

## TITLE 4

### PUBLIC WORKS AND SAFETY

#### CHAPTER 1 PUBLIC WORKS AND SAFETY

#### CHAPTER 2 LAYING OUT AND CONSTRUCTION OF TOWN HIGHWAYS AND ROADS

#### CHAPTER 3 ROAD EXCAVATION; TREES

#### CHAPTER 4 DRIVEWAYS: CULVERTS

#### CHAPTER 5 PARKS AND NAVIGABLE WATERS

#### CHAPTER 6 CEMETARIES

### CHAPTER 1

#### PUBLIC WORKS AND SAFETY

##### 4-1-1 BOARD OF PUBLIC WORKS AND SAFETY

##### 4-1-2 PUBLIC WORKS

##### 4-1-3 PAYMENT FOR PUBLIC WORKS: SPECIAL ASSESSMENTS

#### SEC. 4-1-1 BOARD OF PUBLIC WORKS

- 1) There is created a Board of Public Works and Safety, which shall have the powers and duties stated herein, for the purpose of assuring that the Town of Burke has the necessary governmental services to foster and to permit planned and positive development of the Town, and to give property owners an alternative to annexing their land to cities and villages.
- 2) Members. The Board of Public Works and Safety shall consist of up to seven members who shall be known as "Commissioners". The Town Chairman shall appoint seven persons to serve as Commissioners. One shall be a Plan Commission member and at least one shall be a member of the Town Board. The non-Supervisor members of the Board of Public Works and Safety shall be residents of the Town with an interest and experience in public works. The Commissioners shall receive the same per diem and expenses as are paid to members of the Plan Commission.
- 3) Subject to the final review and approval of the Town Board, the Board of Public Works and Safety shall have the following responsibilities to act in the area of public works, consistent with these ordinances and Town Board policies:
  - a. To review and monitor the condition of the roads in the Town and recommend to the Town Board the appropriate repair, maintenance and reconstruction of the roads.
  - b. To evaluate and study development trends in Dane County and the region near the Town so as to advise the Town Board of appropriate policies to

meet the service needs posed by future growth and development of the Town.

- c. To study drainage and surface or storm water management in the Town and its vicinity: to work with property owners and adjacent municipalities to recommend to the Town Board appropriate management of storm or surface waters in a manner consistent with Wisconsin law.
  - d. To oversee the operation, maintenance, expansion and planning of all public water systems in the Town, including those systems for which a utility or sanitary district has been created and to advise the Town Board in these matters.
  - e. To work with and advise property owners and water quality authorities on sewage treatment concerns, including problems with private septic systems and issues related to extension of public sewer service.
  - f. To advise the Town Board on the public service and infrastructure requirements of proposed plats, certified survey maps, planned unit developments, land use plans or amendments, or rezoning petitions, as the Board of Public Works and Safety deems appropriate or as requested by the Town Board.
  - g. To monitor erosion and soil loss in the Town and, in consultation with the Dane County Soil Conservation Service, to encourage effective soil conservation practice.
  - h. To work with the Dane County Lakes and Watershed Commission to promote the vitality of watercourses and waterways in the Town.
  - i. The Board of Public Works and Safety shall work in conjunction with the Public Works Supervisor and any other designee to ensure that all Town ordinances, policies and procedures are complied with.
  - j. The Board of Public Works and Safety shall create and implement a disaster plan as necessary to keep the public safety.
- 4) The Board of Public Works and Safety may recommend operating policies and procedures to govern the administration of the public services under its supervision, but such policies and procedures shall not be effective until approved by the Town Board.
- 5) All boards or commissions of any and all utility or sanitary districts are hereby abolished. All powers and duties which formerly lodged with the boards or commission overseeing any existing sanitary district or utility district are hereby vested in and transferred to the Town Board of Supervisors pursuant to sec. 60.74(1), WI Stats, and pursuant to that statute, the Town Board shall constitute it self as the commission of all utility or sanitary districts, the Board of Public Works and Safety shall assume day-to-day oversight of all such utility or sanitary districts and recommend appropriate policies and actions to the Town Board of Supervisors. All property, funds, books, records and accounts of such sanitary or utility districts shall be transferred to the Town Clerk/ Treasurer on the effective date of this ordinance. The Clerk/Treasurer shall make these materials available

to the Board of Public Works and Safety upon its appointment by the Town Chairman.

- 6) The provisions of this ordinance shall not be construed in any manner so as to invalidate, call into question, or retroactively repeal:
  - a. Any indebtedness or obligation previously issued by the Town of Burke, or any authorizing agency or district thereof, for any project or services previously undertaken or which is being undertaken at the time of the adoption of this ordinance. Nothing herein constitutes a repudiation of any such indebtedness, nor a repeal of any ordinance, resolution or levy which secures the repayment of any such indebtedness, or is in any way an impairment of the obligation of any such indebtedness.
  - b. The existence of any such district or agency of the Town.

**Sec. 4-1-2 PUBLIC WORKS**

Without limitation because of enumeration, the Town Board may:

- a) Acquire Lands. Notwithstanding Sec. 60.10(2)(e), Wis. Stats. acquire lands to lay, construct alter, extend or repair any highway, street or alley in the Town.
- b) Streets, Sewers and Water Mains. Provide for laying, constructing, altering, extending, replacing, removing or repairing any highway, street, alley, sanitary sewer, storm sewer or water main in the Town.
- c) Sidewalks. Provide for construction, removal, replacement or repair of sidewalks under Sec. 66.0907, Wis. Stats.
- d) Lighting Highways. Provide for lighting for highways, as defined under Sec. 340.01(22), Wis. Stats., located in the Town.
- e) Lake Improvement. Provide for making improvements in any lake or waterway located in the Town.

**Sec. 4-1-3 PAYMENT FOR PUBLIC WORKS: SPECIAL ASSESSMENTS.**

The Burke Town Board may levy and collect special assessments and charges under Sec. 66.0703, Wis. Stats., and Title 2, Chapter 8, of this Code to pay for all or part of the cost of any public work or improvement. Special assessment may be paid under Sec. 66.0719, Wis. Stats. Reassessments shall be under sec. 66.0731, Wis. Stats.