

TOWN OF WHEATON

CHAPTER 4

ROADWAY ORDINANCE

1. Title and Purpose

The Title of this Ordinance is the "Town of Wheaton Roadway Ordinance". The purpose of this Ordinance is to establish rules and regulations to further the orderly layout, use, and development of roadway land in the Town of Wheaton. Said Ordinance is intended to promote the purposes outlined in Section 236.45 of the Wisconsin Statutes.

2. Authority

The Town Board has the specific authority, under §82.03(1)(2)(3) and §82.50 Wis Stat, for the construction, repair and maintenance of the Town roadways, bridges and culverts. Before the Town Board will accept any road right-of-way for maintenance purposes, and before said Town Board will approve or consent to the issuance of any County or Town Building Permits for construction, the requirements cited in Section IV shall be met:

3. Adoption

This Ordinance, adopted by a majority of the Town of Wheaton Town Board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation of Town roadways, including bridges.

4. Coverage

- A. APPLICATION: Three (3) copies of the scale drawing of the proposed road indicating location and showing relief of the area with two (2) foot contour elevations shall be submitted to the Board. Included in the drawing shall be the area that will be served by the road and how drainage from the area served is to be treated. If the road is not included in the subdivision, a certified survey of said road will be provided and a deed of all right-of-ways will be offered for transfer to the Town of Wheaton. The Town Engineer may review the proposed plans. Any and all costs for such a review shall be borne by the applicant.
- B. STANDARDS: The following standards, at minimum, shall be standards for new Town road and bridge/culvert construction. The Town Board on a roll call vote with quorum present and voting may require more stringent standards for new Town road and bridge/culvert construction in the Town. Such standards as described shall remain in effect in the Town until terminated by a similar vote of the Town Board. [Amended 01/11/2022]
 - a. Road right-of-way 66 feet (minimum) [Amended 01/11/2022]
 - a. Roadway width - including shoulders: 28 feet (minimum) [Amended 01/11/2022]
 - b. Shoulders: 3 feet (minimum)
 - c. Traffic lane - surfaced area each direction: 11 feet (minimum)
 - d. Maximum grade 6%
 - i. Unless otherwise allowed by the Chippewa County Highway Department and approved by the Wheaton Town Board.
 - e. Bridge widths: 30 feet (minimum)
 - f. Culvert widths: 30 feet (minimum)
 - g. Maximum grade - ditch drainage-sodded: 3%
 - h. Maximum grade – ditch drainage-sodded check dams: 6%
 - i. Road, ditch profile – ten to one (10-1) or 10%, minimum of 6 feet from edge of base course to the edge of ditch.
 - j. Public Street construction materials: [Amended 01/11/2022]

- i. Base Course: Six (6) inches compacted gravel, shale, crushed lime rock or other such materials as approved by Town Board or it's designee. The Town board may require more base inches after review. Wis DOT spec 304.2.6 Grade 2.
 - ii. Subbase: 12-inch minimum compact thickness. Specifications: the Wis. DOT spec 212.2 and supplements in effect at the time of the construction.
 - iii. Bituminous Paving: Asphalt material thickness appropriate to class of road. Determination to be made by The Town board or its designee after review. All costs associated with determination of pavement design shall be borne by developer, owner and/or applicant.
 - iv. Signs and Pavement Markings: Signage and pavement markings required for roads shall be provided and installed per the latest edition of the manual and as may be recommended by the Chippewa County Highway Department. All costs associated with signage determination shall be borne by developer, owner and/or applicant.
 - v. Public Streets Public streets shall be constructed to the Town of Wheaton standards (See Appendix A, Typical Public Road Detail). [Amended 01/11/2022]
 - vi. Culverts: Approved by Town Board or its designate to handle maximum vehicle loads expected end of a size, length, and diameter to adequately drain an area without subsequent ponding during heavy runoff, with minimum diameter of 18 inches for roadways and 15 inches for driveways (Note: The Town Board's designate may require drainage calculations for any culvert placement, the cost of which is to be borne by developer, owner and/or applicant.)
 - vii. Road right-of-way: All Portions of the right-of-way beyond the edge of the base course that are disturbed at time of construction shall be properly seeded or sodded to prevent erosion, per current (most recent edition) of Wisconsin DOT specifications, including its supplements.
 - k. Private Roads, (See Appendix A, Typical Private Road Detail). [Amended 01/11/2022]
 - i. Shall be constructed to Town of Wheaton standards.
 - ii. Bituminous pavement is optional.
 - iii. The developer, owner and/or applicant shall install one culvert as per Town of Wheaton standards for each lot at the driveway locations as approved by the Town of Wheaton.
 - l. Cul-de-sac: No road shall dead-end without a permanent or temporary cul-de-sac or with Town Board approval a hammer head turn around. The closed end shall have a turnaround with an outside roadway radius of at least 60 feet and a street property line radius of 70 feet.(See Appendix A, Bulb and Eccentric Cul-de Sac Detail) It must be 100% (percent) paved. [Amended 01/11/2022]
 - i. Hammer head: A hammer head turn around may be allowed with Town Board approval. Pavement width shall be a minimum of 22 feet, each leg of the turnaround shall be a minimum of 60 feet from the intersection of the road and the center of the "Tee" and shall include a minimum 66 foot Right of Way width. (See Appendix A, Hammerhead Turn Around Detail). It must be 100% (percent) paved. [Amended 01/11/2022]
 - m. Mailboxes shall be grouped outside of the cul-de-sac per the provisions in Chapter 8.
- C. SPECIAL BRIDGE AND CULVERT STANDARDS: If at anytime it is decided by the Town Board or its designate that the construction of a culvert or bridge would be of a size and cost that would create a hardship to the owner or owners of land required to build said culvert or bridge, the Town Board or its designate may proceed to accept the road, complete as required by the above rules and regulations, except those parts extending 100 feet on each side of said culvert or bridge. The portion or road extending 100 feet on each side of said culvert or bridge will hereafter be known as the approach. Said approach shall be accepted incomplete, with the reservation that the Town will bill back to the owner or owners a portion of the costs of construction of said culvert or bridge. The Town will then proceed to build said culvert or bridge and approach with the help of bridge aid, if available; the balance of cost of construction not

covered by said aid will be charged to the owner or owners of land abutting the road via assessment. It is not the intent of this Section to discriminate or favor any individual or individuals, but rather to aid in construction so as to reduce the cost of construction in areas where nature has created an extreme road building condition. Bridges shall be constructed according to designs which bear the seal of a professional engineer certified by the State of Wisconsin.

- D. **PERFORMANCE BOND:** In lieu of waiting until construction is complete to accept a road, the Town Board may accept a Performance Bond from a developer or owner. This Bond would be so contracted as to guarantee (up to 100%) upon signing of both parties, that the road bonded would be completed to the specifications before mentioned or the Town Board could exercise said Bond to complete the intended improvements. Bonding company must be licensed to provide bonding in the State of Wisconsin. A minimum of a \$10,000 bond is required. Additional bonding may be required if determined by the Town Planning Commission and approved by the Town Board.
- E. **INSPECTION AND ACCEPTANCE:** The Town Board or its designate shall visually inspect said road before acceptance and if the improvement passes inspection, the Town Board will issue a letter to that effect. The developer will within ten (10) days submit a deed of the said improvement to the Board. (Note: Subdivisions automatically transfer road right-of-way when properly recorded.) It shall be the responsibility of the developer to obtain acceptance by the Town Board by correcting any problem if acceptance is not gained by the first inspection. The developer shall be allowed one year to correct the problem before the Town may proceed to correct said problem and assess the developer to proper charges. All roads proposed to become town roads will be black top asphalt to the standards set forth herein prior to the Town accepting ownership thereof.

5. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

6. Enforcement

A. Penalties

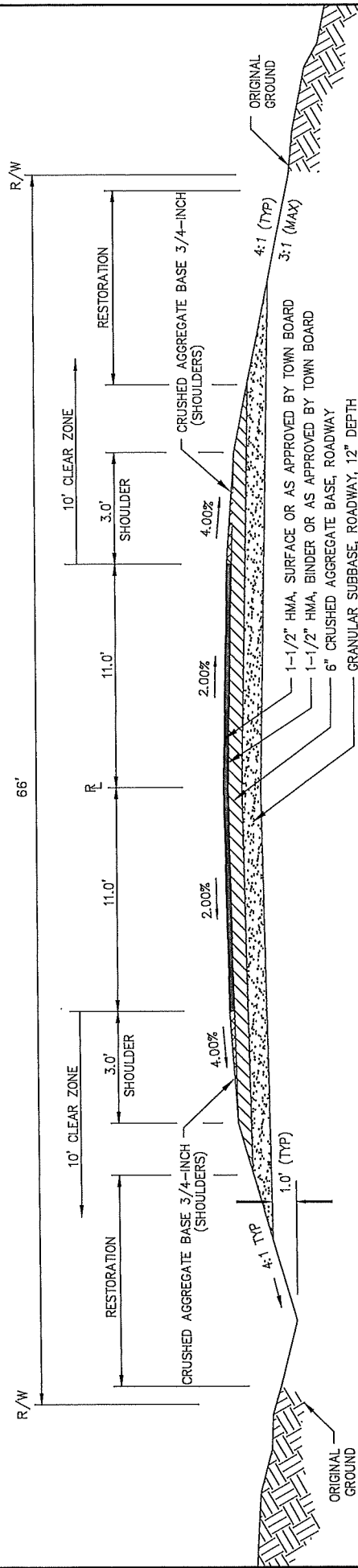
First Offense: Any person who violates this Ordinance shall, upon conviction forfeit not less than two-hundred dollars (\$200.00) nor more than five-hundred dollars (\$500.00) together with costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until the forfeiture and costs are paid but not exceeding ninety (90) days.

Second Offense: Any person who violates this Ordinance shall, upon conviction of a second offense or more will forfeit not less than one-thousand dollars (\$1000.00) nor more than two-thousand dollars (\$2000.00) together with costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until the forfeiture and costs are paid but not exceeding one-hundred eighty (180) days in Jail

7. Effective Date

This Ordinance shall take effect on passage and posting or upon adoption as a Chapter in a Code of Ordinances as provided by law.

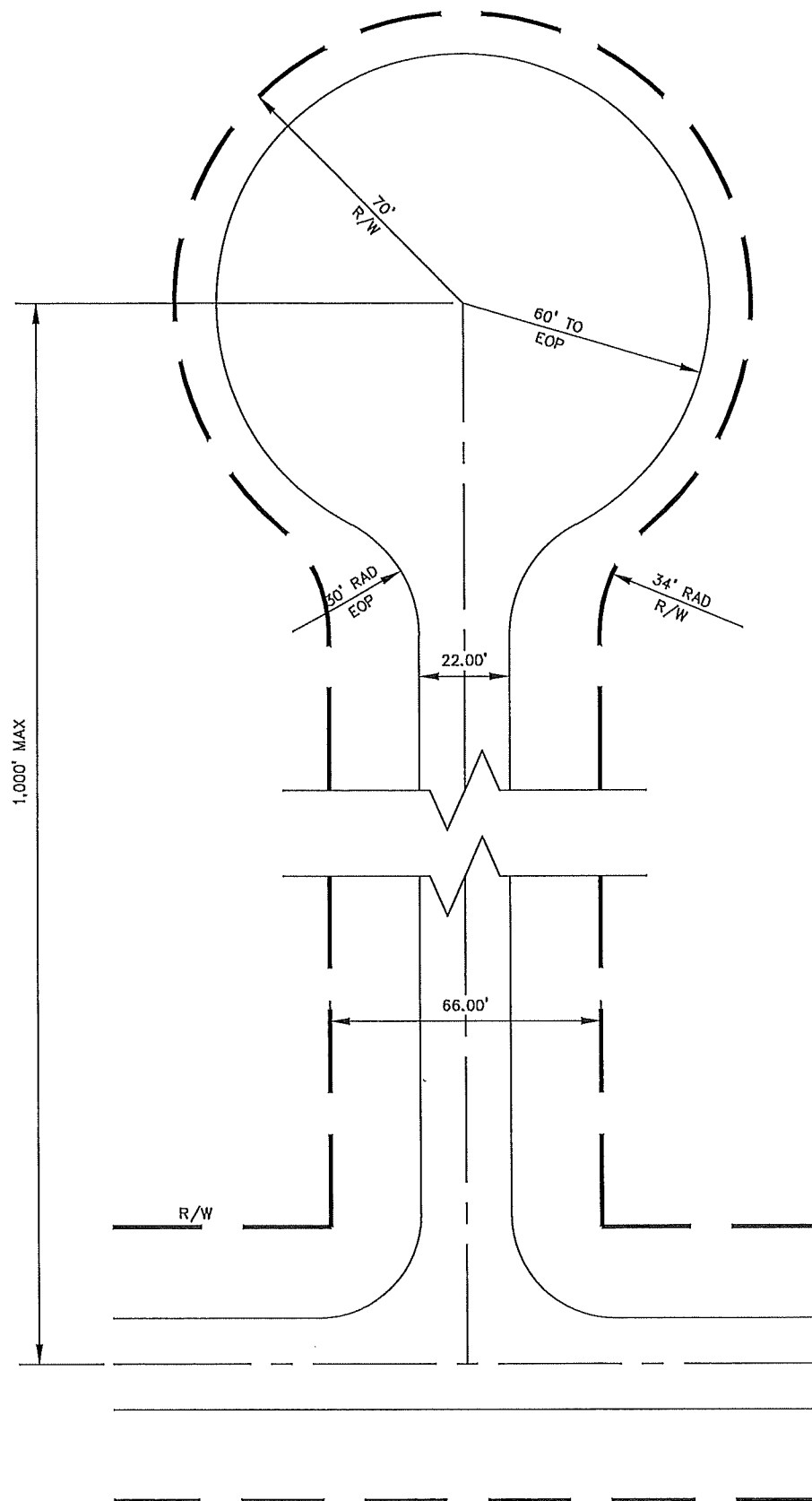
Appendix A



NOTE: ALL DIMENSIONS ARE MINIMUMS

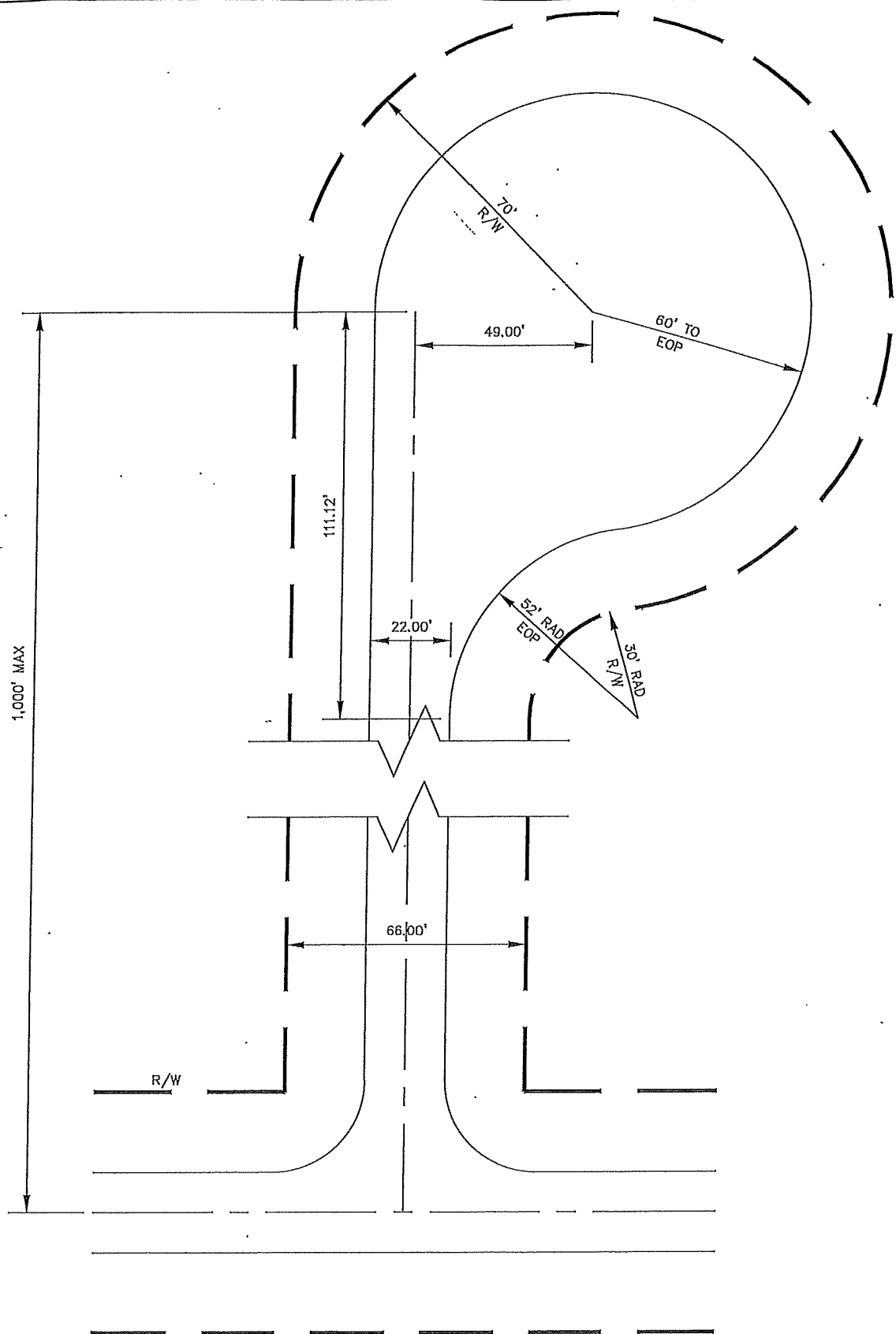
TYPICAL PUBLIC ROAD

NO SCALE



NOTE: EOP = EDGE OF PAVEMENT
 R/W = RIGHT OF WAY
 ALL DIMENSIONS ARE MINIMUMS UNLESS OTHERWISE NOTED

BULB CUL-DE-SAC
 NO SCALE



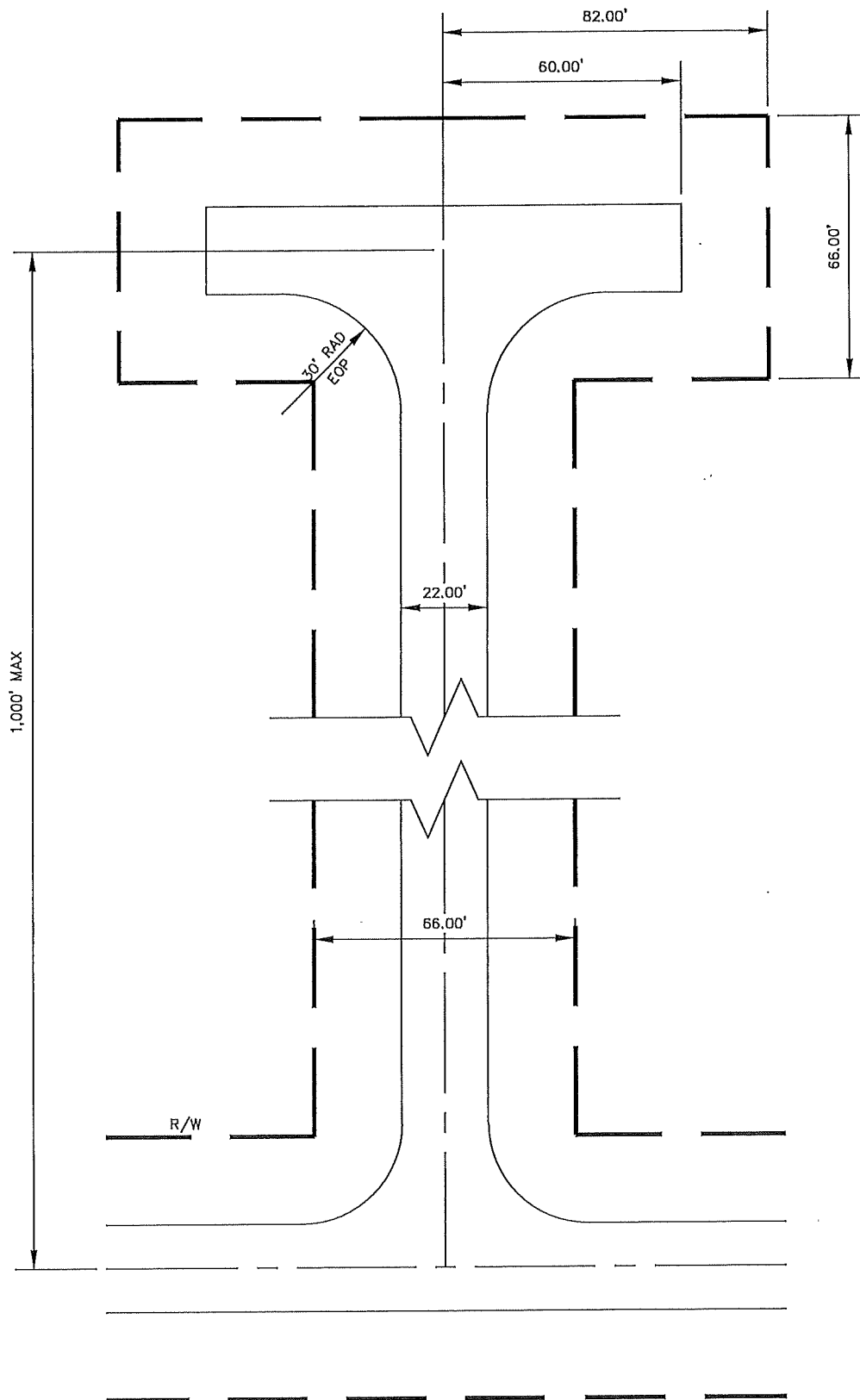
NOTE: EOP = EDGE OF PAVEMENT

R/W = RIGHT OF WAY

ALL DIMENSIONS ARE MINIMUMS UNLESS OTHERWISE NOTED

ECCENTRIC CUL-DE-SAC

NO SCALE



NOTE: EOP = EDGE OF PAVEMENT
 R/W = RIGHT OF WAY
 ALL DIMENSIONS ARE MINIMUMS UNLESS OTHERWISE NOTED

HAMMERHEAD TURN AROUND NO SCALE

