



## Legislation Text

---

**File #:** 06945, **Version:** 1

---

**Fiscal Note**

No funds required.

**Title**

Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on D'Onofrio Drive, West Towne Way and Ganser Way. (9th AD)

**Body**

PREAMBLE

D'Onofrio Drive, West Towne Way and Ganser Way are scheduled for resurfacing in 2007. The first phase included replacing deteriorated sections of curb and gutter. The second phase included pulverizing the existing pavement and placing back the lower layer of pavement. The third phase includes placing the final surface of pavement. Phases one and two were completed between the hours of 7:00 AM and 7:00 PM. Phase three will be completed between the hours of 7:00 PM and 6 AM because:

1. Phases one and two were performed around normal traffic volumes without adversely affecting the quality of the construction and without a big impact on traffic. The contractor was required to maintain access to all businesses at all times.
2. Traffic turning in and out of the businesses could adversely affect the newly placed surface in Phase three. Performing this work during reduced traffic volumes will produce a better product and provide the least interruption to the businesses on D'Onofrio Drive, West Towne Way and Ganser Way. This work will take place in one or two nights.

The proposed activities beyond the hours of 7:00 AM to 7:00 PM are as follows:

1. Placing the final surface of asphalt pavement on D'Onofrio Drive, West Towne Way and Ganser Way.

Construction activities generally exceed the noise limits imposed by the Madison General Ordinances and temporary construction activity between the hours of 7:00 AM to 7:00 PM is allowed to exceed the noise limits imposed by the Madison General Ordinances. Madison General Ordinance section 24.08(3) provides the Common Council the ability to allow construction activities, with associated noise impacts, outside of the hours of 7:00 AM to 7:00 PM. with the passage of a resolution.

NOW THEREFORE BE IT RESOLVED, that construction work, with associated noise impacts, between the hours of 7:00 PM and 7:00 AM on D'Onofrio Drive, West Towne Way and Ganser Way are hereby approved in accordance with section 24.08(3) of the Madison General Ordinances, and

BE IT FURTHER RESOLVED, that the construction activities outside of the hours of 7:00 AM to 7:00 PM are limited to those activities identified in this resolution and are limited to the hours specified, and

BE IT FURTHER RESOLVED, that the approval of that construction work, as provided in this resolution shall expire on August 30, 2007.