

## CHAPTER 2

### DRIVEWAYS

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#### 2.1 Title/Purpose

This ordinance is entitled the Town of Theresa Driveway Ordinance. The purpose of this ordinance is as follows:

Whereas interest has been expressed to establish standards for driveways that will provide for better and safer provisions of adequate access from private development to a public right of way.

#### 2.2 Authority

The Town board of the Town of Theresa has specific authority, powers and duties pursuant to Section 60.61, 60.62 and 60.23 Wisconsin Statutes.

#### 2.3 Adoption of Ordinance

The Town board of the Town of Theresa has, by adoption of this ordinance, confirmed the specific statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance the certain areas and the regulations and controlling of driveways in the Town of Theresa.

#### 2.4 Minimum Requirements

All new driveways proposed to be installed or any driveway alleged to be existing and serving open land without improvements and proposed to be converted to a driveway to serve one or more residents shall be subject to an inspection by the Town Board prior to the issuance of a building permit. An approved driveway shall be in place before a building permit can be issued.

The applicant who may be the owner, agent, or contractor shall submit a location construction plan showing specifications including grade, slope, width, and length of the driveway and erosion control procedures.

Authorization for a driveway is subject to the approval of the town. The evidence of an existing driveway is either the clear indication of a driveway being in place before the year 2001. If there is a dispute on the adequacy of an alleged existing driveway the decision of the Town Board will be the deciding factor.

The following specifications shall apply:

Minimum road surface width:	14 feet
Minimum width clearance:	24 feet
Minimum height clearance free of trees, wires, etc.	16 feet
Maximum grade	10 percent

At least one 25 foot length and 18 foot width segment of road surface shall be provided for each 300 feet of driveway length to provide for the safe passage of meeting vehicles. The driveway within the area of the public right of way shall slope away from the public road at a minimum of 1% and a maximum of 5% to prevent erosion onto the public road. An adequate road bed base of suitable material to support the projected traffic and any requirements for culverts shall be determined by the town in considering an application for driveway approval. If culverts are required the minimum size shall be 10' x 30' with apron endwalls. At the dead end of all new driveways a turn around of at least 25 feet radius or some other method to allow vehicles to turn around shall be provided as determined by the Town Board. Illegal culverts will be removed at landowners expense.

## 2.5 Definitions

Driveway/access: any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be a part of the public road for the purpose of gaining access to land or improvements.

## 2.6 Effective Date

This ordinance shall take effect one day after its passage and publication as provided by law.

Adopted July 2, 2001.