

## **Town Road Right-of-Way Ditching's Disposal**

Under Wisconsin Statute 86.10 the Town has the power to dispose of materials removed from town right-of-ways. This section of Town procedures does not apply to the disposal of trees. See section "Town Road Right-of-Way Tree Ownership."

The Town will dispose of ditching materials on sites acceptable to all government agencies that have authority regarding the placing of such ditching materials (including but not limited to the following):

1. Douglas County Zoning: It will first be determined if the proposed site is located in a mapped floodplain. If so, Douglas County Zoning must be contacted for permission if needed;
2. WI DNR: If there is any doubt regarding whether or not the site is a wetland, the DNR must first be contacted; and
3. Army Corps of Engineers.

The Town will find acceptable sites as close as possible to the place of removal. If the owner of that site is not willing to accept all the materials, another site will be located following the above procedures, in order to dispose of the remaining materials.

When four or fewer dump trucks of material are placed on a site, the materials will not be leveled using town equipment.

When five or more dump trucks of materials are placed on one site, the materials may be leveled by the use of town equipment, so that the land owner has use of the land, and so that the Town is able to place additional materials on that property.

In no case shall additional landscaping be done, other than the leveling described above.