

Chapter 44 STREETS, SIDEWALKS, DRIVEWAYS AND OTHER PUBLIC PLACES

ARTICLE I. - IN GENERAL

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ARTICLE III. - DRIVEWAY CONSTRUCTION

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State Law reference—Town road standards, Wis. Stats. § 82.50; widening to streets, Wis. Stats. § 66.1031; privileges in streets, Wis. Stats. § 66.0425; street barriers, Wis. Stats. § 66.0429; town highways, Wis. Stats. § 82.01 et seq.; injuries to highways, Wis. Stats. § 86.02; miscellaneous highway provisions, Wis. Stats. ch. 86.

ARTICLE I. IN GENERAL

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Secs. 44-1—44-18. Reserved.

ARTICLE II. TOWN ROAD CONSTRUCTION

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Sec. 44-19. Minimum standards.

The following are the minimum construction specifications required for acceptance of a proposed road as a town road:

- (1) 12 inches of suitable sand compacted to nine inches.
- (2) 12 inches of rock compacted to nine inches.
- (3) At least 2½ inches of bituminous material to be laid in two layers or one layer or as may be otherwise specified in this Code.
- (4) The width of roads shall be as specified in Wis. Stats. § 82.18.

(Ord. of 2-9-1998, § 1)

Sec. 44-20. Illustration of typical road section.

A graphic illustration of a typical road section is available in the office of the town clerk and is incorporated by reference in this chapter, as if fully set forth herein.

(Ord. of 2-9-1998, § 2)

Sec. 44-21. Waiver of requirements.

Where in the judgment of the town board it would be inappropriate to literally apply provisions of this article, the town board may waive or modify any requirement to the extent it deems just and proper. In addition, the town board may impose such additional requirements and specifications for the road construction, as it deems just and proper under the circumstances. Such relief may be granted or additional requirements imposed where it does not impair the intent and purpose of this article. Reasons for such waiver or modifications shall be stated in the minutes of the meeting.

(Ord. of 2-9-1998, § 3)

Sec. 44-22. Seeding of slopes and ditches.

All slopes and ditches must be seeded in accordance with the county highway plans and specifications.

(Ord. of 2-9-1998)

Secs. 44-23—44-47. Reserved.

ARTICLE III. DRIVEWAY CONSTRUCTION

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Sec. 44-48. Purpose and intent.

The purpose of this article is to protect the safety of the general public and to further its necessity, convenience or welfare. The town shall determine the location, size, construction and number of access points to public roadways within the town. It is the intent of this article to provide safe access to properties abutting public roadways; provided that the access is not dangerous to the general public.

(Ord. No. 2005-6-1, § 1, 6-1-2005)

Sec. 44-49. Driveway permit required for construction or alteration.

No person shall construct, reconstruct, alter, or enlarge any private driveway within limits of any dedicated portion of any public street, roadway or alley within the town without first obtaining a driveway permit from the town.

(Ord. No. 2005-6-1, § 2, 6-1-2005)

Sec. 44-50. Permit application; fee; issuance of permit.

- (a) Application for a driveway permit shall be made to the town clerk on a form adopted by the town, and shall be accompanied by a drawing accurately depicting the portion of the proposed private driveway to be constructed, reconstructed, altered, or enlarged lying within the dedicated portion of a public street, road or alley; the dimensions thereof and a statement of the materials proposed to be used.
- (b) The applicant shall pay a fee in the amount provided in the town fee schedule.
- (c) Upon receipt of the application and fee, the town clerk, upon the recommendation of the town board or the board's authorized representative, shall approve the application, if the proposed driveway complies with the terms and conditions of this chapter, all other applicable provisions of this Code, and any other applicable government laws or regulations.

(Ord. No. 2005-6-1, § 3, 6-1-2005)

Sec. 44-51. Minimum construction requirements and specifications.

- (a) The proposed driveway must enter the public right-of-way at a 90-degree angle, and have a flat area of at least 20 feet before the grade increases or decreases. The slope and grade must not exceed 20 percent for the entire length of the driveway. The driveway width shall be not less than ten feet for the entire length. Any turns in the driveway must be constructed in a manner so as to allow emergency vehicle access to the site without backing up. A minimum height clearance of 14 feet must be maintained at all times.
- (b) The driveway must be installed prior to the start of any construction of any building upon the premises. Site construction access is limited to the approved driveway location, and construction materials shall not be stored on the public roadway.

(Ord. No. 2005-6-1, § 4, 6-1-2005)

Sec. 44-52. Drainage.

The surface of the driveway shall slope downward and away from the roadway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the roadbed.

(Ord. No. 2005-6-1, § 5, 6-1-2005)

Sec. 44-53. Variances.

Any of the requirements of this article may be varied by the town board when the particular nature of the property's design of the roadway makes the adherence to the requirements impossible or impractical.

(Ord. No. 2005-6-1, § 6, 6-1-2005)

Sec. 44-54. Culverts.

- (a) Driveways shall not obstruct or impair drainage and street ditches or roadside areas. Driveway culverts, where required by the town in its sole discretion, shall be adequate for surface water drainage along the street, road or alley and shall not be less than the equivalent of a 12-inch diameter pipe.
- (b) The location of the driveway and type of culvert must be approved by the town board or its designee prior to installation. Culverts shall be purchased by and installed by the property owner at the owner's expense except when otherwise required pursuant to Wis. Stat. § 86.05. All culverts shall be constructed of concrete or galvanized metal.

(Ord. No. 2005-6-1, § 7, 6-1-2005)

Sec. 44-55. Adding culverts to existing driveways.

Where the public welfare requires a suitable culvert for an existing driveway, the town shall notify, in writing, the property owner maintaining the driveway in the public right-of-way that the property owner is required to install or replace a culvert at the property owner's expense within ten days of the notice. The owner may appeal the order to the town board, within 30 days, otherwise the order shall become conclusive.

(Ord. No. 2005-6-1, § 8, 6-1-2005)

Sec. 44-56. Removal of violations.

Whenever there is a violation of this article, the town board or its designee shall order such driveway or culvert to be repaired or removed, or so much thereof as shall be necessary, and upon refusal or neglect of the property owner to do so, shall cause the same to be done and charge the expense of removal or repair to the property as a special charge.

(Ord. No. 2005-6-1, § 9, 6-1-2005)

Secs. 44-57—44-85. Reserved.

ARTICLE IV. STREET NAMING

Sec. 44-86. Plat of street and road names.

Sec. 44-86. Plat of street and road names.

In accordance with Wis. Stats. § 82.03 that requires the assignment of names for each street and road under the town's jurisdiction, the town has assigned the public street and road names as shown on the plat of street names available in the office of the town clerk.

(Ord. of 9-1-1976, § 1)

