

ORDINANCE NUMBER 3.02
AN ORDINANCE OF THE TOWN OF BRIGHAM
TO MANDATE THE RECONSTRUCTION OF TOWN ROADS

SECTION A AUTHORITY AND PURPOSE

The Town Board of the Town of Brigham has the authority to assure that public roads are maintained for the safety of all who use them. To this end, any person, partnership, corporation or other legal entity who does any damage – intentional or unintentional – to the Town of Brigham's public roads, are to fully repair and restore that road to the condition it was in prior to the damage being done.

SECTION B GENERAL PROVISIONS

- 1** The party responsible for any damage, alteration or change in the condition of a town road shall be responsible for all costs necessary to restore the road to at least the condition in which it was prior to the damage, alteration or change to the road. This responsibility exists whether the damage, change or alteration by the responsible party was intentional or unintentional.
- 2** This reconstruction must be completed within sixty (60) days of the date when the alteration, change or damage is done, or is completed, unless the Town Board grants an extension due to extenuating circumstances.
- 3** The Town Board, or its designee, shall be the determinant as to whether or not the reconstruction will be, is, or has been done in accordance with this Ordinance.
- 4** A Heavy Traffic Permit application must be completed for any project such as logging, building or construction or other activities that cross or travel on town roads, which will involve trucks and trailers.

SECTION C VIOLATIONS

If no reconstruction is performed, or reconstruction is performed but not up to the standards set forth in this Ordinance, the Town Board may make the repairs necessary to bring the road up to the condition it was prior to when the alteration, change or damage was done. The cost thusly incurred will be charged to the person, partnership, corporation or other legal entity responsible for the original alteration, change or damage.

This Ordinance shall take effect upon passage by a majority vote of the members of the Town Board and publication as required by law.

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Brigham on the 6th day of October, 2009.

TOWN OF BRIGHAM

Otis Nelson, Town Chairperson

Jerry Davis, Town Supervisor

Doug Reeson, Town Supervisor

ATTEST:

Audrey Rue, Town Clerk

VOTE:

Ayes: 3

Noes: 0

Posted: October 28, 2009

Adopted: October 6, 2009