

State of Wisconsin  
Town of Round Lake  
Sawyer County  
Ordinance No. 2010-01

## SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Round Lake Driveway Permit Ordinance. The purpose is to regulate, for public health and safety reasons, the establishment, repair, construction, improvement, modification, and reconstruction of private driveways, to assure that the methods of repair, construction, improvement, modification, and reconstruction practices used in any driveway will protect properly the public health, safety, and general welfare of persons in the Town of Round Lake, and to limit and regulate road access by motor vehicles to any road in the town. This is not a town zoning ordinance.

## SECTION II – AUTHORITY

The town board has the specific authority under ss. 66.0425 and 86.07, Wis. stats., to adopt a town driveway permit ordinance, and has the general authority under its village powers under s. 60.22, Wis. stats., to adopt this ordinance.

## SECTION III – ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation by permit of all driveway locations in the town.

## SECTION IV – DEFINITIONS

In this ordinance:

A. “Driveway” means any private way, private road, or other avenue of private travel that runs through any part of a private parcel of land that connects or will connect with any public road, and will provide vehicular access from the road to a residence, business, recreational site, or other similarly appropriate use. Driveways are described as serving no more than two properties (residential or commercial or combination). Private roads are described as serving three or more properties.

B. “Emergency vehicle” means any fire, police, ambulance, or first responder vehicle used in emergency or hazard activities in the town.

C. “Town” means the Town of Round Lake, Sawyer County, Wisconsin.

D. “Town board” means the board of supervisors for the Town of Round Lake, Sawyer County, Wisconsin, and includes any designee of the board authorized to act for the board.

E. “Town clerk” means the clerk of the Town of Round Lake, Sawyer County, Wisconsin.

F. “Wis. stats.” means the Wisconsin Statutes, including successor provisions to cited statutes.

**SECTION V – COVERAGE**

A. No person may establish or construct a driveway or reconstruct, reroute, or alter the existing slope of any existing driveway or any town or other road or road right-of-way in the town in relation to the connection of the road or road right-of-way to a driveway, whether new or previously existing, without first obtaining a Town Driveway Permit to be issued by the town board.

B. Any person prior to and at the time of seeking a Town Driveway Permit must own or have a legal interest in and current legal access to the land to which the permit(s) will apply. Logging contractors may obtain a permit providing they have a legal contract with the owner or the owner’s agent.

C. Logging contractors in possession of a valid contract with the National Forest Service are excluded from the provision of this ordinance.

**SECTION VI – EXPIRATION OF DRIVEWAY PERMIT**

A permit shall be valid for a period of nine (9) months from the date of issuance by the town. After nine (9) months have passed with no driveway connection, a new permit, along with the appropriate fee, shall be required.

**SECTION VII – SPECIFICATIONS**

Commencing on the effective date of this ordinance all driveways to be constructed for which a driveway permit is required under Section V shall meet all of the following minimum requirements:

A. As per the following table:

<b>Class of Highway</b>	<b>Minimum distance of Highway frontage between access driveways for Separate Land Uses (feet)</b>	<b>Minimum distance access driveways to be located to the right-of-way on the Intersection Highway (feet)</b>
Class A Highways and Federal Aid Primary Highways	600	300
Federal Aid Secondary Hwys	500	250
Class B Highways	300	150
Class C Highways	75	75
Without public sewer -- all zone districts	75	75
With public sewer (R-1, RR-1, RR-2 and C-1 only)	50	50

B. All driveways and private roads shall be laid out so as to intersect all highway classes as nearly as possible at right angles. Deflections of up to twenty (20) degrees may be approved depending upon conditions.

C. Where there is more than one lot abutting any road between access

driveways a frontage road may be required depending on lot(s) size and conditions.

D. Private driveways shall be of such width and so located that all of such driveways and their appurtenances are a minimum width of 24 feet within the limits of the frontage abutting the road of the property served. Driveways shall not provide direct ingress or egress to or from any road intersection area and shall not encroach upon or occupy area of the road right-of-way required for effective traffic control or for road signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the road.

E. There shall be allowed one (1) driveway for the first acre of the served parcel and one (1) additional driveway for each additional acre or part thereof up to a maximum of two (2) providing when two (2) driveways are utilized, there is also at least 180 feet of total road frontage on the road from which the driveways serve the parcel. Where two (2) driveways serve a parcel, such driveways shall be located no closer than 75 feet from centerline to centerline and at least 10 feet from the edge of the driveway to the property line. For road corner parcels, or parcels abutting more than one road, driveway and/or road access shall be allowed from only one of the roads abutting the road.

F. The surface of the driveway connecting with road cross sections shall slope downward from the road shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the road surface. No driveway apron shall extend out into the road further than the road edge. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of road, side ditches, or roadside areas or with any existing structure on the right-of-way. All driveways shall be graded in such a way that no storm water reaches the road.

G. No person, firm, or corporation shall place, construct, locate in, or cause to be placed, constructed, or located in, any obstruction or structure within the limits of any public road or highway in the Town of Round Lake, Sawyer County, except as permitted by this section as used herein the word "structure" includes private driveways, a portion of which extends into any public road or highway, and which is in non-conformance with this ordinance.

H. Where required by the Town, a culvert shall be installed by the property owner or his agent at their cost. No culvert smaller than twelve (12) inches in diameter will be allowed. All culverts shall be newly manufactured metal or double wall plastic. Any culvert shall be placed in the ditch line at elevations that will assure proper drainage.

I. Any erosion control measures deemed necessary by the Town shall be implemented by the owner or his agent, at their cost, when connecting the driveway to the public road.

## SECTION VIII – TEMPORARY DRIVEWAY PERMITS

The Town of Round Lake may issue a temporary driveway permit allowing access to a roadway for activities such as logging or access to a property for which the owner or his agent do not wish to maintain a permanent driveway. The fee required of the owner or his agent shall be the same as for a permanent driveway. At the time of issuance of the temporary permit, the owner or his agent must provide a date upon which the temporary driveway will be removed and the area upon which the temporary driveway was constructed will and must be reshaped to the

condition it was in before the temporary driveway was constructed. All specifications listed in section VII apply.

#### SECTION IX – APPLICATION FOR A PERMANENT OR TEMPORARY DRIVEWAY

- A.) Application for either permit shall be made through the town clerk.
- B.) The permit application shall be completed and returned, along with a \$20.00 fee, to the town clerk. Application fee is non-refundable.
- C.) The location of the proposed driveway must be marked with stakes such that a visual inspection by the town road crew chief is possible.
- D.) The Town Board or its designees shall approve or deny every Town Driveway Permit and may, as a condition of issuance, place specific restrictions or conditions on the permit, which shall require compliance by the permittee.
- E.) It will be the responsibility of the applicant to furnish, install and pay full costs for all needed materials required, including, but not limited to, culverts and signs.
- F.) In the event of denial of a permit, the town board shall recite in writing the particular facts upon which it bases its denial of the permit.

#### SECTION X – APPEAL FROM PERMIT REFUSAL

Any person feeling themselves aggrieved by the refusal of the town to issue a permit for a private driveway may appeal such refusal to the town board within thirty-one (31) days of written notification of refusal to issue permit.

#### SECTION XI – PENALTY PROVISION

Any person, partnership, corporation, or other legal entity that violates any provisions of this ordinance shall forfeit not less than \$100.00 nor more than \$500.00 for each violation together with all associated costs and disbursements and liability for damage. This ordinance shall be enforced by any member of the Board of Supervisors of the Town of Round Lake, authorized employee and/or authorized representative of the Town of Round Lake, Sawyer County. The Town of Round Lake by adoption of this ordinance hereby elects to use the citation method for enforcement of the ordinance.

#### SECTION XII – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

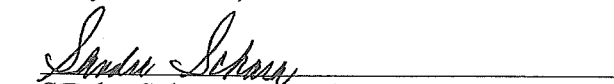
SECTION XIII – EFFECTIVE DATE

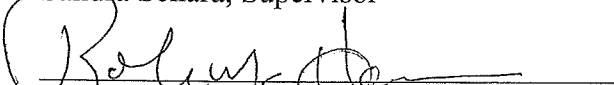
This ordinance is effective on publication or posting.


The town clerk shall properly post or publish this ordinance as required under s.60.80, Wis. stats.

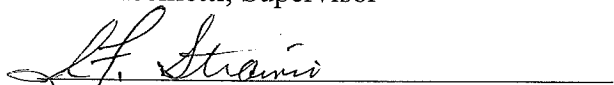
Adopted this 22<sup>nd</sup> day of April, 2009.

  
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Gary W. Karns, Chairman

  
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Sandra Schara, Supervisor

  
\_\_\_\_\_  
Rolfe Hanson, Supervisor

  
\_\_\_\_\_  
Paul Picchietti, Supervisor

  
\_\_\_\_\_  
Stan Strainis, Supervisor

Attest:   
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Kathy McCoy, Clerk