ORDINANCE NO. 2026 - 06

AN ORDINANCE REPEALING AND RE-CREATING CHAPTER 376 ARTICLE IV OF THE CODE OF ORDINANCES OF THE TOWN OF FULTON CONCERNING EXCAVATION OF TOWN ROADS

WHEREAS, pursuant to the provisions of Chapter 376 Article IV of the Code of Ordinances of the Town of Fulton, the Town regulates and issues permits for the excavation of Town roads, primarily in connection with utility installation; and

WHEREAS, to promote uniformity of regulations concerning excavation of Town roads within the Town of Fulton as well as Town roads within adjacent towns and other towns within Rock County, it has been determined by the Town Board of the Town of Fulton that it would be in the best interests of the residents of the Town and other users of Town roads to adopt the provisions of the Rock County Highway Department Utility Accommodation Policy and to delegate the administration and enforcement of that policy to the Rock County Highway Department, in lieu of administration and enforcement of that policy by the Town of Fulton.

NOW, THEREFORE, the Town Board of the Town of Fulton do hereby ordain as follows:

Section I. Chapter 376 Article IV of the Code of Ordinances of the Town of Fulton is hereby repealed.

Section II. Chapter 376 Article IV of the Code of Ordinances of the Town of Fulton is hereby recreated to read as follows.

ARTICLE IV EXCAVATION OF TOWN ROADS

§376-20. **Adoption of Rock County Highway Department Utility Accommodation Policy.**

All provisions of the Rock County Highway Department Utility Accommodation Policy, inclusive and amendments thereto, are hereby adopted by reference and incorporated into this Article and made applicable to all Town roads within the Town of Fulton.

§376-21. **Authorization to administer and enforce.**

The Rock County Highway Department is hereby delegated the authority to administer and enforce the provisions of §376-20 of this Article. Provided, that the Town of Fulton shall also retain authority to enforce the provisions of §376-22.

§376-22. **Violations and penalties.**

Any person who violates any provision of this Article shall be subject to a forfeiture as provided in Chapter 1, §1-4 and Chapter 20, Citations, of this Code. Each day a violation exists shall constitute a separate violation. In addition, the court costs and cost of prosecution shall be assessed for each violation.

Section III. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the Town Board of the Town of Fulton this 10 day of November, 2026.

TOWN OF FULTON

By: _____
Scott Farrington, Chair

ATTEST

By: _____
Laura Siclovan, Clerk/Treasurer

Date Passed: 11/10/26
Date Published: 11/11/26