

LEGISTAR # 51476 - Body

DRAFTER'S ANALYSIS: This ordinance amends the citation authority of the Traffic Engineering Division in order to allow inspectors from that unit to issue citations for violating the City's right-of-way occupancy ordinance, Sec. 10.05, MGO. Sec. 10.05 regulates right-of-way excavations, as well as the use of the right-of-way by utilities. Under that section, those seeking to excavate in the right-of-way must obtain a Permit to Excavate, and abide by the conditions of that permit. That ordinance and permit is administered by the City Engineer. The Traffic Engineer, meanwhile, administers Sec. 10.055, the Street Occupancy Ordinance, which ordinance regulates the short term use of the City's rights-of-ways. It is not uncommon for a single project site to be subject to both a Permit to Excavate in the Right-of-Way and a Street Occupancy Permit. By expanding the Traffic Engineer's enforcement authority to include Sec. 10.05, inspectors of the Traffic Engineering Division will be able to enforce not only the requirements of temporary street occupancy permits, but the requirements of right-of-way excavation permits. This additional enforcement authority will save administrative costs and lead to a more efficient response.

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (4) entitled "Issuance of Citations" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

<u>"Enforcement Official"</u>	<u>Ordinance Chapter or Section and Title</u>
City Traffic Engineer, or her/his designee.	<u>Section 10.05, Occupancy of Rights-of-Way</u> ; Section 10.055, Occupancy of Streets or Other Public Areas.