

Chapter 5 ROAD ORDINANCE

EFFECTIVE: JULY 12, 1993

The Town Board of the Town of Dewey, Portage County, Wisconsin do ordain as follows:

5.1 PURPOSE. The purpose of the ordinance is to provide for public safety, to establish rules for layout of, construction of and dedication of roads within the Township, establish rules for public access to public roads, and establish rules concerning weight limit restrictions.

5.2 DEFINITIONS. The following definitions shall be applicable in this ordinance:

(A) Cul-de-sac. A local road with only one outlet and having a single terminal for safe and convenient reversal of traffic.

(B) Driving Surface. The actual paved or finished road surface intended for vehicular travel, not including the shoulders.

(C) Grade. The slope of a road or driveway entrance shall not exceed 8% unless necessitated by topography and approved by the Town Board.

(D) Culvert. A piece of drainage pipe made of plastic, concrete, or galvanized steel.

(E) Driveway. Any entrance from a public roadway to private property.

(F) Right-of-way. A strip of land occupied or intended to be occupied by a road, railroad, utility line, or for other special purposes, and normally requiring public dedication where public maintenance is involved.

(G) Roadtop. The driving surface and shoulders of any road.

(H) Seasonal Permit. A permit to exceed weight limits for an entire posting season, but limited to certain sections of roads, as specified in permit.

(I) Temporary Permit. A permit to exceed weight limits for a specified number of days, and limited to certain sections of roads as specified in permit, during the posting season.

(J) Posting Season. The time of year when roads are posted due to break-up caused by spring thaw.

5.3 STATUTORY AUTHORITY. The Town Board of the Township of Dewey has the specific statutory authority, power, and duties as outlined in Chapter 81 of the Wisconsin Statutes.

5.4 DEDICATION, LAYOUT, CONSTRUCTION OF ROADS.

(A) ASSIGN ROAD NAME. All roads under the Town's jurisdiction shall be assigned a name. All names shall be approved by the Town Board.

(B) ROAD RIGHT-OF-WAY. All roads dedicated to the Town shall have a minimum right-of-way of 66 feet. Right-of-way markers shall be put in showing the right-of-way lines.

(C) STREET IMPROVEMENTS. All road ways shall be graded to their full width, including side slopes, and to the appropriate sub-grade, and the road top 32 feet in width shall be surfaced with a minimum of 6 inches of road gravel, and the driving surface 22 feet in width shall be surfaced with either 3 inches of a cold mix or 2 inches of a hot bituminous substance (blacktopping), all in accordance with applicable specifications of the Town. Said blacktopping shall not be applied to the road until such time as the 6 inches of road gravel has laid on the proposed road for a period of one winter season (December 15 through May 31). After blacktopping is completed, the remaining roadtop shall be shouldered with material approved by the Town. The remainder of the right-of-way shall be seeded with grass and covered to prevent erosion.

(D) STREET DRAINAGE. All necessary facilities shall be installed sufficient to prevent the collection of surface water in any low spot, and to maintain any natural water

course. Drainage facilities satisfactory to the Town Board or designated road superintendent shall be provided for the ends of all cul-de-sacs and dead end streets.

(E) CUL-DE-SACS. Cul-de-sacs or streets designed to have one end permanently closed, shall terminate with a turnaround or not less than 130 feet in diameter with a reserved radius of not less than 50 feet at the entrance of the cul-de-sac. Cul-de-sacs that are back to back must allow a 15 foot utility easement between cul-de-sacs.

(F) OTHER REQUIREMENTS. In addition to the above requirements, all roads shall be constructed pursuant to the provisions of the Wisconsin Statutes, Wisconsin Administrative Code, and any other lawful governing authority, including other applicable ordinances of the Town of Dewey. If the Town Board deems it necessary to seek professional engineering expertise in reviewing any road dedication project, the party seeking to dedicate said road shall as a condition of road acceptance, reimburse the Town for the actual cost of such engineering help.

5.5 UTILITIES. The requirements concerning utilities are as following:

(A) Utilities should be located within the outer most 3 feet of the right-of-way. Deviation from this requirement shall require Town approval.

(B) All utilities shall be marked as to their location.

(C) All utility work within the road right-of-way shall receive written approval prior to the beginning of the work.

5.6 PUBLIC ACCESS - DRIVEWAYS.

(A) PLACEMENT OF DRIVEWAY. The placement of any driveway shall be approved by the Town Board before it is installed. The Town Board has the right to limit the number of driveways to a parcel of land.

(B) SPECIFICATIONS. The driveway shall have a grade that is the same as the land features around it. It shall have a grade so that water will not run onto the roadway. The driveway shall have a culvert unless the property owner has received in writing, permission to install a driveway without a culvert. The culvert diameter shall be approved by the Town Board, but shall not be less than 12 inches in diameter.

(C) TEMPORARY DRIVEWAY. Any temporary driveway shall receive prior approval from the Town Board and shall be allowed for a period not to exceed 90 days. It shall have a culvert in place, unless the property owner has received written permission exempting them from not installing a culvert. After the 90 days, the person who received written permission for the temporary driveway shall restore the ditch to its prior condition.

5.7 WEIGHT LIMIT RESTRICTIONS. The Town Board shall have the right to place weight limit restrictions on the town roads as they deem necessary. Dewey Drive from Highway Y to Highway X and Sunset Drive from Highway X to Highway DB shall be posted with Class "B" weight limits. All other blacktop roads shall be posted with a seven and one half ton weight limit. The Town shall allow exemptions and issue permits in the following categories: total exempt, seasonal exempt, temporary exempt, and emergency exempt. The following list of categories will specify uses and procedures for each category:

(A) TOTAL EXEMPT. The following uses are exempt from any permit requirements: school buses, garbage and/or recycling trucks contracted with the Town of Dewey on the specified route days, Town trucks engaged in snowplowing or emergency road repairs, emergency vehicles, and any other vehicles the Town would deem total exempt.

(B) SEASONAL EXEMPT. The following uses could receive a seasonal exempt permit. These permits would be approved and issued by the Town Chairperson. The permit should be carried in the vehicle during the entire posting season, and are good only for the posting season issued. These uses are milk trucks on roads that would be designated on their permit, trucks from businesses within the Town, but limited to leaving in the morning and returning in the evening on established routes designated on their permits, trucks of

over the road haulers coming to or leaving their residence on a route designated on their permit, or any other truck on an established route that the Town Chairman would approve.

(C) TEMPORARY EXEMPT. A temporary exempt permit would be approved by the Town Board and issued by the Town Chairperson. This permit would need to be carried in the vehicle the entire time for which it would be issued. These permits would be issued by the Town Chairperson on a case by case basis.

(D) EMERGENCY PERMIT. An emergency permit would be approved by the Town Chairman and issued by the Town Clerk or Chairman. The permit would need to be carried in the vehicle during the time for which the permit is issued.

5.8 SAFETY. The following actions are prohibited by this ordinance: damaging and/or removing any road name signs, stop signs, and/or any other road signs in the Town of Dewey. Removing or tampering with any right-of-way markers. Encroachment upon the right-of-way, filling in, plowing or in any other way damaging the ditch lines, slopes, shoulders or roadway.

5.9 VIOLATIONS, PENALTIES. The following penalties shall be enforced for Section 5.4: any person, firm or corporation who fails to comply with the provisions of this ordinance, shall upon conviction forfeit the following penalties. Section 5.4 - Not less than \$500 nor more than \$2,000, Section 5.5 and 5.6 not less than \$50 nor more than \$200, Section 5.7 not less than \$100 nor more than \$200. Plus the fine for the amount of overload. Section 5.8 not less than \$100 not more than \$500, together with the costs of prosecution for each violation and in default of payment thereof shall be imprisoned in the County Jail of Portage County, Wisconsin, until payment of such forfeiture and costs but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense.

5.10 SEVERABILITY. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The Town of Dewey Board reserves the right to amend or waive any parts of this ordinance it deems necessary. They also reserve the right to repeal this ordinance as they deem necessary.