

# Town of Schley

## Ordinance: O-2009-2.3-2-R

## Driveways

**1.1 TITLE/PURPOSE.** This ordinance is entitled the Town of Schley Driveway Ordinance.

The purpose of the ordinance is to regulate the location and construction of any private access road (private driveway or culvert replacement) that will intersect any public road in the Town of Schley. The ordinance will set forth a procedure and establish a fee for obtaining a driveway permit.

**1.2 STATUTORY AUTHORITY.** The Town board of the Town of Schley, Lincoln County, Wisconsin has been granted village powers pursuant to Sec. 60.10 Wis. Stats, and has the specific statutory authority, powers and duties pursuant to Sec. 60.10 66.0425 and 86.07 to regulate, control, prevent and

enforce in the Town of Schley certain uses, activities, businesses and operations by persons that may affect the public works and infrastructure in the town of Schley and to act for the health, safety and welfare of the public. Further, the adoption of this ordinance supersedes all prior driveway/culvert ordinances enacted by the Town of Schley.

**1.3 DEFINITIONS.** The definitions contained in Sec. 60.10 66.0425 and 86.07 of the Wisconsin Statutes are hereby adopted and made a part of this ordinance by reference.

**1.4 PERMIT REQUIRED.** Whenever a new proposed private access road, private driveway, or culvert replacement, that will intersect any public road in the Town of Schley a Driveway Permit is required.

**1.5 PERMIT FEE.** The permit applicant shall pay to the Schley Town Clerk the required fee. The purpose of the fee is to cover any consultations and inspections by the Town Board and/or it's designee.

**1.6 GENERAL PROVISIONS.** The private driveway must be designed and constructed in such a way that it will not cause any damage to the town road nor create any hazard to the public as they travel on the town road. In order to meet this requirement the landowner shall contact the Town Board who will determine (based on the specific location) whether or not a culvert is required and if so, the minimum diameter, and length of the culvert.

An approved Driveway Permit must be obtained and the initial inspection completed before any other construction permits can be issued.

The culvert shall be of standard steel culvert material or a double walled plastic. A culvert may be purchased through the Town.

The private driveway width shall be a minimum of 16 feet where it intersects with the town road. The driveway shall have a minimum width of 12 feet for single and two family dwellings, and 16 feet for multi-family dwellings. The drive way shall have 16 feet of side and height clearance to accommodate all emergency vehicles.

The private driveway grade shall not cause any erosion of materials onto the town road or the road right of way.

Any private driveway that intersects a county or state highway will be governed by the Wisconsin Department of Transportation and/or the Lincoln County Highway Department. All driveway construction beyond the State, County or Town highway/roads right of way is governed by this ordinance.

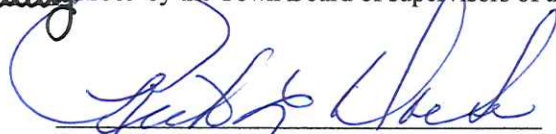
**1.7 PROCEDURE.** The driveway application shall be made to the Town Chairperson or designee. The application will include the legal description of the property, a drawing of the proposed driveway site and proof of payment of the required fee.


The Town Chairperson or designee will meet with the applicant at proposed driveway site, to determine the diameter, length, and placement of the culvert.

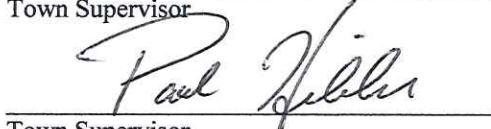
When the private access driveway culvert installation is complete, the applicant will notify the Town Chairperson or designee. The Town Chairperson or designee will make a final inspection of the driveway and if properly constructed will make the approval.

1.8 **EFFECTIVE DATE:** This ordinance shall take effect from and after its passage and posting as provided by law.

Adopted this 3<sup>rd</sup> day of February 2009 by the Town Board of supervisors of the Town of Schley, Lincoln County

  
Town Chairman

  
Town Supervisor

  
Town Supervisor

Date Ordinance Offered 02-03-2009

Motion Made By (Board Member) Paul Hibler

Motion Seconded By (Board Member) Rick Down

Voting "AYE" (Board Members) Paul Hibler

Bonita Prieser

Rick Down

Voting "NAY" (Board Members)

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Date ordinance filed 02-18-2009

Town Clerk Diana Petryates, Clerk

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