

Town of Spencer

Marathon County WI Resolution No. 2018- Road Damage

Resolution for recovery of road damages caused during building construction or similar instances.

The Town Board of the Town of Spencer, Marathon County hereby adopts this resolution to enable the Town to bill residents or property owners in the event damage is done to a town road. The Town Board resolves to adopt the following Wisconsin statute in its entirety:

Wisconsin State Statutes Section 86.02 Injury to highway. Any person who shall injure any highway by obstructing or diverting any creek or watercourse or sluiceway or by dragging logs or timber thereon or by any other act shall be liable in treble damages, to be recovered by the political division chargeable with the maintenance of highway injured, and the amount recovered shall be credited to the highway maintenance fund.

This resolution applies to any and all damages that are the result of the resident, property owner, and or their construction / excavation crews. Damages may be charged by the Town for the road, ditch, shoulders or culverts if deemed necessary by the Town Board at a regular monthly meeting. A resident or other responsible party has the right to appeal the decision at the following monthly regular town board meeting.

A copy of this resolution shall be provided to residents when they receive a building permit to help make them aware of their responsibility.

The Town Board may, in its discretion, utilize the Wisconsin statutory process relating to special charges under Wis. Stats. Sec. 66.0627 or any other remedy to assist the Town's recovery for road damages.

Adopted this 9th day of April 2022

Town Chairman: Dennis Foth _____

Town Supervisor: Carl, (Pete) Hoff _____

Town Supervisor: Jerry Schmitz _____

Town Clerk: Dennis Gonnering _____