

**TOWN OF CLINTON ORDINANCE #107
DRIVEWAY PERMITS AMENDED 7/9/13**

Sections:

- 107 (1) Authority and Purpose
- 107 (2) Jurisdiction
- 107 (3) General Provisions
- 107 (4) Specifications
- 107 (5) Installation and Costs
- 107 (6) Highway Reconstruction

107 (1) Authority and Purpose. The Town Board of the Town Clinton has the specific statute authority, pursuant to Section 86.07(2), Wisconsin Statutes, and it is in the public interest and welfare to regulate the placement, design, modification, and maintenance of driveways and field roads accessing public highways in the Town of Clinton.

107 (2) Jurisdiction. This ordinance applies to all driveways and field roads installed, altered, changed, replaced, or extended after the effective date of this ordinance.

107 (3) General Provisions.

- (a) No person shall establish, construct or modify a private driveway, road, or other access from a private property line to the traveled portion of any public town road without first obtaining a permit from the designee of the Town Board.
- (b) All applications for a permit, authorized by this ordinance, shall be in writing on an official form furnished by the Town of Clinton. Permit applications shall contain the name, address, and phone number of the applicant, location of driveway, and legal description of the property.
- (c) The completed application shall be forwarded to the Town Chairman, or designees. The Chairman or designees shall conduct a site visit of the proposed location of the driveway or field road to determine compliance. This site shall be adequately marked out with stakes to determine location of the driveway or field road. The Town reserves the right to make any changes, additions, repairs, or relocations within the dedicated portion of the public right of way.
- (d) All new driveways installed without a permit will be removed at the landowner's expense.

107 (4) Specifications.

- (a) Each driveway shall have a culvert at the ditch line, unless special permission is obtained from the Town Board
- (b) Approach. Driveways shall intersect the public road at right angles from the property line. Driveways shall have adequate sight lines in each direction.
- (c) Size. The minimum diameter of the culvert is 15 inches. The minimum length of the culvert is 30 feet.
- (d) Material. All driveway culverts will be DOT approved HDP only.
- (e) Inlet/Exit Culvert Flares. Town patrol person will determine need at time of driveway permit application.

107 (5) Installation and Cost.

- (a) Installation. The Town will furnish materials, equipment and manpower to install a culvert. If the property owner wishes to replace an existing driveway culvert, and the Town deems it as necessary, the Town will furnish equipment and manpower to remove old culvert and install a new one.
- (b) Cost. The property owner shall be responsible for the cost of the culvert, materials, equipment and manpower furnished by the town. The Town will bill the property owner as outlined on the driveway permit.
- (c) Permit. Cost of permit is \$35 and is non-refundable. A permit fee will be waived for any extensions of existing driveways unless a new culvert is needed.
- (d) Utility relocation costs shall be the responsibility of the property owner.
- (e) After the installation, the Town assumes no liability for the maintenance of the driveway.

- (f) Driveway will not be installed until driveway permit has been approved and signed by all parties.
- (g) From the date of the board approval of the driveway permit, the permit holder has six (6) months to complete the installation of driveway. Failure to complete will result in forfeiture of all costs associated with the permit. The board has the right to extend the timeframe based on extenuating circumstances.

107 (6) Highway Reconstruction. When the Town totally reconstructs a road, this includes cutting or filling or otherwise grade the highway, sand lifts, and gravels a road, the Town will furnish one culvert and materials for an entrance to abutting premises. The property owner would be liable for the cost of other driveways as stated in Section 107 (5) of this ordinance. This complies with Section 86.05, Wisconsin Statutes; **Entrances to highways restored** which states: “Whenever it is necessary, in making any highway improvement to cut or fill or otherwise grade the highway in front on any entrance to abutting premises, a suitable entrance to the premises shall be constructed as part of the improvements. Thereafter, each entrance shall be maintained by the owner of the premises.”

This ordinance shall take effect on the day after passage and posting as provided by law.

Amended this 9th day of July, 2012

Town of Clinton

James Gores

Robert Heil

Larry Peterson

ATTEST: The Town Board, Town of Clinton, Barron County, Wisconsin, passed this ordinance at a duly noticed and convened meeting held on July 9, 2013

Melanie Miller, Town Clerk