

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN  
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Ordinance 2023-~~06~~<sup>09</sup> adopting Revisions to 08.03(1)(e)(2) Right-of-Way Permit Deposits

Code Section(s) created, amended, or repealed	<u>08.03(1)(e)(2)</u>
Presented to Board by	<u>Town Clerk-Treasurer</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>Not required</u>
Date adopted	<u>9/5/2023</u>
Vote	<u>5-0</u>
Date of posting of adoption of ordinance	<u>9/6/2023</u>
Date of publication of adoption of ordinance	<u>Not required</u>

The Town Board of the Town of Cottage Grove does ordain as follows:  
TCG Ord. Section 08.03 Right-of-Way Permits is hereby amended to read as follows:

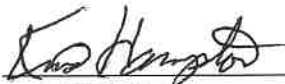
**08.03 RIGHT OF WAY PERMITS**

**(1) APPLICATION AND APPROVAL REQUIRED**

(e) As a condition of permit approval, the Town shall require and the applicant shall provide the following:

2. Deposit. A deposit to ensure proper construction, completion of work, restoration and absence of damages to Town highways, roadways, and rights-of-ways. The deposit shall be for 120% of the total amount of the estimated cost to restore the Town highway, roadway, or right-of-way to be disturbed to a condition as good as existed prior to the applicant's work, as such total amount is determined by either the Highway Superintendent or the Town Engineer. ~~The applicant's deposit shall be in the form of i) an irrevocable letter of credit in a form acceptable to the Town; ii) cash; iii) certified or cashier's check.~~ Upon completion of the work, restoration of any areas disturbed, and approval by the Highway Superintendent or Town Engineer, the Town shall refund the deposit in a timely manner, less any damage, repair, completion, or excess inspection costs. The deposit amounts shall be determined on an application-by-application basis, as set forth on Exhibit A.

Adopted this 5<sup>th</sup> day of Sept, 2023 by a vote of 5 in favor, 0 against and 0 abstaining.

  
Kris Hampton, Town Chair

ATTEST:

  
Kim Banigan, Town Clerk-Treasurer

AFFIDAVIT OF POSTING OF  
TOWN OF COTTAGE GROVE ORDINANCE

STATE OF WISCONSIN    )  
                                      ) ss.  
COUNTY OF DANE        )

I, Kim Banigan, Cottage Grove Town Clerk-Treasurer, being first duly sworn, on oath, state as follows:

On September 5, 2023, the following Town of Cottage Grove Town Ordinance was duly posted on the Town of Cottage Grove's internet site and on the Cottage Grove Town Hall Bulletin board, all in accordance with TCG 25.01(4) and Wis. Stats., §60.80.

**TOWN BOARD ORDINANCE 2023-09-05**  
**Adopting revisions to 08.03(1)(e)(2) Right-of-Way Permit Deposits**

  
\_\_\_\_\_  
Kim Banigan  
Cottage Grove Town Clerk-Treasurer

Subscribed to and sworn before me  
this 7<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Signature of Town Board Chair

or

  
\_\_\_\_\_

Amber Steele (print name)

Notary Public, State of Wisconsin

My Commission expires: 2/15/27

