



Legislation Details (With Text)

**File #:** 51476      **Version:** 1      **Name:** Traffic Engineer to issue citations for right-of-way violations

**Type:** Ordinance      **Status:** Passed

**File created:** 4/30/2018      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 6/19/2018      **Final action:** 6/19/2018

**Enactment date:** 7/3/2018      **Enactment #:** ORD-18-00061

**Title:** Amending Sec. 1.08(4) of the Madison General Ordinances to allow the Traffic Engineer to issue citations for violations of Sec. 10.05, the occupancy of rights-of-way ordinance.

**Sponsors:** Ledell Zellers, Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Body

Date	Ver.	Action By	Action	Result
6/19/2018	1	COMMON COUNCIL	Adopt	Pass
6/6/2018	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/15/2018	1	COMMON COUNCIL	Refer	Pass
4/30/2018	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required for this ordinance change. Efficiencies in workflow, and therefore savings in staff time, will be gained by eliminating the need for employees from both Engineering and Traffic Engineering to be involved in the process.

**Title**

Amending Sec. 1.08(4) of the Madison General Ordinances to allow the Traffic Engineer to issue citations for violations of Sec. 10.05, the occupancy of rights-of-way ordinance.

**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.

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The Common Council of the City of Madison do hereby ordain as follows:  
Please see "Body" in Attachments.

