

ORDINANCE NO. MC 1267

CITY OF WISCONSIN RAPIDS

A GENERAL ORDINANCE OF THE CITY OF WISCONSIN RAPIDS AMENDING SECTION 6.24(10) OF THE MUNICIPAL CODE, RELATING TO EXCAVATION/STREET DEGRADATION FEES

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF WISCONSIN RAPIDS DOES ORDAIN AS FOLLOWS:

SECTION I Section 6.24(10) of the Wisconsin Rapids Municipal Code is hereby deleted and recreated to read as follows:

- 6.24 (10) Excavation Permit Fee.
- (a) Fee Calculation. The excavation fee shall be established by the department in an amount sufficient to recover the costs incurred by the City. This fee shall recover costs incurred by the City for each of the following categories as provided herein:
 - (1) Administrative: The general formula for computing the administrative fee shall be the average per- permit costs for labor plus indirect and other costs. The fee shall be \$50.00, based on one hour of clerical labor charge plus incidental labor charge. This rate will be reviewed on a yearly basis by the engineering department and be on file with the department.
 - (2) Repair: No repair fee shall be collected by the City; however, the Permittee shall be required to repair the public right-of-way to department specifications, subject to inspection and acceptance by the department, as per Subsection (11), and to pay a degradation fee.
 - (3) Degradation: All Utilities, including City Utilities, but not the City, shall be subject to degradation fees and performance requirements. Fees and performance requirements shall be based on the criteria and performance standards herein:
 - a. Repair Size: Asphalt repairs shall be a minimum width of ½ of the roadway from the centerline of the roadway and a minimum length of 10'. If there is another patch within 10' of the proposed patch, the proposed patch shall include removing the pre-existing patch and repairing the area as one patch. Concrete repairs shall consist of replacing the concrete panel.
 - b. Repair Timing: Repairs due to utility excavations shall be conducted immediately upon completion of the utility work. Weather and other conditions may not allow utilities to make permanent repairs immediately. If such conditions exist and upon approval from the Engineering Department, a utility may maintain an aggregate patch for up to two weeks at the Utility's expense. Temporary asphalt or concrete shall be utilized for patches that cannot be permanently repaired within two weeks. Failure of a Utility to maintain a temporary patch suitable for traffic (no potholes, excessively rough ride) will result in the City conducting maintenance activities, charging the Utility for maintenance and administrative fees, and the Utility may be cited for violation(s) of this ordinance.

- c. Materials: Utilities shall use MT asphalt mix or concrete placed in accordance with City paving specifications. Asphalt shall be placed in two lifts unless approved by the City Engineer. Concrete shall be tied to existing panels and of a mix design consistent with City specifications and approved by the City Engineer.
- d. Finish Quality: Utilities shall make repairs to meet road quality standards that generally allow twice the variation as new road standards. Excessive vertical deviations result in a rough ride and can be a sign of poor quality control. Using a straight-edge, any repair profile shall not exceed ½" of vertical surface variation over the length of the patch and no more than ¼" over 10'. Failure to meet these standards will require the repair to be reconstructed at Utility expense.
- e. Fees: Degradation fee = Cost/sf to repair/maintain * Depreciation factor * Area
 - i. Cost to repair/maintain surface shall be calculated annually by the City. The City Engineer shall determine an average cost to saw, remove, replace aggregate, and replace. For 2020, this has been calculated and proposed to be:
 - Asphalt: \$12.22/sf
 - Concrete: \$15.62/sf
 - Concrete sidewalk: \$5.50/sf
 - Curb and gutter: \$25.20/lf
 - ii. Depreciation factor:
 - Asphalt = 0.45
 - Concrete = 0.45 or 0.25 if contractor provides documented QA/QC to City specifications
 - Concrete sidewalk = 0.5
 - Curb and Gutter = 0.5
 - iii. Area = measured area of patch, meeting proposed minimum sizes
 - iv. Example: disturbed area is an asphalt street, 10' wide x 20' long on a 36' wide road, so minimum patch size is 16' * 20' = 320sf

$$\text{Degradation fee} = \$12.22 * .45 * 320 = \$1,759.68$$


- f. Exceptions:
 - i. There shall be no degradation fees charged for normal street repair maintenance by the City or for existing Utility assets that without repair result in a rough ride or potential hazard (example: traffic loops, pavement repairs around castings, adjusting ring replacement, etc.) An exception for minimum patch size for these types of repairs shall be 2' greater than the asset being repaired.
 - ii. There shall be no degradation fees on streets which have an existing preliminary resolution approved.
 - iii. There shall be no degradation fees for City-owned Utility relocation coordinated with a City street reconstruction project.
 - iv. There shall be no degradation fees where a Utility chooses to perform restoration. Restoration is defined as replacing all of the paved

surface around the utility excavation on at least one side of the centerline between intersections.

- g. Proposed Use of degradation fees: A fund shall be established and designated for street reconstruction, mill and fill, or repairing failed repairs.
- h. Total excavation fee = Administrative Fee + Degradation fee

SECTION II All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION III This ordinance shall take effect upon passage and publication.


Shane E. Blaser, Mayor


Jennifer M. Gossick, City Clerk

ADOPTED: 07/21/2020

APPROVED: 07/22/2020

PUBLISHED: 08/24/2020