



## Legislation Details (With Text)

<b>File #:</b>	33605	<b>Version:</b>	1	<b>Name:</b>	Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on W. Beltline Frontage Rd, W. Badger Rd, Wayne Ter, Benjamin Dr. and Deming Way.
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	4/14/2014	<b>In control:</b>	BOARD OF PUBLIC WORKS		
<b>On agenda:</b>	4/29/2014	<b>Final action:</b>	4/29/2014		
<b>Enactment date:</b>	4/30/2014	<b>Enactment #:</b>	RES-14-00331		
<b>Title:</b>	Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on W. Beltline Frontage Rd, W. Badger Rd, Wayne Ter, Benjamin Dr. and Deming Way.				
<b>Sponsors:</b>	Joseph R. Clausius, Paul E. Skidmore, John Strasser				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. bpw mailing affidavit.pdf				

Date	Ver.	Action By	Action	Result
4/29/2014	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
4/23/2014	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER	Pass
4/18/2014	1	Engineering Division	Refer	

### 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 W. Beltline Frontage Rd, W. Badger Rd, Wayne Ter, Benjamin Dr. and Deming Way.

### Body

#### PREAMBLE

The City of Madison Board of Public Works will hold a public hearing on the issue of allowing construction activities, with associated noise impacts, outside the period of 7:00 AM to 7:00 PM for certain work items on the following streets:

W. Beltline Frontage Rd (Whalen R - Damon Rd)  
W. Badger Rd (Fish Hatchery Rd - West End)  
Wayne Terrace (Lancaster Dr - High Crossing Blvd)  
Lancaster Dr (High Crossing Blvd - Wayne Ter)  
Benjamin Dr (High Crossing Blvd - Wayne Ter)  
Deming Way (Blackhawk Rd - Fourier Dr)

The Public Hearing will be on Wednesday April 23rd, 2014 at 5:30 PM at the City County Building, 210 Martin Luther King Jr. Blvd, Room 108A.

Madison General Ordinance section 24.08(3) provides the Common Council the ability to allow construction activities outside of the hours of 7:00 AM to 7:00 PM. with the passage of a resolution and a hearing before the Board of Public Works.

The streets listed above are scheduled for resurfacing in 2014. The first phase includes replacing deteriorated sections of curb and gutter. The second phase includes pulverizing the pavement. The third phase includes placing the asphalt pavement. Phases one and two will be 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 7:00 AM for the following reasons:

1. Phases one and two can be performed around normal traffic volumes without adversely affecting the quality of the construction and without a big impact on traffic. The contractor is 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 asphalt pavement in Phase three. Performing this work during reduced traffic volumes will produce a better product and provide the least interruption to the businesses. This work will take place on two consecutive nights at each location.

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 W. Beltline Frontage Rd, W. Badger Rd, Wayne Ter, Benjamin Dr and Deming 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 December 1, 2014.