

Ordinance 2017-1

TOWN OF ELLSWORTH, WI

Road and Driveway Ordinance

Ordinance Adopted January 9, 2017

Amended Section 4, Paragraph F, Subparagraph 5 by Ordinance 2018-1 on September 10, 2018

Amended by Ordinance 2021-3, adopted August 2, 2021 which amended Section 12 A, Section 13 A.2. (j) and Section 13 A.5 (h), (i), (j).

(1) STATEMENT OF PURPOSE

The purpose of the Road and Driveway Ordinance (the “Ordinance”) is to establish procedures and standards for constructing roads and driveways within the Town of Ellsworth and to supplement County road standards. These design standards are to promote the orderly layout of Town roads and mapping of same for continuation in and connection with the Town road system.

(2) COUNTY ORDINANCES

This Ordinance shall be in addition to and supplement the Pierce County Zoning and Subdivision Ordinances, as well as the Town Subdivision Ordinance, as they apply to road and driveway standards and installation within the Town. Where the provisions of this Ordinance and the County Zoning and Subdivision Ordinance conflict, the more restrictive provisions shall control. Designs and standards not addressed in this section, but addressed in the County ordinances, including signage, lighting and guardrail provisions shall be applied by the Town Board at its discretion in reviewing land divisions creating new lots or parcels which involve roads and driveways. These design standards are to promote the orderly layout of Town roads and mapping of same for continuation in and connection with the Town road system.

(3) DEFINITIONS

(A) Interpretation

- (1) Words used in the present tense include the future; in the singular include the plural and in the plural include the singular.
- (2) The word “shall” is mandatory, not permissive.
- (3) All distances, unless otherwise specified shall be measured horizontally.
- (4) All definitions that refer to Wisconsin Statutes shall incorporate any revisions or amendments to statutory language.

(B) Definitions

- (1) Driveway: A private way, road, or other avenue of travel that runs through any part of a private parcel of land or that connects or will connect with any public highway and will provide vehicular access from the highway to a residence, business, recreational site or other appropriate use.
- (2) Field Access or Agricultural Access: A type of access used solely to access land for agricultural use.
- (3) Temporary Access: An access that may be placed for a specific purpose such as logging, but which must be removed at the end of the allocated timeframe.
- (4) Construction Access: An access that may be placed for construction purposes, but which must be removed at the end of the allocated timeframe.
- (5) Limited Use Access: An access that may be placed for a specific non-residential or non-agricultural purpose such as for a cemetery, natural gas valving station, wayside, or a fishing access.

(4) TOWN ROAD STANDARDS

(A) The road system shall be designed to meet the following objectives: to permit the safe, efficient, and orderly movement of traffic; to meet the needs of the present and future population with a simple and logical pattern; to respect natural features and topography; and, to present an attractive appearance.

(B) In the course of CSM or subdivision review, the Plan Commission may recommend that roads be designated as arterial, collector or local roads. This decision shall be based upon County or Town plans for road networks. The Town Board may require any road to be constructed to the boundary of the subdivision. Other requirements may include special setbacks, screening, buffers and limitation of access along such roads. The Town Board shall require proof that the sub-divider has given written notice of the proposed locations of the roads to owners of all adjoining lands.

(C) The number of intersections along arterial roads shall be held to a minimum. Wherever practicable, the distance between such intersections shall be not less than 1,000 feet.

(D) Road jogs with centerline offsets of less than 150 feet shall not be permitted.

(E) Not more than two roads shall intersect at one point.

(F) Roads shall be designed and constructed in accordance with the following standards:

(1) 66-foot minimum right-of-way width.

(2) 31-foot minimum road width before gravel or base course.

(3) 27-foot road width after base course.

(4) 22-foot surface excluding shoulders.

(5) A minimum of 12 inches of compacted 4 inch minus breaker rock or other appropriate material. (Amended by 2018-1 Ordinance, adopted September 10, 2018)

(6) 6-inch base of crushed limestone or 7-inch base of Wisconsin grade #2 gravel, measured after being compacted.

(7) Decomposable material shall not be used for construction.

(8) The intersection angle of a driveway to a road, and a road to a road, shall not be less than 75 degrees.

(9) The Plan Commission may recommend and the Town Board may require vision clearances.

(10) Roads at the perimeter of the subdivision shall extend to the subdivision boundary. The creation of narrow strips of adjoining land shall not be permitted except where the adjacent parcel can be connected to the road under conditions satisfactory to the Town Board. All lots or parcels shall have street frontage on a public road.

(11) A dead end road shall not exceed 1,000 feet in length. The Town Board may require that a provision be made for the extension of a dead-end-road to the boundary of the subdivision. This will be in addition to the requirements that arterial and collector roads be built to the boundary of the subdivision.

(12) A dead-end road serving three or more lots shall have a cul-de-sac turn-around with a minimum right-of-way radius of 80 feet. The traveled way within the cul-de-sac shall have a minimum radius of 49 feet. Appropriate arrangements shall be made for those parts of a

temporary turn around outside of a road right-of-way to revert to the abutting lot owners at such time as the road shall be extended. Where cul-de-sacs are provided, the right-of-way line connecting the road right-of-way with the 80-foot cul-de-sac bulb radius shall be 80 feet in radius.

(13) The planning, location and designations of roads in an area shall not allow the continuation of traffic from residential developments directly into commercial or industrial developments or vice versa.

(14) A road serving three or more lots must be dedicated to the Town and designed and built to Town standards.

(15) No final plat of a subdivision shall be approved until the roads shall have been fully completed and dedicated to the Town.

(5) ROAD NAME STANDARDS

The Town Board must approve the naming and/or numbering of roads:

(A) Where a road maintains the same general direction except for curvilinear changes for short distances, the same name shall be used for the entire length of the road.

(B) A road which is not presently a through road due to intervening land over which a road extension is planned shall use the same name for existing and planned sections.

(C) The name of the projection of a road shall use the same prefix as the road even if the projection terminates in a cul-de-sac.

(6) RURAL ADDRESS SIGN PLACEMENT

(A) Placement of rural address signs within the town road right-of-way shall meet the following standards.

(1) Address signs shall be placed on the right side of the driveway when facing the driveway from the road and at the highway right-of-way line.

(2) The address sign shall be kept clear of obstruction and shall be placed parallel to the road for visibility in both directions.

(7) MAILBOX AND NEWSPAPER BOX PLACEMENT

(A) Placement of mailboxes or newspaper boxes within the town road right-of-way shall meet the following standards:

(1) All mailboxes or newspaper boxes must meet the United States Postal Service regulations.

(2) Mailboxes and newspaper boxes shall be placed so the front of the box is aligned with the outside edge of the gravel shoulder.

(3) The bottom of the mailbox shall be between 41 and 45 inches above ground level.

(4) All mailboxes and newspaper boxes shall be placed on the same post to avoid unnecessary posts where possible.

- (5) Mailboxes serving neighboring houses shall be grouped together where possible.
- (6) Mailbox posts should be constructed to break away at impact. Acceptable standards include:
 - (a) Pipes two inches inside diameter or less.
 - (b) Square wood support four by four inches or less; round wood posts 4 ½ inches or less in diameter.
 - (c) Metal channel posts not more than two pounds per foot in weight.
 - (d) Imbed supports no more than 24 inches into the ground and do not imbed in concrete.
 - (e) Do not use anchor plates with metal posts. Anti-twist flanges are acceptable as long as they do not project more than 10 inches into the ground. These should be attached to the metal post or pipe with 2 3/8 inch muffler clamps.

(B) Mailboxes and newspaper boxes should be exposed 15 feet on each side during the snow season.

(8) PAVEMENT STANDARDS

(A) All roads serving three (3) or more lots must be paved and meet Wisconsin DOT Superpave design Mix Type E1 standards or their equivalent, as modified from time to time by the Wisconsin DOT.

(B) Roads shall have a minimum asphalt pavement thickness of 3 Inches, installed in two lifts.

(C) New roadways shall be constructed such that the final lift of bituminous pavement is delayed until after the bituminous base course has experienced one full winter freeze/thaw cycle. However, the final lift of bituminous pavement shall be installed prior to a maximum delay of one year after the installation of the bituminous base course. Town roads being reconstructed or repaired by the Town shall be exempt from the requirement to delay the wear course until the following year.

(D) During road construction, the Town shall inspect the condition of the road at certain points and any necessary settlements or other repairs shall be made to the Town's satisfaction prior to moving forward with the next step of construction. Such inspections shall be made prior to placement of the gravel road base, prior to the placement of the bituminous base course, and prior to the bituminous wear course.

(E) For new roads, a one year warranty shall be provided by the contractor beginning on the date that the Town Board accepts the final lift of bituminous and deems the project complete. The warranty shall be secured by an irrevocable Letter of Credit or other acceptable surety, in an amount to be determined by the Town, and in a form approved by the Town Engineer and Attorney. The Letter of Credit shall be in an amount reasonably anticipated to assure funds are available to repair any defects. The Town must have ready access to the Letter of Credit funds in the event the Town, in its discretion, determines there has been a breach of the warranty. Prior to the expiration of the one year warranty, the Town shall inspect the condition of the project, and any repairs identified by the Town shall be made by the Contractor to the Town's satisfaction.

(9) ROAD CROWN STANDARDS

(A) The crown (center) of the road on paved surfaces should be a minimum of 2 1/2 inches higher than the shoulder.

(B) At the discretion of the Town Board, upon recommendation of its engineer, roads which the Town Board considers steep (any slope gradient in excess of 5%) may require a higher crown to lessen the impact of downhill water drainage.

(10) SHOULDER STANDARDS

(A) Shoulders shall extend a minimum of 2 feet beyond the edge of the pavement, and shall be sloped to drain away from the pavement at a 4 percent grade.

(B) Shoulders shall be excavated to the same depth as the road and use the same sub base as the road.

(C) A minimum 6 inch depth of gravel or crushed rock that drains well shall be used on shoulders.

(D) There shall be shoulder slopes of 3:1 on fills within 3 feet of road surface; 2:1 maximum slope below the top 3 feet of roadbed.

(E) There shall be back slopes 3:1 or flatter where possible; 2:1 maximum back slope.

(11) DITCH STANDARDS

(A) The ditch must be at least one foot below the bottom of the adjoining road surface's gravel base.

(B) There shall be a smooth transition to the ditch.

(C) Fore slopes shall be 4:1 standard or 3:1 maximum within 3 feet of road surface; 2:1 maximum slope on fills below the top 3 feet of roadbed.

(D) There shall be back slopes 4:1 or less where possible; 2:1 maximum slope.

(E) Riprap or other permanent Town Engineer recommended products shall be used to slow water flow on steep slopes.

(12) ROADWAY CULVERT STANDARDS

(A) A culvert must be strong enough to support the fill material above it and the traffic that moves over it, and must meet WISDOT minimum specifications. Acceptable materials include reinforced concrete pipe, corrugated metal pipe, and double walled plastic pipe. (Amended August 2, 2021 Ordinance 2021-3).

(B) Culverts shall be covered with at least 12 inches of soil from the top of the pipe to the bottom of the sub grade.

(C) A culvert must have sufficient hydraulic capacity to permit the free flow of an acceptable predetermined quantity of water in a given time. This quantity shall be determined by the Town Board based upon recommendation of the Town Engineer.

(D) The minimum diameter of roadway cross culverts shall be 18 inches.

(E) Culverts must slope enough such that the water flow will be not less than 2 1/2 feet per second.

The minimum drop shall be 6 inches.

(F) Headwalls, if used, must not project above the level of the roadway surface.

(G) Culverts shall match existing contours and, where possible, be placed in the existing channel.

(H) The inlet shall have a beveled edge or side-tapers.

(I) Culverts shall be installed so as to not create an erosion problem. (State of Wisconsin DOT standard specifications for road and bridge construction shall control culvert installation in this regard.)

(13) PRIVATE ACCESS ROAD AND DRIVEWAY REQUIREMENT STANDARDS

(A) The following requirements apply to new access roads and driveway building construction as well as alterations to existing roads and driveways. A driveway permit shall be required before issuance of a building permit. The requirements apply to residential, commercial, industrial and agricultural lots or parcels. Blacktopping, surface maintenance, or repair of an existing access road or driveway is not an "alteration" within the meaning of this Section.

(1) Access road and driveway construction or alteration surface maintenance or repair requires a permit issued by the Town Chair or his/her designee. Approval shall first be required by the Town Board where Town Board determination or exercise of discretion is mandated by this Ordinance.

(2) Access roads and driveways must:

(a) Have a minimum side to side width clearance of 20 feet.

(b) Have a minimum road base width of 11 feet.

(c) Have a minimum driving surface of 10 feet.

(d) Have a minimum height clearance of 13.5 feet.

(e) Have a slope no greater than 12% unless documentation is obtained satisfactory to the Town Board stating that the slope will not affect public safety in providing emergency services.

(f) Have the first 20 feet from the edge of the highway be near level, but slightly lower than the highway, to allow for water drainage. The 50 feet from the centerline of the road shall have a maximum slope of 2%.

(g) Have a minimum driving surface of 6 inches of crushed rock.

(h) Intersect with Town roads at right angles, except inside cul-de-sacs where drives are to be oriented toward the cul-de-sac center.

(i) The sight distance along the intersecting roadway must be a minimum of 500 feet in both directions. The Town Board may require a greater site distance based upon peculiar topographical features, traffic density, speed zones and other like conditions.

(j) Be a minimum of 200 feet from any intersection from any driveways.

(k) Be placed no closer than 15 feet from the lot line, as measured from the lot line to the nearest edge of the shoulder or the ditch, whichever is nearest. Exception is shared

driveways.

(l) Contact must be made with local fire departments to determine minimum turning radius and clearance for emergency vehicles.

(m) Prior to occupancy the driveway must be finished with either compacted road gravel, stone, or asphalt.

(3) Access roads and driveways over 300 feet in length which terminate at a dead end must have an area sufficient for a turn-around of a tandem axle truck or be approved by the Ellsworth Volunteer Fire Department Association or its successor.

(4) All access roads which connect a driveway to a public road must also adhere to these rules.

(5) Culverts must:

(a) Have a minimum diameter of 15 inches.

(b) Be installed at the same grade as preexisting.

(c) Be adequate for drainage.

(d) Be able to carry a weight load of at least 25 tons.

(e) Have a minimum length of 24 feet with apron end walls.

(f) Be 16 gauge up to 24-inch diameter.

(g) Be 14 gauge from 25 inches to 36 inches in diameter.

(h) be double Walled plastic culverts and able to carry a weight load of 25 tons.

(i) not be used culverts.

(j) be elliptical where ditch depths are insufficient to install round culverts.

(h), (i), (j) amended August 2, 2021 by Ordinance 2021-3

(B) Agricultural, temporary, and construction driveways off Town roads shall meet the following specifications:

(1) Agricultural Driveways

(a) Do not have to meet driveway separation distances.

(b) Must have safe sight distance.

(c) Must have Town Board approval for location and design.

(d) Cannot be used for residential purposes unless complies with this Ordinance and a permit is obtained for such residential purposes.

(e) May serve more than 1 lot or parcel used solely for Agricultural purposes.

(f) The Town driveway permit will state "Agricultural Driveway," and its use be limited to that purpose.

(2) Construction and Temporary Driveways

(a) Construction driveway must be installed prior to starting construction on the site. If the

permanent driveway is installed instead of a construction driveway, the driveway must meet the standards of this Ordinance and be able to support all construction traffic.

(b) A minimum 50 foot tracking pad shall be installed on the construction driveway.

(c) Driveways to construction sites shall comply with the Wisconsin Uniform Dwelling Code and any requirements deemed necessary and peculiar to specific site needs as determined by the Building Inspector

(d) Temporary driveways shall be used for a period of not longer than six (6) consecutive months unless a longer time is approved by the Town Board. One extension of six (6) months may be granted by the Town Board. Thereafter a new permit shall be required.

(e) At the expiration of the temporary driveway permit, the culvert and temporary driveway shall be immediately removed and the ditch and right-of-way be graded and seeded.

(f) The Building Inspector shall be notified of the temporary driveway/culvert removal, a site seeding and permanent stabilization. The Building Inspector shall then inspect same to verify compliance.

(g) If the permit holder fails to remove the culvert and permanently stabilize the site then following written notification, the Town will perform the work to put the site in its original condition and all costs, including administrative, legal and engineering, shall be charged to the owner of the property for which the Temporary driveway permit was issued. This charge shall be placed on the tax roll as a special charge against the premises.

(h) The Town Board may require each applicant deposit with the Town Board an approved surety bond, or letter of credit, or cash, in an amount not less than \$1,000.00 to assure compliance with the construction requirements of this Ordinance. The Town Board may require a greater sum upon recommendation of its engineer.

(C) A Shared Driveway Agreement approved by the Town Board shall be required for all shared driveways. Shared driveways shall have a maximum width of 33 feet, shall serve no more than two (2) lots or parcels and shall not be future town roads.

(D) All driveways must be designed to allow reasonable emergency vehicle access to structures on each lot. They must conform to the standards, recommended in the International Fire Code: every driveway shall have 12 feet of driving surface, 14 feet of road base width, 20 feet of horizontal clearance and 13.5 feet of vertical clearance to allow ingress and egress by emergency vehicles. (Utility companies recommend 18 vertical feet of clearance.) Driveway owners are responsible for trimming trees and bushes to maintain clearances for emergency access.

14. DRIVEWAY PERMIT APPLICATION AND PROCEDURES

(A) The Town Board or Town Board representative shall review all driveway permit applications and approve and issue all driveway permits. A driveway to a single property shall be approved by the Town Board representative. Joint driveways to two properties shall be approved by the Town Board.

(B) Driveway permit applications shall be available from the Town Chair, Town Clerk, and Town Building Inspector. The driveway permit application shall include the following information:

(1) Applicant name and contact information.

(2) Property owner name and contact information, if different than the applicant.

(3) Property information such as site address, legal description, Town road.

(4) Project information such as type of driveway, driveway location, Town road, and proposed construction plan and dates.

(5) A site plan or sketch, which shall include the following information:

(a) North arrow.

(b) Parcel or lot dimensions.

(c) Existing and/or proposed buildings.

(d) Proposed driveway location.

(e) Locations of existing driveways on neighboring properties within 300 feet of the proposed driveway.

(f) Road name(s) and locations of adjoining lot or parcel and driveway.

(g) Driveway specifications including width, length and materials to be used.

(h) Culvert size, length and location, if needed.

(i) Drainage areas that impact or cross the driveway and descriptions of how water will be handled to protect the integrity of the driveway.

(j) Slopes of 20 percent or greater than the driveway will disturb or cross and descriptions of how erosion will be prevented and/or sediment controlled.

(6) Contact information for contractor constructing the driveway.

(C) The application shall be signed by the property owner.

(D) The applicant shall mark the proposed driveway location with flags and/or stakes. The proposed centerline of the driveway surface shall be marked.

(E) All applicants shall pay a non-refundable permit review and inspection fee in an amount set by the Town Board. The fee amount shall be sufficient to cover the cost of driveway design review and inspection by the Town Board's designated representative and the cost of processing the permit.

(F) The application and site plan or sketch shall be reviewed by the Town Board representative for conformance with this ordinance.

(G) Within 15 days from the date of submittal of a properly completed application, including site plan, and after an inspection of the site, the Town Board's representative shall approve or deny the issuance of a driveway permit for a single property.

(H) For joint driveways, within 15 days from the date of submittal of a properly completed application, including site plan, and after an inspection of the site has taken place, the Town Board's representative shall make a recommendation to approve or deny to the Town Board. The Town Board shall review and take action to approve or deny the issuance of the joint driveway permit at the next regular Town Board meeting.

- (I) The Town Board or Town Board's representative may require a final inspection to confirm the driveway construction is in conformance with the driveway permit and this Ordinance.
- (J) The driveway permit shall be valid for construction of the driveway for one year from the date of issue. All approved construction must be completed before the permit expires.
- (K) If an access is properly constructed into a vacant lot as part of a road project or development, and said access is approved as part of that development, then no access or driveway permit is needed when a building is constructed on the lot.

15. WAIVER OR APPEAL

(A) Where in the judgment of the Town Board, it would be inappropriate to apply literally the provisions of this Ordinance because exceptional or undue hardship would result, the Town Board may waive or modify any requirement to the extent deemed just and proper.

(B) No variance to the provisions of this Ordinance shall be granted unless the Town Board finds by the greater weight of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

(1) Exceptional Circumstances.

(a) There is an exceptional, extraordinary or unusual circumstance or condition where a literal enforcement of the requirements of this Ordinance would result in severe hardship.

(b) Such hardships shall not apply generally to other properties or be of such a recurrent nature as to suggest that this Ordinance should be changed.

(c) The variance will not create a safety concern or have a negative impact on adjoining properties.

(2) Preservation of Property Rights. The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

(3) Absence of Detriment. The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance of the public interest.

(C) Procedure for obtaining a waiver or appeal from this Ordinance.

(1) A written request shall be submitted to the Town Board by the property owner seeking the request for a waiver from the provisions of this Ordinance. The request must state the reason for the waiver or appeal and how they will meet the intent of this Ordinance without creating a safety issue or achieve comparable design effects using an alternate design not addressed in this Ordinance.

(2) The applicant shall submit a Site plan or location map showing where the site, parcel or lot is located together with a design plan showing alternative design for a private road or driveway modification.

(3) All adjoining property owners shall be notified in writing of the appeal or request for waiver of compliance with this Ordinance. All adjoining property owners or anyone otherwise directly affected by the waiver of appeal request shall have the right to be heard at the public meeting.

(D). Modification. The Town Board may in its reasonable exercise of discretion grant modifications to the requirements of this Ordinance with such conditions as the Board may require on a case by case basis.

16. MISCELLANEOUS

(A) The cost of Town plan review, including engineering, legal and administrative fees, shall be at the owner's/developer's expense.

(B) All construction materials shall meet the minimum specifications of this Ordinance.

(C) The cost of testing materials and inspection of construction (including pre-construction and post-construction inspection) shall be at the owner's/developer's expense.

(D) The Town Board may request a deposit, and/or periodic installment payments, to cover anticipated plan review, testing and inspection expenses.

(E) Any party who damages a Town Road shall repair it to its original condition, and shall be responsible to pay for all associated costs incurred, including construction costs and Town staff costs related to the damage.

(F) If a failed driveway culvert results in damage to Town right-of-way or adjacent properties, the owner of the culvert will be held responsible for all repair costs.

17. REPEAL OF PRIOR ORDINANCES

Prior Town Road Ordinances are hereby rescinded.

18. MOVING BUILDINGS ON HIGHWAYS

No person shall move a building over any Town road in the Town of Ellsworth without first depositing with the Town Clerk a \$10,000 bond payable to the Town to secure payment for any damage to Town roads. A building includes a manufactured home or a part thereof.

19. DEBRIS ON HIGHWAYS

No person shall cause to be deposited or left on any Town Highway any litter or debris including, but not limited to: construction debris or residue; concrete hauled to or from a premises; mud or dirt from non-farm machinery or vehicles, or tires of same, deposited as a result of ingress and egress from the Town Road to a premises during construction, or otherwise; brush; and agricultural products. Responsibility for immediate clean-up and proper disposal of such debris or litter shall lie both with the person leaving said litter or debris, namely, the person or entity operating a vehicle or non-farm machinery which is involved in the deposit or littering, as well as the owner of the premises from which the construction debris (including cement or mud) originated.

20. OBSTRUCTIONS IN THE RIGHT-OF-WAY

(A) Under the authority of Wisconsin Statue Sec. 86.03, the Town of Ellsworth may remove trees within the Town road right-of-way if the Town determines the tree(s) presents a public health or safety hazard. No compensation will be provided to the property owner.

(B) The right-of-way of all Town roads must remain clear of any obstruction which impede adequate vision and road and ditch maintenance including but not limited to retaining walls, fences, shrubs, etc.

(C) Vehicle parking is not permitted within Town Road right-of-way except for special limited events. Vehicles may not remain parked within Town Road right-of-way for more than 24 hours.

21. PENALTY

(A) Any person, firm, corporation or other entity violating this Ordinance shall be subject to a penalty of \$500, plus costs of prosecution. Each day a violation occurs or continues shall be deemed a separate violation and shall subject the offender to separate penalties.

(B) If the Town Board determines that removal of or correction to the driveway is necessary to satisfy the provisions of this Ordinance, the Town Board may cause the removal or required corrections to be made. The cost of such repairs, corrections, restoration or removal will be charged to the property owner as provided in Sec. 86.02 of the Wisconsin Statutes. The Town's direct and indirect costs may include but are not limited to engineering, legal, administrative, materials, construction and demolition expenses. Should the landowner fail to pay the penalty and/or repair, correction, restoration or removal costs, a special charge may be imposed against the real property of the property owners as provided in Sec. 66.0627 of the Wisconsin Statutes.

22. EFFECTIVE DATE. This Ordinance shall take effect upon passage and posting.

TOWN OF ELLSWORTH

Roger Billeter , Chair

Attest: _____
Phyllis J Beastrom, Clerk

Adopted this 9th day of January, 2017.

ORDINANCE CERTIFICATION

I, Phyllis J Beastrom, being the Town Clerk of the Town of Ellsworth, Pierce County, Wisconsin hereby certify that on January 9, 2017, Ordinance No.2017-01, a true and accurate copy of which is attached, was duly enacted by the Town of Ellsworth, Pierce County, Wisconsin, and entered into the Town of Ellsworth record books. This Ordinance was posted in the following three locations in the Town on January 10, 2017:

Ellsworth Town Hall, W6058 490th Ave, Ellsworth

Ellsworth Town Transfer Station, N5062 530th St, Ellsworth

Countryside Cooperative, W6311 U S Highway 63, Ellsworth

Phyllis J Beastrom, Clerk

Dated this 10th day of January, 2017.