

Ordinance No. 1991-1
TOWN OF ELLSWORTH
ORDINANCE REGULATING PRIVATE ACCESS ROADS

1. **PERMIT REQUIRED.** No access road or driveway providing ingress or egress to a Town road shall be hereafter constructed, altered or removed without first obtaining a permit from the Town Board.

2. **MINIMUM STANDARDS FOR CONSTRUCTION.** Prior to the granting of the permit, the applicant shall submit plans for construction which shall satisfy the following minimum standards:
 - (a) The access road shall be so designed as to avoid an unreasonable interference with the natural flow of water. The first 20 feet of the access road from the edge of the highway shall be near level but slightly lower than the highway in order to assure that water from the access road does not run on the traveled portion of the highway. Flooding of the surface of the Town road in any manner shall create a presumption of unreasonable interference.

 - (b) The access road shall intersect with the Town road at right angle.

 - (c) The culvert must be new galvanized steel and of appropriate size to allow for adequate drainage (size to be determined by the Township with minimum diameter of 18 inches). The culvert shall be installed at the pre-existing installation road grade and shall set back as close to 16 feet from the road edge as possible.

 - (d) The access road shall be of such reasonable width to serve its intended purpose. Minimum width of an access road shall be 16 feet.

 - (e) Driveway access shall be at least 100 feet from any intersection.

 - (f) With regard to access road providing ingress and egress from a Town road to a subdivision, speed limit being posted at 35 mph or less (both subdivision and Town road), the access road shall be located so as to provide a sight distance of 250 feet in any direction along the Town road being intersected, not veering from road surface. Sight distance is computed with observer at height of 3.75 feet and object seen at height of 6 inches. For the purpose of this section, the word "subdivision" shall be given the meaning set forth in Wisconsin Statutes 236.02(12). In all other cases, the access road shall be located so as to provide a sight distance of 500 feet in any direction along the Town road being intersected, not veering from road surface. Sight distance in those cases shall be computed with the observer at a height of 3.75 feet and the object seen at a height of 6 inches.

 - (g) Variance, for good cause, may be granted as to the above standards. Application for such variances shall be made to the Town Board through the Town Clerk.

3. **APPLICANT TO PAY ALL EXPENSES.** All expenses of construction, reconstruction, alteration or removal of any access road and all expenses of repair or redesign of the Town road necessarily caused by any access road shall be the liability of the applicant. The maintenance of the driveways shall be the responsibility of the applicant.

4. **INSPECTION.** The owner or driveway installer must notify the Town at least 48 hours (not including Saturday, Sunday, or Holidays), prior to driveway installation inspection. The Town Maintenance man/men will meet with the owner or driveway installer for this inspection during normal working hours. If there are problems with the driveway, the Town Board will be contacted. To schedule the driveway installation inspection, phone the town hall at 273-5006.
5. **PERMIT FEE AND EXPIRATION.** The driveway permit fee shall be \$50. The driveway must be completed within one year of the driveway approval date. After that date, applicant must reapply with new driveway application and fee.
6. **BOND.** The Town Board may, in its discretion, require the applicant to furnish the Town an indemnification bond in the amount equal to the reasonable expenses contemplated by the Town by the reason of the issuance of the permit. The sufficiency of the indemnification bond shall satisfy the sole discretion of the Town Board.
7. **PENALTY.** Failure to comply with the above ordinance will result in a written notification by certified mail. Seven (7) working days will be allowed for compliance with this ordinance. Upon failure to comply, a penalty of \$500 will be imposed and the Town Board reserved the right to reconstruct driveway at owner's expense to meet town specifications.

Town of Ellsworth Driveway adoption, revisions, clarifications and modifications, all signed by Barry J Foy as Chairman and attested by Phyllis J Beastron, Clerk as follows:

Driveway Permit Ordinance adopted May 6, 1991.

Revised January 8, 1996 to include paragraphs 2C, 4, and 7.

Section 5 Driveway Permit Fee adopted December 6, 2004 and published December 22, 2004.

Permit expiration adopted June 6, 2005