TITLE VI

PUBLIC WORKS

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Chapter 22

STREETS, SIDEWALKS, CURB AND GUTTER

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22.01 NEW CONSTRUCTION

(1) The Council may, by resolution, provide for new construction of any street, sidewalk, curb and gutter. Any such project may be authorized with the work to be performed by the City or independent contractors.

(2) The proposal for new construction shall be initiated by the Council.

(3) Prior to authorizing construction, the Council shall convene a public hearing with adequate notice given prior to the hearing.

(4) Notice of the public hearing must be sufficient to enable interested persons the opportunity to examine the proposal and to express their views.

(5) The costs of construction shall be assessed prior to commencement of the work. If a portion or all of the costs are to be assessed to benefited property owners, the public hearing may not be dispensed with, even if the project was authorized in the budget.

(6) Notice of the assessment schedule and the intended work shall be given in writing to property owner prior to the public hearing.

(7) The assessment schedule of costs for new construction shall be established by ordinance or resolution of the Council. The assessment is pursuant to Section 15.01 of these Ordinances and applicable Wisconsin Law.

(8) An ordinance or resolution establishing an assessment schedule may be amended by subsequent ordinance or resolution.

(9) The costs, once determined and incurred, shall be billed to the benefited property owners pursuant to the assessment schedule.

(10) If the costs are unpaid, they become a lien against property pursuant to Chapter 15 of these Ordinances.

(11) Wisconsin Statutes Sections 66.0701 and 66.0703, Special Assessments and Charges; 66.0715 and 66.0717, Lien of Special Assessment and Deferral of Special Assessments; 66.0911, Laterals and Service Pipes, as amended, are hereby adopted by reference.

22.02 REPAIRS

(1) The City shall assume responsibility for alteration, modification and repair of sidewalks, curbs and gutters.

(2) A proposal or request to undertake alteration, modification and repairs may be submitted by any person. Upon receipt, within thirty (30) days, the Clerk shall submit the proposal to the Street Superintendent to review and submit to the City Council with recommendations for action to be taken.

(3) If action is recommended by the City Council under Section 22.02, a public hearing shall be held and written notice provided to all affected property owners.

(4) If approved, the Council shall:

(A) If the anticipated cost of the project exceeds ten thousand dollars ($10,000), bids shall be taken as required by Section 62.15, Wis. Stat.

(B) If the anticipated cost of the project is less than ten thousand dollars ($10,000), no bids are required and the project may be completed by the City or by an independent contractor, as the Council directs.

(C) Notice of the decision by the Council shall be submitted to the benefited property owners affected by the project.

(5) All costs of the project, once approved and completed, shall be shared by the City and the benefited property owners on a fifty-fifty (50 / 50) basis.

(6) Benefited property owners may spread their share of the cost over five (5) calendar years. The first installment of twenty percent (20%) of the total cost to benefited owners is due January 31st of the year following assessment. Payments then continue with a payment of twenty percent (20%) of the cost in each succeeding year thereafter until paid in full.

(7) The cost shall be added to the tax role pursuant to Section 15.01 of this code. Deferral of payment under subsection 22.02(a) does not create a delinquency.

(8) The City shall not be responsible for any costs of an alteration, modification or repair project undertaken by a property owner who has not followed the procedure set forth in this section.

22.03 PERMITS

(1) No person shall make or cause to be made any excavation or opening of any street, sidewalk curb or gutter, or any other public way within the City without first obtaining a permit from the City Clerk.

(2) Before commencing such excavation or related work, application shall be made to, and upon forms prescribed by, the City Clerk.

(3) The fee for a permit shall be two hundred dollars ($200.00) and shall be tendered with the application. Should the application be rejected or denied, the fee shall be remitted to the applicant.

(4) Should the application be rejected or denied, the applicant may request a hearing.

(A) Request for a hearing shall be made in writing to the Clerk

(B) The hearing shall be scheduled before the Zoning Board of Appeals.

(C) The scheduling of the hearing and notice of same shall be completed by the Clerk and shall be within thirty (30) days of the receipt of the request.

(D) At the time of the hearing, the Zoning Board of Appeals shall hear all evidence brought before it concerning the application. The applicant shall be given the opportunity to be heard and call witness.

(E) Zoning Board of Appeals may adjourn or recess a hearing upon reasonable request of the applicant or upon its own motion.

22.04 HOLD HARMLESS

Any person doing excavation or related work pursuant to this ordinance, shall hold the City harmless from all causes of action, claims, damages, injuries, judgments and liens, which may result from performing such work.

22.05 REGULATIONS

(1) No opening or excavation in the streets, sidewalks, curbs or gutters, for any purpose, shall be permitted when the ground is frozen, except where such work is necessitated by an emergency.

(2) In opening or excavating upon any street, sidewalk, curb or gutter, all paving or ballasting materials shall be removed with the least possible loss of, or injury to, surfacing materials and shall be so placed as to cause the least inconvenience to the public.

(3) In order to protect the public:

(A) Persons performing such excavation or related work shall erect sufficient barriers and otherwise effectively safeguard and enclose the work area.

(B) In a like manner, machinery and equipment shall be safeguarded from unauthorized use.

(C) Sufficient lighting shall be utilized at the work area.

(4) Upon completion of the work, the person performing the excavation or related work shall:

(A) Fill, replace and restore in as near a condition as existed prior to the commencement of the work.

(B) Complete the work in a good and safe condition to the satisfaction of the City.

(C) Repair any damage at their sole cost.

22.06 EXCAVATION LIMITED

The City reserves the right to limit or deny the right to perform excavation or other related work upon areas of new construction or construction which has been completed within the space of three years prior to the application.

22.07 EMERGENCY AUTHORIZATION

The City may waive the application and other process relative to excavation and related work in the event of an emergency. Such emergency must be apparent and the work must be necessary for the protection of property, life, health and safety of the residents of the City of Blair.

22.08 CITY WORK EXCLUDED

The provision of subsection 22.01 and 22.02 of this ordinance does not apply to work being performed by, or under the direction, of the City.

22.09 STREET NAMING

(1) The function of the naming of new streets, or renaming existing streets, shall be the responsibility of the Council, or by delegation to an appropriate standing committee.

(2) The public is invited to submit suggestions to the Clerk at any time and the Clerk shall be responsible for maintaining a list of suggested names for consideration.

(3) The Council may call a hearing to solicit public input and opinions prior to the naming or renaming of any City street.

22.10 SNOW REMOVAL

(1) Each property owner shall be responsible for snow and ice removal from sidewalks abutting, adjacent to or traversing their property. Such removal must be accomplished within forty-eight (48) hours of any snow or ice accumulation.

2) The City may remove snow and ice from any sidewalks of property owners not in compliance with Sub (1). The charge for the work shall be:

(A) A twenty-five dollar ($25.00) administrative fee, and;

(B) One dollar ($1.00) per lineal foot of sidewalk.

The charge assessed for the work performed shall be treated as a special assessment under Section 15.01 of this Code of Ordinances.

22.11 STREET CLOSURE PERMITS

(1) The Council may issue permits for temporary street closures, whether for an event such as the annual Cheese Fest, or for other reasons, in the discretion of the Council. The fee to apply for such permit shall be set by Resolution of the Council.

(A) A fifty dollar ($50.00) fee for Street Closure Permit Application

February 9, 2009–amend Section 22.10 by amending section (1) and by repealing and recreating subsection (2)
October 23, 2024 – amended Section 22.02 (2) & 22.02 (3), repealed (4) & (5) remaining sections (6) thru (10) shall be renumbered (4) thru (8)
January 21, 2026- revised Section 22.11(1)(A)