIBRALTAR**  
**UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

6. Finish grade material shall be equivalent to or better than, the adjacent finished surface. In areas where the original surface is Portland cement, Portland cement concrete shall be placed to a thickness of 6 inches or the thickness of the removed pavement, whichever is greater. In areas where the original surface is asphalt, replacement shall consist of the material with a minimum thickness of three (3) inches or the thickness of the removed pavement, whichever is greater. The existing pavement shall be cleaned and prepped to insure a bond with the new asphalt surfacing.
7. A temporary cold-mix asphalt patch, four (4) inches minimum in thickness will be required for all street cuts if a permanent hot-mix asphalt patch cannot be applied due to weather conditions or seasonal restrictions. A temporary patch shall be placed within five (5) days of backfilling and maintained until weather will allow a permanent patch to be placed. At the time of the final patch, the temporary patch shall be cut out and the existing pavement cleaned and prepped to insure a bond to the surfacing.
8. A maximum of 3/8 inch +/- vertical per four (4) feet will be tolerated for a period of one year on asphalt and concrete road cuts. Street cuts shall comply with the 3/8 inch tolerance for one year. However, if the street repair fails to maintain the tolerance, within thirty (30) days after notification by the Town the permittee shall restore or reconstruct the street repair and shall guarantee the tolerance for another six (6) months.
9. 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 heavings, settlements, or other faultings attributable to the permitted work shall be repaired in a manner satisfactory to the Town at the utility's expense for a period of three years.
10. Sanitary drain piping shall meet the requirements of SPS 382 to include frost protection depth and pitch requirements for gravity flow systems. Nonmetallic piping shall have a tracer wire run with the piping for future locating.
11. Any boring and or trenching parallel to the traveled surface within the town's right-of-way is subject to the same remediation as road cutting.

**Location Requirements**

1. 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.
2. The depth of bury for underground facilities crossing the highway 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.
3. 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's plans.
4. All utilities shall obtain prior approval from the Town before burying any facility less than the minimum depth required.

**Construction Requirements**

**A. Permit at Job Site**

When the Town 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.



**TOWN OF GIBRALTAR**  
**UNDERGROUND RIGHT-OF-WAY ACCESS POLICY**

**B. Cuts in Asphalt**

All cuts in asphalt pavement shall be by sawing; no jackhammers or asphalt cutting wheels shall be allowed. Pavement cuts shall be saw-cut straight to within 5 degrees vertical. The road surface shall be cut a minimum of twelve (12) inches beyond the disturbed edge of the trench excavation in order to avoid the undermining of the existing road surface.

**C. Blasting**

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

**D. Survey Markers**

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

Any Public Land Survey, Certified Survey Map or Town 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.

**E. 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. 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. At no time shall trees or shrubs be cut on the Town right-of-way in front of a property owner's home, yard, barn, etc. without approval of the Town.

Utilities should be aware of rare or endangered plant species or animal and insect species that feed off of native vegetation in the right-of-way that must be protected or avoided by law. The chipping or grinding of trees may be allowed by the Town 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.

**F. Highway Signs**

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

**G. Work Site Cleanup**

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 project bare or loose soil. Soil piles left overnight shall be covered or protected with silt fence, etc. to prevent possible runoff.

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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.

#### **Definitions:**

- Concrete Slurry – A “Controlled Low-Strength Material” (CLSM) is self-compacted, cementitious material designed to have a maximum unconfined compressive strength up to 200 psi. CLSM is also described under the following terms; controlled density fill, K-Krete, unshrinkable fill, flowable fill shrinkcrete, flashfill or concrete slurry. CLSM consists of cement and/or fly ash, sand and water. Meeting the requirements of a low strength fast fix flowable fill for use as a base fill. This fill shall develop a minimum compressive strength of 1,200 lab/sq.ft. (8.3 psi) within one-two hours after placement and a 28 day compressive strength within the range of 75-125 psi. The material shall flow and fill all voids in the excavation and must be such that it can be capped in 1.5 to 2 hours.
- 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, steam, 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.

- Utility Construction – Any use by a utility of labor or materials to install or provide for the installation of a new or upgraded utility facility or to replace all or a significant portion of an existing facility.
- Utility Facilities –
  - 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”.
  - Distribution Facilities – A utility facility which distributes the utility product from a transmission facility to points convenient for their customers.
  - 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”.

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**APPLICATION**

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

**STOP WORK IMMEDIATELY**

and be prepared to report the following information to the contacts listed:

**SITE LOCATION:**

Road \_\_\_\_\_ If divided, please indicate direction ☐ NB ☐ SB ☐ EB ☐ WB

County of Door, Town of Gibraltar

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:**



**TOWN OF GIBRALTAR**  
**UNDERGROUND RIGHT-OF-WAY ACCESS**  
**APPLICATION**

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: \_\_\_\_\_

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 ☐ If yes, for how long? \_\_\_\_\_

Can the affected area be avoided (utility facility placed 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 this utility being relocated to facilitate a highway project? ☐ Yes ☐ No

**RESUMING WORK:**

Did WisDOT indicate a timeframe in which someone would respond? ☐ Yes ☐ No

What is that timeframe? \_\_\_\_\_

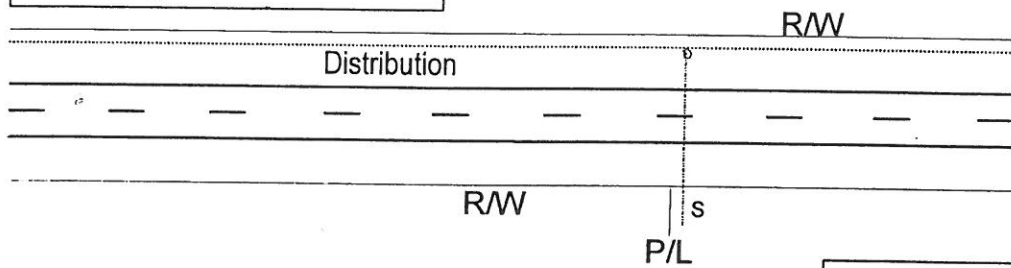
Who will authorize resuming work? \_\_\_\_\_

When can the work be resumed? \_\_\_\_\_

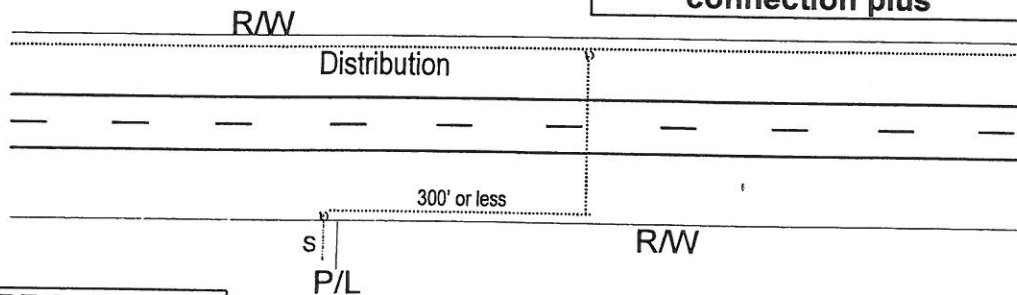
Date authorization received? \_\_\_\_\_

KEY: R/W = right-of-way    P/L = property line    S = service    v = pedestal, pole or valve

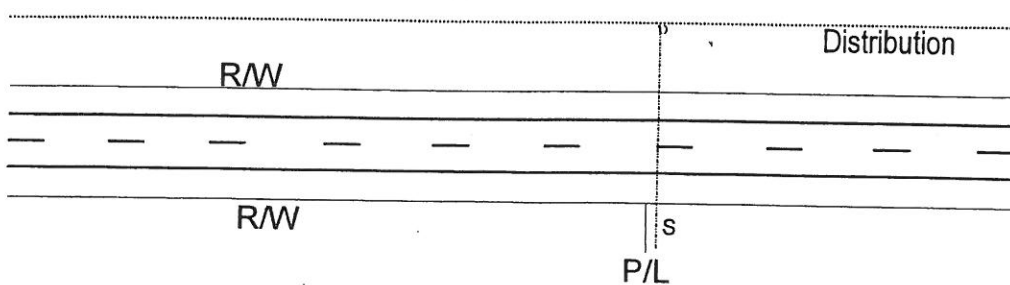
**FIGURE 4**  
**Long-side service**

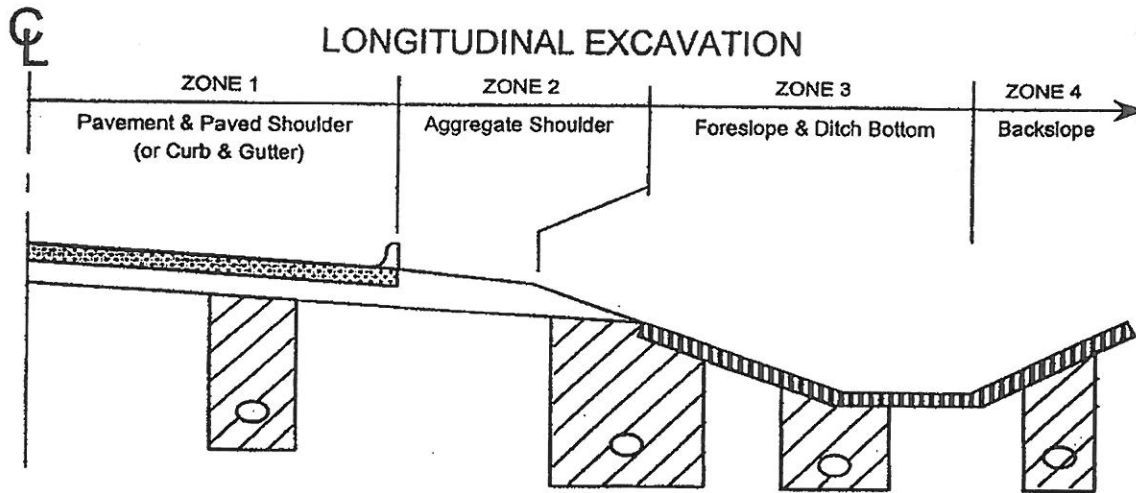


**FIGURE 5**  
**Long-side service connection plus**

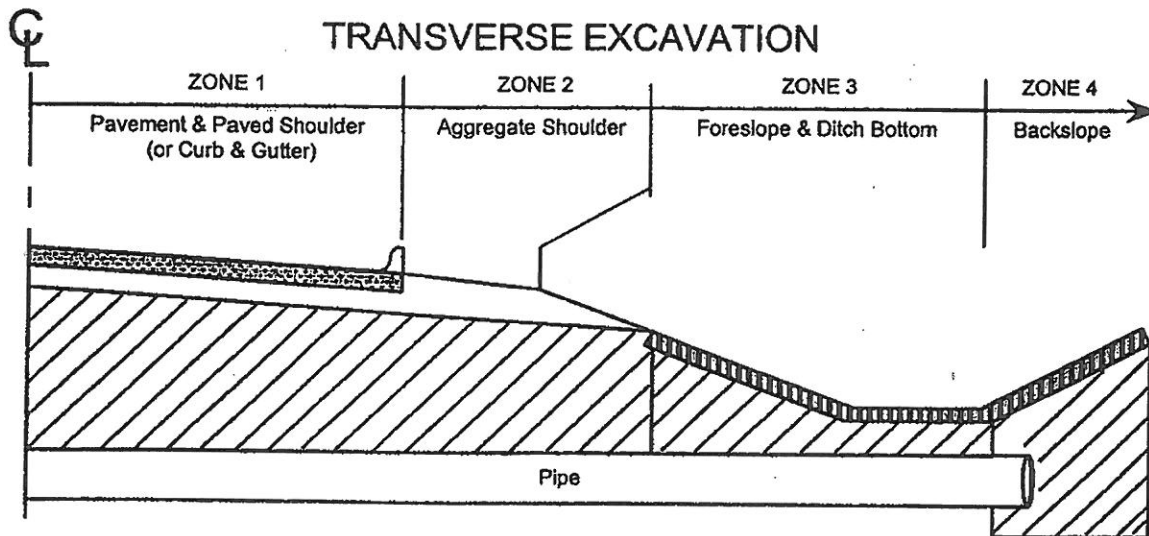


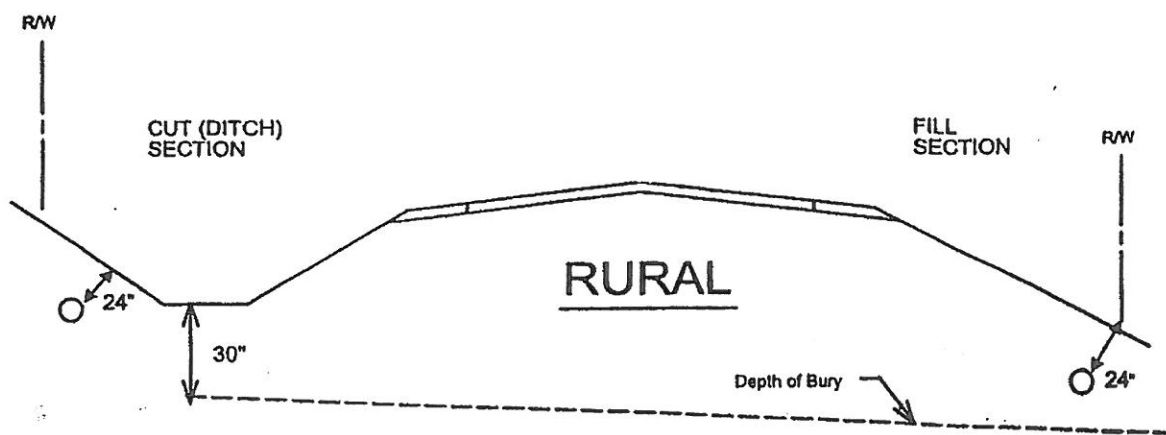
**FIGURE 6**  
**Service connection from distribution line outside R/W**



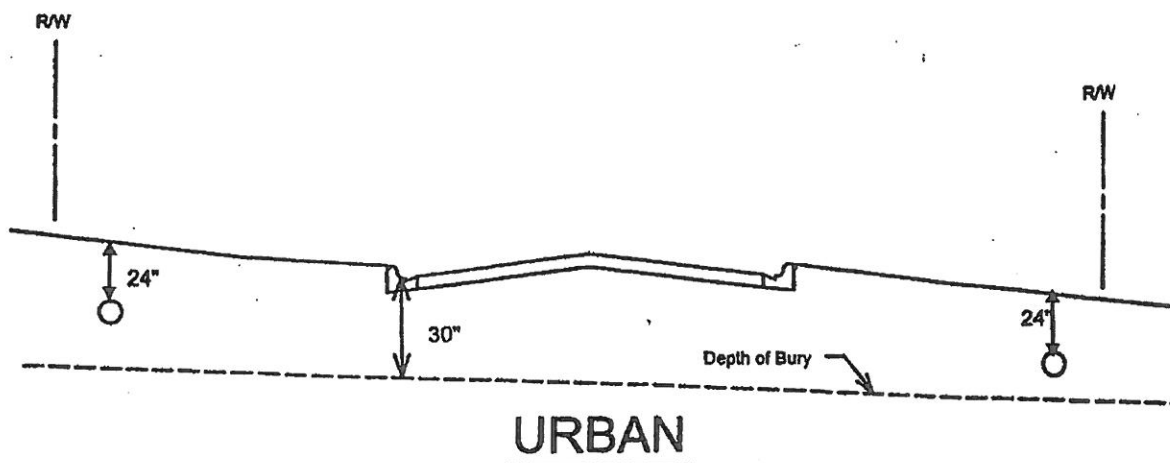


**BACKFILLING EXCAVATION DETAIL DRAWINGS**





## **MINIMUM CLEARANCES**



## Town of Gibraltar

### COMPLETION CERTIFICATE (For Underground Right-of-Way Access Permits)

Mail or Fax to Address Listed Below

DATE: \_\_\_\_\_

TO: TOWN OF GIBRALTAR

ATTN: Clerk

TELEPHONE: 920-868-1714

FAX: 920-868-9425

E-MAIL: [clerk@townofgibraltar.us](mailto:clerk@townofgibraltar.us)

FROM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT: \_\_\_\_\_

FAX: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

PERMIT NO.: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Inspector

TOWN OF GIBRALTAR UNDERGROUND RIGHT-OF-WAY ACCESS  
APPLICATION FEE SCHEDULE

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The Town of Gibraltar has established the following fee structure for utility work within the public right of way.

Permit Application Fee	\$ 50.00
Additional Inspection/Review Fee	\$ 50.00
Underground Access Parallel ROW (2 Inspections)	\$ 100.00
Opening or Boring of a Paved Roadway	\$ 650.00
Penalty for Starting Work Without a Permit	\$1,000.00