



Legislation Details (With Text)

**File #:** 58437      **Version:** 1      **Name:** Permit fee for private sidewalks, terraces, curb & gutter work will be established by City Engineer

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

**File created:** 11/22/2019      **In control:** Attorney's Office/Approval Group

**On agenda:** 1/7/2020      **Final action:** 1/7/2020

**Enactment date:** 1/17/2020      **Enactment #:** ORD-20-00004

**Title:** Amending Section 10.09(5) of the Madison General Ordinances to revise that the permit fee for private sidewalks, terraces and curb and gutter work will be established by the City Engineer.

**Sponsors:** Satya V. Rhodes-Conway

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/7/2020	1	COMMON COUNCIL	Adopt	Pass
12/11/2019	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
12/3/2019	1	COMMON COUNCIL	Refer	Pass
11/22/2019	1	Attorney's Office/Approval Group	Referred for Introduction	

This legislation modifies the permit fee for constructing sidewalk, terrace, curb and gutter, and landscape pavers in the public right of way from \$25, to an amount established by the City Engineer, and approved by the Board of Public Works, in an amount sufficient to recover the costs incurred by the City to administer the permit and other requirements of the ordinance. The fiscal effect of this change will be based on program costs that will inform a fee schedule which will be developed by Engineering and approved by the Board of Public Works. The current \$25 fee generates \$12,000 annually, which is deposited in the General Fund. Costs for this activity are estimated to \$25,000 in 2019. The anticipated revenues from this change are reflected in the 2020 adopted operating budget.

Amending Section 10.09(5) of the Madison General Ordinances to revise that the permit fee for private sidewalks, terraces and curb and gutter work will be established by the City Engineer.

**DRAFTER'S ANALYSIS:** A permit is required for the private construction of any concrete sidewalk, concrete terrace, concrete or asphalt curb and gutter, and the installation of landscape pavers in the right-of-way. The current permit fee is \$25, which amount is insufficient to recover the City's costs to administer the permit. This ordinance will remove the current permit fee established by ordinance and allow it to be set the Board of Public Works at an amount established by the City Engineer. This will better enable the City to recover its actual costs to administer this permit.

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

Subsection (5) entitled "Permit Required" of Section 10.09 entitled "Construction, Reconstruction and Repair of Sidewalks, Terraces, Curbs and Gutters" of the Madison General Ordinances is amended to read as follows:

“(5) Permit Required. No person, partnership, firm, corporation or organization may construct or lay any concrete sidewalk, concrete terrace, concrete curb and gutter, asphalt curb and gutter, or landscape pavers within the public right-of-way without obtaining a permit from the City Engineer prior to performing the work. The permit fee shall be ~~twenty-five (\$25) dollars~~ established by the City Engineer, and approved by the Board of Public Works, in an amount sufficient to recover the costs incurred by the City to administer the permit and the requirements under this Section. All permittees shall comply with all the rules, regulations, and specifications adopted by the Common Council or made by the City Engineer in relation to the work performed and shall pay all damages, costs and expenses caused by his/her negligence, or occasioned by his/her failure to comply with such rules, regulations, and specifications.”