

CHAPTER 4

**ROADS AND DRIVEWAYS
(Revised September 2013)**

TABLE OF CONTENTS

4.01	APPLICABILITY	4-2
4.02	DEFINITIONS.....	4-2
4.03	PERMITS	4-2
4.04	GENERAL REQUIREMENTS	4-3
4.05	PUBLIC ROAD REQUIREMENTS	4-3
4.06	PRIVATE ROAD REQUIREMENTS	4-5
4.07	DRIVEWAY REQUIREMENTS.....	4-6
4.08	KEEPING TOWN ROADS CLEAN.....	4-6
4.09	VIOLATIONS	4-7

CHAPTER 4
ROADS AND DRIVEWAYS

4.01 APPLICABILITY. The provisions of this chapter apply to all roads and driveways in the Town of Egg Harbor. If the provisions of this Code conflict with County, State or Federal regulations, the most restrictive shall prevail.

4.02 DEFINITIONS. As used in this chapter, the following terms shall have the following meanings unless the context clearly requires otherwise:

- (1) *Road* - a public or private thoroughfare for vehicular and pedestrian traffic for which work would have to be performed to make it, such as putting in fill, or grading and excavating, that serves more than two land uses (residential, commercial, industrial, vacant land, etc.).
- (2) *Driveway* - a road for vehicular and pedestrian traffic on private property, serving either:
 - (a) four or fewer residential land uses,
 - (b) two or fewer non-residential land uses, or
 - (c) a combination of residential and non-residential land uses numbering two or fewer.
- (3) *Cul-de-sac* - a short road having but one end open to traffic and the other end being permanently terminated to a vehicular turn around.

4.03 PERMITS. All applications for road, driveway or culvert permits shall be filed with the Code Administrator. A Town road permit shall be valid for one year from the date of issuance. If construction is not completed within one (1) year a new permit must be applied for and a new fee paid.

- (1) **Construction of Road or Driveway.** No person shall construct a road or driveway in the Town without first obtaining a Town road permit.
 - a) If a road or driveway provides access from abutting land to a State Trunk Highway, no Town permit shall be issued until the applicant has obtained written approval from the Wisconsin Department of Transportation.
 - b) Permits for constructing roads must be accompanied by a 125% security of the estimated cost of road installation to ensure proper completion of the road. No building permits will be issued until a private road permit has been issued.
 - c) At the time an application is submitted for a permit, the road or driveway shall be staked out and all plans, surveys and maps shall be turned over to the Town.
- (2) **Work on or Under Town Road.** No person shall work on or under a Town road without first obtaining a Town road permit. Before this permit can be granted, the applicant must submit a bond

to guarantee that the part of the road worked on will not sink or rise with respect to the rest of the road for five years.

(3) Blocking a Culvert. No person shall close or block a culvert, ditch or gutter without first obtaining a Town road permit. The flow of water in ditches, culverts or gutters shall not be obstructed unless another suitable culvert is installed so as to provide for the free and unobstructed flow of water.

(4) Constructing a Culvert. No person shall construct a culvert, ditch or gutter without first obtaining a Town road permit. Where a road, private access easement or driveway intersects with a Town road, the Town Code Administrator will determine if a culvert is to be put in; size and gauge shall be determined by the Door County Highway Department.

4.04 GENERAL REQUIREMENTS, ROADS AND DRIVEWAYS.

(1) New roads and driveways shall be considered in their relation to existing and planned roads and driveways, reasonable circulation of traffic, topographical conditions, runoff of storm water and the proposed uses of the area to be served.

(2) Where new roads or driveways extend existing or adjoining roads, easements or driveways their projections shall be at the same or greater width, but in no case less than the minimum required by this code.

(3) The arrangement of roads or driveways in new land divisions shall make provision for their projection where necessary to provide proper access to adjoining areas that are not subdivided.

(4) The layout of new roads or driveways shall not be such as to cause hardship to owners of adjoining property in working or dividing their own land and providing convenient access to it.

(5) Roads and driveways shall have an overhead clearance of fifteen (15) feet.

4.05 PUBLIC ROAD REQUIREMENTS.

(1) For the Town Board to even consider accepting a road as a public road the road must be completed in compliance with the minimum specifications of this chapter and any applicable requirements of the Wisconsin Statutes. Prior to the Town Board's potential acceptance of a road a proposed deed must be reviewed and approved by the attorney for the Town.

(2) In addition to the general requirements in Section 4.04, all potential public roads shall meet the following specific standards:

(a) Right-of-way width of 66 feet (4 rods).

(b) Roadway width of twenty-six (26) feet. The full width of the roadway shall have a minimum of 8 inches of crushed stone and 8 inches of gravel.

- (c) Blacktopped surface width of twenty (20) feet, with blacktopping to be a minimum of 2 ½ inches thick.
- (d) Maximum centerline grade of 9-11%, unless necessitated by exceptional topography. Road grades shall be established wherever practicable so as to avoid excessive grading, the unnecessary removal of ground cover and tree growth and general leveling of the topography.
- (e) Maximum horizontal curve of 7 degrees - 30 minutes.
- (f) Have three hundred and fifty (350) feet visibility at intersections with Town, County or State roads or highways.
- (g) Have no object over two and one-half (2 1/2) feet in height above the road and within twenty-five (25) feet of an intersection if it obstructs the view. The only exceptions will be stop signs, street signs and other road signs of this nature.
- (h) Stumps and debris. Stumps or debris shall not be buried within the road or easement bed.
- (i) Not be cul-de-sacs, if at all possible. If there must be a dead end road, it shall have a cul-de-sac of one hundred twenty (120) feet in diameter with a clear roadway of eighty (80) feet in diameter to provide proper turnaround for snow removal, fire equipment and school buses and space for snow storage.
- (j) Drainage ditches. All roads shall be constructed so as to provide for proper drainage. Any ditches and shoulders shall be free and clear of any obstructions. All grading, excavations, open cuts, side slopes and other land surface disturbances shall be mulched, seeded with native plants, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented.
- (k) Access points. Where a proposed plat or land division is adjacent to an existing road, the distance between the two points of access to the connecting road shall be no less than six hundred and sixty (660) feet except where impractical or impossible due to existing property divisions or safety hazards such as blind curves or topography.
- (l) Road jogs. Road jogs with centerline off-sets of less than 125 feet shall not be allowed.
- (m) Road curvature. When a continuous road centerline deflects at any one point by more than ten (10) degrees, a circular curve shall be introduced having a radius of curvature on said centerline of not less than one hundred (100) feet.
- (n) Corners. Curb or ditch lines at road intersections shall be rounded at a radius of not less than ten (10) feet.
- (o) Reverse curves. A tangent at least one hundred (100) feet long shall be required between reverse curves on roads.

(p) Single user roads. When access for new lots or parcels is to be provided to an existing single user Town road, the developer shall dedicate or cause to be dedicated to the Town sufficient right-of-way to allow for adequate snow plowing, fire service and school bus turn-around and cause the grading, surfacing, seeding or sodding and ditching of the existing and any additional rights-of-way to be constructed to current Town standards prior to the approval and recording of the plat or survey map. In lieu of such construction, the Town Board may provide for construction at Town expense and assess the cost thereof to the abutting lands pursuant to §66.60 (16), Wis. Stats., if the owner or owners of the abutting lands execute and record in the office of the Register of Deeds for Door County a waiver of notice and hearing and right to contest such assessments.

(q) Construction sequence. Standard road improvements can begin only when either the underground utilities were installed in the previous construction season or constructed underground utilities, if any, including mechanical compaction and compaction tests, have been approved by the Town Board.

After the installation of temporary block corner monuments and the establishment of road grades by the Town Board, the sub divider or land divider shall grade the full width of the right-of-way of all roads proposed to be dedicated in accordance with plans and standard specifications approved by the Town Board.

After the installation of all utility and storm water drainage improvements the sub divider or land divider shall surface all roadways. When designated road sections have been approved by the Town Board, the sub divider or land divider shall finish grade all shoulders and road ditches, install all necessary culverts and surface ditch inverts.

4.06 PRIVATE ROAD REQUIREMENTS. (Revised 8-2013, Ordinance#178)

A. Private roads created on or after September 1, 2013:

In addition to the general requirements in Section 4.04, private roads must meet the following standards:

- (1) All requirements in Section 4.05(2), except 4.05(2)(b), roadway width, and 4.05(2)(c), road surface width.
 - (a) Private roads with expected traffic counts equal to or less than 100 ADT, calculated per WisDOT statutory standards, shall have a roadway width of 24 feet and a hard surface width, either graveled or blacktopped, of 18 feet.
 - (b) Private roads with expected traffic counts greater than 100 ADT shall have a roadway width of 26 feet and a hard surface width, either graveled or blacktopped, of 20 feet.
- (2) All private roads shall have a sign at intersections with a Town, County or State road or highway, to be maintained at owners' expense, stating they are private roads. In addition, all traffic signs required by the town, such as but not limited to street signs, stop signs, and speed limit signs, shall be installed by the town at the private road owner(s)' expense.

(3) New private roads shall be subject to a recorded agreement for their private, continued maintenance, including but not limited to snow plowing, at the expense of abutting land owners, as a condition of Town approval.

(4) Any person transferring ownership of a lot with access from a private road shall give the new owner a letter stating that said road is private, not public, and that therefore the property owners taking access from that road, rather than the Town, are responsible for maintaining the road.

B. Private roads created prior to September 1, 2013:

1. The requirements of Section 4.06A shall apply to all private roads created prior to September 1, 2006 unless, in the determination and discretion of the Town Board, they determine that it is in the best interest of the town and property owner that one or more of the requirements for a private road be relaxed or eliminated.

4.07 DRIVEWAY REQUIREMENTS. In addition to the general requirements in Section 4.04, driveways must meet the following standards:

(1) Except for driveways to State trunk highways, which are subject to Wisconsin Department of Transportation regulations, driveways shall be located within a 24-foot wide easement and shall have at least sixteen (16) feet of clearance width, have not less than twelve (12) feet of hard surfacing with one (1) foot shoulders on either side.

(2) Commercial or industrial driveways accessing public roads shall be paved to a length of 25 feet to facilitate access to the abutting road.

(3) Driveways must be set back a minimum of five (5) feet from side and rear lot lines (unless the driveway is to be shared by the adjacent property owner) and any wetlands.

(4) New shared driveways shall be subject to a recorded agreement for their private, continued maintenance, including but not limited to snow plowing, at the expense of abutting land owners, as a condition of Town approval.

(5) Any person transferring ownership of a lot with access from a shared private driveway shall give the new owner a letter stating that said driveway is a private shared driveway, and that therefore the property owners taking access from that driveway are collectively responsible for its maintenance.

4.08 KEEPING TOWN ROADS CLEAN

(1) Placing of Offal, Vegetables, Garbage, etc. on Roads Prohibited. No person shall directly or indirectly scatter, throw, cast, drop, deposit, lay or direct any offal, vegetables, garbage, coal, nails, metals, glass, ashes, clay, earth or other thing upon any public road or right-of-way or sidewalk within the Town. This does not include placing ashes, sand, sawdust or salt upon a public sidewalk for safe pedestrian travel.

(2) Vehicles Not to Track Mud. No person shall operate a vehicle upon the roads or highways

of the Town in a manner that causes excessive soil, dirt, mud, earth, sand, gravel or other organic materials to be deposited on a public right-of-way.

(3) Deposit of Material in Gutter, Ditch or Culvert Prohibited. No person shall dump or otherwise dispose of any matter, including but not limited to rubbish, brush, tree stumps, rocks or any type of debris, in ditches, gutters or culverts along any public road or highway in the Town.

(4) Damage Caused by Deposit on Roads. Any person depositing materials in or upon a public road right-of-way within the Town in violation of the provisions of this section shall be liable for all damages which may accrue to the public due to the presence of such materials and for any costs incurred by the Town for clean-up.

4.09 VIOLATIONS. Anyone violating any provision of this chapter shall forfeit not less than Two Hundred Dollars (\$200), nor more than Five Hundred Dollars (\$500), plus applicable penalty assessments and costs of prosecution. Each day of violation can be considered a separate violation.