

DRIVEWAY AND CULVERT ORDINANCE

AN ORDINANCE TO ESTABLISH STANDARDS AND PROCEDURES FOR THE APPROVAL OF DRIVEWAYS AND CULVERTS IN THE TOWN OF WESCOTT

Section 1.0 INTRODUCTION

1. **Authority.** This ordinance is adopted pursuant to authority conferred by Section 60.22 and 86.07, Wisconsin Statutes.
2. **Purpose.** The purpose of this ordinance is to promote the public health, safety, and general welfare of the Town of Wescott by ensuring safe access and adequate means to convey surface water runoff within public right-of-ways in the Town of Wescott.

Section 2.0 GENERAL PROVISIONS

1. **Applicability.** This ordinance applies to all driveway access and culverts located within public right-of-ways in the Town. No driveway access and/or culvert in a public right-of-way may hereinafter be installed, relocated or replaced without a driveway access/culvert permit as provided herein.
2. **Other Requirements.** The standards, procedures and approvals required by this ordinance are minimum standards of the Town of Wescott. Any driveway access or culvert on a county, state or federal highway may be subject to additional standards, procedures and approvals of other governmental units. Where more than one governmental unit has authority to approve, a driveway access and culvert shall comply with the most restrictive requirements. A permit under this ordinance only constitutes approval under this ordinance. The applicant is solely responsible for obtaining any other required approvals.

Section 3.0 DESIGN AND APPROVAL REQUIREMENTS

1. **Driveway Access.** Unless otherwise determined by the Town Board, there shall not be more than one driveway access per parcel of record. The driveway may not obstruct or impair drainage in highway side ditches or roadside areas. Driveways shall have adequate sight distance in both directions. The guideline for determining adequate sight distance shall be 10-feet for each mile per hour of posted speed limit.
2. **Driveway Width and Angle.**
 - a. Commercial driveway shall not ordinarily have a width of greater than 35-feet measured at right angles to the centerline of the driveway except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the property would require a greater width than specified herein, the Town Board, in its discretion, may permit a driveway of additional width. In areas where curb and gutter are deemed necessary, the Town Board, in its discretion, may also allow rolling curbs for commercial businesses

that may have the potential for large delivery trucks. The angle between the centerline of the driveway and curb line or road edge should be at right angles or approximately right angles but in no case less than 70 degrees. A diagram to scale showing the driveway width and angle shall accompany the application.

- b. Residential driveways shall not ordinarily have a width less than 16-feet or a width greater than 24-feet measured at right angles to the centerline of the driveway. The angle between the centerline of the driveway and curb line or road edge shall be a right angle or approximately right angle or parallel to the property line but in no case less than 60-degrees unless the Town Board, in its discretion, approves a lesser angle because of topography or other unique circumstances. A diagram to scale showing the driveway width and angle shall accompany the application.
 - c. For the purpose of ensuring adequate and effective access to all dwellings for emergency vehicles, any driveway which is over 100-feet in length which is used or intended to be used as access to a dwelling shall have a right-of-way cleared of trees, brush, stumps and rocks of not less than 16-feet in width and a graveled surface width of not less than 12-feet.
3. **Culvert Design.** All culverts shall be large enough to pass normal surface water flows without creating any backwater. Culverts shall ordinarily be installed below the bed of the ditch channel. Culvert sizes, inlet types and slopes shall be determined by the Town of Wescott. Culvert shall comply with following minimum standards:
- a. Culverts, if needed, shall be minimum of 15-inches in diameter (or equivalent elliptical or arch), have at least (8) inches of suitable backfill cover, and be constructed of material including but not limited to corrugated metal, concrete, or high density plastic (HDP) unless otherwise authorized by the Town Board. Culverts shall have tapered end walls.
 - b. Driveway height, at the point of the culvert, shall not exceed the level of the outside edge of the road shoulder. The surface of the driveway connecting with the public road shall slope downward and away from the public roadway.
 - c. The side slopes of the driveway shall equal or be flatter than the side slope of the public highway but shall not be steeper than four to one unless otherwise designated on an individual basis.

4. **Prohibited Practices.**

- a. Filling ditches and/or culverts within a public right-of-way without approval from the Town Board.
- b. Discharging or directing drainage from a driveway onto any public road.
- c. Constructing a private driveway within a public road right-of-way which causes an obstruction to the maintenance and clearing of the public roadway.

Section 4.0 ADMINISTRATION

1. **Driveway Access/Culvert Permit.** Application for a driveway access/culvert permit for the installation, relocation or replacement of a driveway access/culvert within the Town shall be made in writing upon a form furnished by the Town. A site plan to scale showing

the proposed location, placement and design of the access and culvert shall accompany the application. There shall be a permit fee in the amount of \$0.00 paid by the applicant at the time the application is submitted to the Town. The Town or its designated agent shall then review the application and designate the appropriate location, placement and design of the access and the diameter, length, and design of the culvert.

2. **Installation and Inspection.** Driveway access and culverts are subject to inspection by the Town. The Town shall notify the owner in writing of an improperly located or designed driveway access or culvert. If the owner fails to correct the deficiency within 90-days of written notice, the Town may take such corrective action as it deems necessary and charge the cost to the owner.
3. **Appeals.** Any person aggrieved by any decision of a Town official or agent in the administration and enforcement of this ordinance may appeal such decision to the Town of Wescott Board of Supervisors.
4. **Variances.** The Town of Wescott Board of Supervisors shall have the power to authorize upon appeal a variance from the terms of this ordinance where a literal enforcement of the provisions of the ordinance will result in practical difficulty and unnecessary hardship.
5. **Violation and Penalties.** It shall be unlawful to install, relocate or replace a driveway access or culvert in violation of this ordinance. Any person, firm or corporation that fails to comply with the provisions of this ordinance shall upon conviction thereof, forfeit not less than \$50.00 and not more than \$1,000.00 and the cost of prosecution for each violation.

Adopted and approved this _____ day of _____, 2006.

Michel Schuler, Chairman

ATTESTED TO:

Karla Duchac, Clerk

The above notice was published one time in
the following general circulation newspaper:
Shawano Leader

On: _____

The above notice was posted:

On: _____
At: Town Hall
Town Office
Town Fire Dept Station