

## **ORDINANCE NO. 2025-10**

### **AN ORDINANCE AMENDING CHAPTER 391 OF THE MUNICIPAL CODE OF THE CITY OF RICHLAND CENTER RELATING TO PERMITS REQUIRED FOR TEMPORARY USE OF THE PUBLIC RIGHTS-OF-WAY**

**WHEREAS**, the City of Richland Center previously adopted Chapter 391 requiring permits for the placement of dumpsters within the public rights-of-way; and

**WHEREAS**, the current ordinance does not adequately address other temporary obstructions such as building materials, scaffolding, landscape materials, and construction equipment; and

**WHEREAS**, the Common Council finds that updating and renaming Chapter 391 to establish a comprehensive permit process for Temporary Public Right-of-Way Use will improve public safety, consistency, and administrative efficiency;

**NOW THEREFORE BE IT ORDAINED**, by the Common Council of the City of Richland Center, Richland County, Wisconsin, as follows:

#### **SECTION 1.**

Chapter 391 of the Richland Center Municipal Code is repealed and recreated to read as follows:

#### **TEMPORARY USE OF THE PUBLIC RIGHTS-OF-WAY**

##### **391.01 PERMIT REQUIRED**

No person shall place, store, or maintain any dumpster, building materials, construction equipment, scaffolding, landscape materials, or other obstruction on any street, avenue, lane, alley, sidewalk, terrace, or other portion of the public right-of-way within the City of Richland Center without first obtaining a Temporary ROW Use Permit from the Office of the City Clerk.

##### **391.02 APPLICATION**

Applicants shall submit a completed Temporary ROW Use Permit application form to the City Clerk and pay a fee of \$10.00 per seven (7) consecutive days of use. Applications shall include:

1. Address and exact location of proposed placement.
2. Applicant's name, address, and contact information.
3. Type, dimensions, and description of materials or equipment to be placed.
4. Dates of use, not to exceed seven (7) days without renewal.
5. Name and contact information of the contractor/responsible party if different from the applicant.

### **391.03 REVIEW AND APPROVAL**

Applications shall be referred to the Director of Public Works and Chief of Police, or their designees, for review. If the proposed location poses a safety concern, the applicant shall be notified and allowed to reapply within fourteen (14) days for an alternate location without an additional fee.

### **391.04 SAFETY REQUIREMENTS**

All obstructions shall be marked with reflective barricades or reflective tape visible during both day and night, and must comply with all City traffic control and pedestrian access requirements.

### **391.05 DURATION**

Permits shall be valid only for the approved dates and location. Maximum initial duration is seven (7) consecutive days. Renewal is required for continued use.

### **391.06 LIABILITY AND RESTORATION**

Applicants shall be responsible for any damage to public property, indemnify the City against claims, and restore the right-of-way to original condition upon permit expiration.

### **391.07 ENFORCEMENT**

Obstructions placed without a valid permit, or in violation of this chapter, may be removed by the City at the applicant's expense. The City reserves the right to revoke permits for public safety, municipal operations, or special events.

### **391.08 PENALTIES**

Violations shall be subject to a forfeiture of not less than \$25.00 and not more than \$200.00 per offense, plus costs of prosecution. Each day a violation continues shall constitute a separate offense.

## **SECTION 2.**

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

**ADOPTED** by the Common Council of the City of Richland Center on this 4<sup>th</sup> day of November, 2025 by the following votes: AYES \_\_\_\_\_, NOS \_\_\_\_\_.

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Todd Coppernoll, Mayor

Attest:

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Misty Molzof, Deputy Clerk