

Driveway Permits and Driveway Construction Standards

This ordinance establishes a requirement that a Town of Rusk Driveway Permit is required for all new driveways that connect to a Town of Rusk Road. When applying for a Town of Rusk Building Permit, if the driveway providing access to the building was established after Sept. 2, 2014, a Driveway Permit must first be on file with the Town Clerk.

The points below describe required construction standards when connecting a driveway to a Town of Rusk road, with the objective of improving public safety and security. All new driveways shall comply with the following standards unless a variance is approved by the Town Board of Supervisors:

1. Driveways **on the same side** of a Town Road shall be separated by at least 200 feet. Lesser distances require approval by vote of the Town Board of Supervisors. Driveways on opposite sides of the road shall be located across from one another or as nearly so as is practicable.
2. The driveway's **approach to a public roadway** shall be clear of all visual obstructions including vegetation, structures, and topography (hills and embankments), so as to allow full view of traffic approaching from both directions on the town road.
3. **Sight stopping distance** along a town road to a driveway located on vertical crest curves of town roads shall be checked by a Board member or its designee to assure it is in conformance with the standards of Wisconsin's Department of Transportation.
4. The **first section of any driveway** shall be perpendicular to the centerline of the town road, from the edge of the roadway to a point that is 40 feet from the center line (C/L) of the existing town road.
5. **Minimum driveway width** shall be 20 feet wide from the edge of the roadway to a point that is 40 feet from the center line (C/L) of the existing town road.
6. **The C/L grade of the driveway** where it meets the shoulder of the existing town road to a point that is 40 feet from the C/L of the town road shall be level with the shoulder of existing town road with a minimum of minus-one (-1) percent and a maximum of minus-five (-5) percent slope from the shoulder edge of the existing town road. This is to prevent erosion of the driveway onto the existing town road.
7. The **slope of the driveway shoulder embankment** shall not exceed the ratio of 4:1 (4' of run per 1' of rise) or the slope of the embankment of the town road, whichever is less.
8. **Retaining walls** are not permitted within the road right-of-way.

9. **Red or amber reflectors** marking driveways shall not be within the town road right-of-way.
10. **Driveway culverts:**
- a) Shall be required wherever necessary to provide adequate drainage, as determined by vote of the Town Board of Supervisors or its designee.
 - b) Shall be constructed of either corrugated steel, or of plastic. The steel culverts must be manufactured of galvanized steel no less than 18 gauge. The plastic culverts must be of double wall construction, their composition being: the outside wall of corrugated plastic, bonded to the inside wall of smooth plastic.
 - c) Shall be installed in compliance with the manufacturer's specifications for over-top cover, backfill compaction and other construction requirements.
 - d) Shall be a minimum of 15 inches in diameter. A larger-diameter culvert may be required by the Town Board.
 - e) Shall be installed with the bottom of the culvert at the same elevation and grade as the bottom of the ditch abutting the town road.
 - f) Shall extend 1 foot beyond the driveway shoulder where it intersects the natural ground elevation or bottom of the road ditch unless an appropriate apron is installed.
 - g) May not be purchased through the Town of Rusk.
11. **Temporary driveway permits** may be obtained for a period of six months from a Town Board member. All driveway ordinance guidelines shall be required. A culvert may also be required by the issuer. When the use of such temporary driveway is over, the property owner shall restore the ditch line to its original grade and seed it.
12. **Complaints** regarding existing driveways may warrant Town Board action. The Town Board or its designee shall investigate any complaint that a driveway constructed before the effective date of this ordinance is a danger to public safety. If, after its investigation, the Board determines that said driveway is a danger to public safety, the Board shall inform the owner of modifications necessary to alleviate the danger and take appropriate action to cause the owner to perform the modifications.
13. **Appeals to the Board.** Appeals to the Town Board of Supervisors may be made by any person under this ordinance. Such appeal shall be made within 30 days of the decision by filing with the Town Clerk a Notice of Appeal specifying the reasons for the appeal. A non-refundable fee of \$200 is due when filing an appeal.
14. **Enforcement & Penalties.** The Town Board shall commence such legal action as is authorized by Wisconsin Statutes to require compliance with the terms of this ordinance. Any property owner or other person who directs an access driveway to be constructed in violation of this ordinance, and any person who performs such construction, may forfeit up to \$500.⁰⁰ per day of continuing violation. In addition, the Town Board shall maintain a continuing objection to the issuance of any Land Use or Building Permit by Rusk County for the subject property until the terms of this ordinance are satisfied.

This ordinance becomes effective upon passage and publication and may be subject to future amendments.

Adopted this 14th day of August, 2014.

Lisa Dobrowolski – Chair

Steve Styczynski – Supervisor

David Franklin – Supervisor

Attested by:

Patricia Arnold - Clerk