

**TOWN OF STANFOLD**

**ORDINANCE #08-010**

**AN ORDINANCE REGARDING DRIVEWAYS**

**THE TOWN BOARD OF THE TOWN OF STANFOLD DOES ORDAIN AS FOLLOWS:**

**CHAPTER 1**

**DRIVEWAYS**

- 1-1 Purpose.**
- 1-2 Definition.**
- 1-3 Driveways, regulated.**
- 1-4 Construction requirements.**
- 1-5 Permit requirements.**
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**SEC. 1-1 PURPOSE**

The Town Board of the Town of Stanfold, Barron County, Wisconsin in order to provide for the orderly growth and development of the Town of Stanfold, and the enhancement of the health, safety, and general welfare of the public, does establish standards for driveways that will provide for better and safer provisions for adequate emergency vehicle access from private development to a public right of way, and because safe driveways will protect public health and safety.

**SEC. 1-2 DEFINITION**

- (a.) Driveway.** Any area where travel occurs from a public road over land, whether by easement or ownership not considered to be part of the public road for the purpose of gaining access to land or improvements.

**SEC. 1-3 DRIVEWAYS, REGULATED**

- (a.)** All new driveways proposed to be installed or any driveway alleged to be existing and serving open land in the Town of Stanfold without improvements and proposed to be converted to a driveway to serve one or more structures shall be subject to a permit issued by the Town Chairman with an application fee as established by the Town Board to be paid to the Town prior to the start of any construction of a new driveway and prior to the issuance of a building permit.

- (b.) Additionally, no person, company, firm, corporation or other legal entity shall establish a driveway access from any private parcel of land to a County Highway without first obtaining, as may be required by County ordinances, a driveway permit from the County.
- (c.) Variances. Any of the requirements in this Ordinance may be varied by the Town Board in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
- (d.) Fire Numbers. All new driveways proposed to be installed to serve a structure or any driveway alleged to be existing and serving open land in the Town of Stanfold without improvements and proposed to be converted to a driveway to serve one or more structures which have no other driveway access with an existing Fire Number serving the structure(s), shall have issued by Barron County a rural address/Fire Number. The Fire Number shall be posted at the driveway per County requirements.

#### **SEC. 1-4 CONSTRUCTION REQUIREMENTS**

- (a.) The following dimensions shall apply in all seasons and conditions:

Minimum road surface width:	12	feet
Minimum width clearance:	24	feet
Minimum height clearance free of trees, wires, etc:	16	feet
Minimum distance from an intersection:	250	feet
Maximum grade:	10	percent

- (b.) At least one twenty-five (25) foot driveway segment eighteen (18) feet in width shall be provided for each three hundred (300) feet of driveway length to provide for the safe passage of meeting vehicles. The minimum driveway surface width at the road junction shall be 20 feet for the first 20 feet of the driveway.
- (c.) The driveway within the area of the public right of way shall slope away from the public road at a minimum of one (1) per cent and a maximum of five (5) per cent to prevent erosion onto the public road. An adequate roadbed base of suitable material to support the projected traffic and any requirements for culverts shall be determined by the town in considering an application for driveway approval.
- (d.) At the dead end of all new driveways, a turnaround of at least thirty-five (35) feet radius or some other method to allow vehicles to turn around shall be provided.
- (e.) Driveways shall not obstruct or impair drainage in street ditches or roadside areas. Driveway culverts, where required shall be adequate for surface water drainage along the street and shall not be less than the equivalent of a 12-inch diameter pipe. The distance between culverts under successive driveways shall not be less than ten (10) feet.

#### **SEC. 1-5 PERMIT REQUIREMENTS**

- (a.) The application fee, including Town inspection fee, for a driveway permit shall be at the current rate established by the Town Board. County permits, if applicable, and any County inspection fees are separate additional charges.
- (b.) Applications for driveway permits shall be made to the Town of Stanfold through the Town Chairman on forms furnished by the Town and shall be submitted with:
  - a. The name and address of the applicant, the owner of the property, the builder or contractor or architect or engineer
  - b. The legal description of the proposed site for driveway.
  - c. Size of property or parcel.
  - d. A construction plan or sketch showing: the exact location of the proposed driveway, size of the lot or parcel all property boundary lines, location of the existing or proposed dwelling, location of the existing or proposed sanitary system, location of the existing or proposed water supply well all setback distances (in feet), existing public roadways and other existing access routes to the property grade, slope, width, and length of the proposed driveway and erosion control procedures.
- (c.) A driveway permit must be obtained before a building permit will be issued.

#### **SEC. 1-6           INSPECTIONS**

- (a.) The property owner shall make the property available for inspection during normal business hours or such other time as may be mutually agreeable to the owner and inspector.

#### **SEC. 1-7           PENALTIES FOR NON-COMPLIANCE**

- (a.) Any person firm or corporation who violates, disobeys, neglects, omits, tries willfully to circumvent the intent of the ordinance, refuses to comply with this ordinance, or resists enforcement of any of its provisions shall be subject to a written notice of violation.
- (b.) The Building Inspector a law enforcement officer or any other authority authorized by the Town Board may require by written order any premises violating this Section to be put in compliance within thirty (30) days or other time as specified in such order.
- (c.) Each written order which is not complied with shall be considered a new violation of this ordinance.
- (d.) If the premises are not brought into compliance within the time specified in the written violation, then The Town Board a law enforcement officer or any other authority authorized by the Town Board may levy fines as may from time to time be determined by the Town Board.
- (e.) Fine amounts for non-compliance with driveway ordinance written violations. Fines shall be assessed in the following manner:
  - a. Failure to comply with first written notice:       \$100.00
  - b. Failure to comply with second written notice:   \$150.00
  - c. Failure to comply with third written notice:     \$100.00 per day of continued non-compliance following the expiration of the notice period contained in the notice served.

- (f.) In addition to any fines levied for non-compliance with this ordinance, both the property owner and nay third party working on the property and causing damage to Town roads shall be held liable for the payment of monetary damages to the Town for the repair or replacement of the damaged roadway.

**SEC. 1-8            SHORELAND, FLOODPLAIN AND COUNTY DRIVEWAY ORDINANCES**

- (a.) Nothing in this ordinance shall contravene the State of Wisconsin Department of Natural Resources or Barron County's ordinances regulations and rulings applicable to lands located in shoreland zoning or floodplain overlay districts.
- (b.) Nothing in this ordinance shall contravene Barron County's ordinances, egulations and rulings relating to driveways that access County Highways or State Highways.

**SEC. 1-9            SEVERABILITY**

Should any provisions of this Ordinance be declared to be invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of this Ordinance as a whole, but shall only affect the portion thereof declared to be invalid.

**SEC. 1-10          EFFECTIVE DATE**

- (a.) This Ordinance shall take effect upon passage and publication as provided by law.

**Adopted this 13<sup>th</sup> day of January 2009.**

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**E. Pat Fankhauser, Chairman**

**Attested by:**

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**Sheila S Tate, Clerk**