

ORDINANCE # 2021-02

TOWN OF SHERMAN, DUNN COUNTY, WI

DRIVEWAY REQUIREMENTS WITHIN TOWN ROAD RIGHT-OF-WAY ORDINANCE

The Town Board of the Town of Sherman, Dunn County, Wisconsin, does ordain as follows:

Section 1. Title

This ordinance is entitled the "Driveway Requirements within the Town Road Right-of-Way" and replaces Ordinance #O-02-2002 entitled "Activity Within Town Road Right-of-Way Ordinance".

Section 2. Purpose

The purpose of this Ordinance is to establish regulation and permit requirement on the building and maintenance of all driveways within the town road rights-of-way. The regulation of such activities through permits is in the best interest of the Town to ensure safe, efficient, economical, and reasonable use of the Town rights-of-way.

Section 3. Authority; Establishment

The Town Board has the specific authority, powers, and duties pursuant to Wis Stats Sections 60.61 and 60.62 and by the Adoption of Village Powers under Wis Statute Section 60.10 which allows the Town Board to regulate, prohibit, and restrict construction, alteration, erection and enlargement of certain structures and buildings in the Town and to regulate and control of certain uses, activities, business and operations in the Town.

Section 4. Application Process

All new driveways or existing driveways that are currently servicing open land without improvements and are being requested to be converted to a driveway to service one or more structures or existing driveways with a change in use, shall be subject to a Driveway Permit and associated fee as established by the Town Board. The property owner shall complete the Permit form and pay the permit fee to the Town Clerk with the information required in this ordinance, at which time the Clerk will transfer the completed Permit form to the one of the board members, either the chairperson or a supervisor as selected for the Driveway approval process. The designated board member will review the permit and will approve or reject the Permit Application and notify the property owner. If the property owner does not agree with the decision, he/she/they may appeal the decision by notifying the Town Clerk who will add the permit appeal to the next Town Board Monthly Meeting for review. A permit must be submitted to the Town Clerk and approved by the designed board member or full Town Board prior to the start of any construction on a new driveway or before a building permit will be issued.

Section 5. Driveway Requirements:

The application for the Driveway Permit may be made by the property owner, an agent, or contractor and shall contain all of the following information: a location construction plan which shows where the driveway will be constructed, visible markers on the physical location for inspection, all erosion control practices that are planned, and the following specifications: grade, slope, width, length, and site distance of the driveway to vehicles coming from each of the directions on all roads that intersect with the driveway. On all new driveways longer than 500 feet, a turn around with at least a 25 foot radius or similar area, which allows vehicles to turn around shall be provided as part of the location construction plan.

Minimum Driveway Surface Width:	10 feet
Minimum Width of Clearance:	14 feet
Minimum Height Clearance Free of Trees, Wires, etc.:	14 feet
Maximum grade:	10 percent

The driveway within the area of the right-of-way shall slope away from the public road at a minimum of 4% and a maximum of 7% to prevent erosion onto the public road. An adequate base of suitable material to support the projected traffic and any requirements for culverts shall be determined by the Town Board when considering an application for a driveway approval. If culvert(s) are required, the recommended minimum diameter shall be 15 inches, unless a smaller diameter is approved by the Town Board.

Section 6. Costs

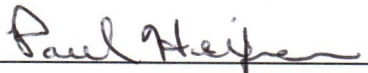
All costs for the Driveway Application and required information stated in this ordinance, all costs of construction, maintenance, and replacement of the driveway materials, including those parallel to the right-of-way, is the responsibility of the property owner. These costs include the cost of the installation and maintenance of any culverts, including damage to or the partial or complete blocking of the culverts from human or natural causes such as runoff of silt and dirt. In the event the runoff from property owners land and any adjacent lands result in overflowing of the culvert onto public roads, it is the property owner's responsibility to pay for the cost associated with the cleanup and repair of the public road and culvert(s).

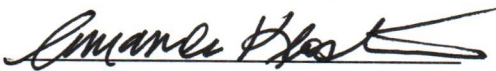
Section 7. Effective Date

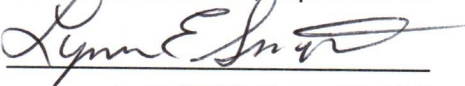
Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by Wis Stats. Section 60.80.

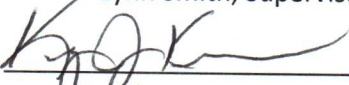
ADOPTED this 17th day of November 2021

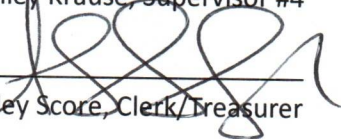

Chase Potter, Chairman


Paul Heifner, Supervisor #1


Amanda Klosterman, Supervisor #2


Lynn Smith, Supervisor # 3


Kelley Krause, Supervisor #4


Ashley Score, Clerk/Treasurer