

DRIVEWAY ORDINANCE, #00-03

Section 1: Title/Purpose

This ordinance is entitled the Town of Pine Lake Driveway Ordinance. The purpose of this ordinance is as follows:

Where interest has been expressed to establish standards for driveways that will provide for better and safer provisions for adequate access from private development to a public right of way.

SECTION 2. Authority

The Town Board of the Town of Pine Lake, Oneida County has the specific authority, powers and duties pursuant to Sec.60.61, 60.62 and 62.23 (1988-89) Wis Stats., pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under Sec60.10 to zone certain areas in the Town of Pine Lake and to regulate, prohibit and restrict construction, alteration, erection and enlargement of certain structures and buildings in the Town of Pine Lake and to regulate and control certain uses, activities, businesses and operations in the Town of Pine Lake.

The Town Board of the Town of Pine Lake has been granted village powers pursuant to Sec60.10 Wis Stats and the town meeting dated April 14, 1970 approved the authority of the Town Board of the Town of Pine Lake to zone pursuant to Sec 60.62 (1988-89) Wis Stats.

SECTION 3. Adoption of Ordinance

The Town Board of the Town of Pine Lake has, by adoption of this ordinance, confirmed the specific statutory, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance the certain areas and the regulations and controlling of certain uses, activities, businesses and operations in the Town of Pine Lake.

SECTION 4. Minimum Requirements

All new driveways proposed to be installed or any driveway alleged to be existing and serving open land without improvements and proposed to be converted to a driveway to serve one or more structures shall be subject to an inspection fee of \$150.00 to be paid to the Town Clerk prior to the start of any construction on a new driveway and prior to the issuance of a building permit. An approved driveway shall be in place before a building permit can be issued.

The applicant who may be the owner, agent, or contractor shall submit a location construction plan showing specifications including grade, slope, width,

and length of the driveway, erosion control procedures and access point to a public right of way.

Authorization for a driveway is subject to the approval of the town board wherein located and when so approved the town board shall notify the Oneida County Planning and Zoning Office. The evidence of an existing driveway is either the clear indication of a driveway being in place on the April, 1989 aerial photo or a statement from the town that an approved driveway is in place. If there is a dispute on the adequacy of an alleged existing driveway the decision of the town board will be the deciding factor. If there is not clear evidence as determined by the Oneida County Planning and Zoning administrator that the driveway has been used during the last 12 months the town board review process is required.

The following specifications shall apply:

- Minimum road surface width.....12 feet
- Minimum width clearance.....24 feet
- Minimum height clearance free of trees, wires, etc.....18 feet
- Maximum grade.....10 per cent

At least one 25 feet in length and 18 feet in width segment of road surface shall be provided for each 500 feet of driveway length to provide for the safe passage of meeting vehicles. The driveway within the area of the public right of way shall slope away from the public road at a minimum of 1% and a Maximum of 5% to prevent erosion onto the public road. An adequate road bed base of suitable material to support the projected traffic and any requirements for culverts shall be determined by the town in considering an application for driveway approval. If culverts are required, the recommended minimum diameter shall be 18". At the dead end of all new driveways, a turn around of at least 25 feet radius or some other method to allow vehicles to turn around shall be provided as determined by the town board. Illegal culverts will be removed at landowners expense.

SECTION 5: Definitions

Driveway/access: any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be a part of the public road for the purpose of gaining access to land or improvements.

SECTION 6: Effective Date

This ordinance shall take effect one day after its passage and publication as provided by law.

Adopted this 20 day of December 2000

Filed in the Office of Town
Clerk this 20th day of
December, 2000

Attest


Town Clerk

Richard Duntai
Town Chairperson

James A. Beard
Supervisor

Timothy K. Ostrick
Supervisor

Tommy Hoy
Supervisor

Brian Gehrig
Supervisor