

ORDINANCE #2001-3
DRIVEWAY ORDINANCE
TOWN OF PRAIRIE LAKE

(Rev. 05/2002; Rev 02/2017)

An ordinance regulating the construction of driveways to access any public road in the Town of Prairie Lake.

The Town Board of Supervisors, Town of Prairie Lake, does ordain as follows:

SECTION 1 – DEFINITIONS

DRIVEWAY/ACCESS: Any area where travel occurs from a public road over land (whether by easement or ownership) to privately owned land for the purpose of gaining access to land and/or improvements.

OWNER/LANDOWNER: Party who has legal title to the land or the designated agent of same.

SECTION 2 – AUTHORITY

The Town Board of the Town of Prairie Lake has specific authority and powers pursuant to sections of Chapters 60 and 62 of Wisconsin Statutes.

SECTION 3 – MINIMUM REQUIREMENTS

3.1 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 structures shall be subject to an inspection and permit fee as established by the Town Board to be paid to the Town prior to the start of any construction on a new driveway and prior or concurrent to the issuance of a building permit.

3.2 The applicant, who may be the owner, agent or contractor, shall submit to any board member, the patrolman, clerk or the designated agent of same, a location construction plan showing specifications including location, grade, slope, width and length of the driveway and erosion control procedures. The plan will be acted upon at the next regular Town Board meeting. Provisional approval can be given by the Chairman, or a person designated by the Chairman, prior to the next Board meeting to facilitate construction plans. The driveway need not be completed prior to the issuance of a building permit, but the driveway construction plan must have at the minimum provisional approval.

3.3 Authorization for a driveway is subject to the approval of the Town Board of the Town of Prairie Lake, and when so approved the Barron County Zoning Office will be notified, if applicable. The evidence of an existing driveway must be proven by prior usage, or by a photograph clearly showing the driveway. If there is a dispute over the adequacy of an alleged existing driveway, the decision of the Town Board will be the determining factor. If there is not clear evidence, as determined by the Town Board, that the driveway in question has been used during the last 12 months, the Town Board will review the provided evidence and reach a decision. The decision of the Town Board is final.

3.4 These are the required specifications:

- Minimum driveway surface.....12 ft. (includes shoulder)
- Minimum width clearance.....24 ft.
- Minimum height clearance.....18 ft. (free of wires, trees, etc.)
- Maximum grade.....10%

3.5 Any requirements for culverts shall be determined by the patrolman/town road supervisor in considering an application for driveway approval. If culverts are required, the minimum diameter shall be 15 inches (steel culverts only). The Town of Prairie Lake will supply one standard culvert of appropriate diameter and length billed to the owner at the Town’s cost. The driveway within 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. In the case of new driveways, those with inadequate culverts or placed in a location considered dangerous as determined by the Town Board, will be removed and replaced at the landowner's expense. Any modification of the public road right-of-way, including the ditch, without written permission of the Board shall be removed or re-done to its original state at the landowner's expense.

SECTION 4 – DRIVEWAY OVER PRIVATE LAND

Those specifications as outlined in Section 3.4 are recommended for the driveway over the privately held portion also in order to facilitate entrance by emergency vehicles.

SECTION 5 – PENALTIES

The cost of the permit and the inspection are determined annually by the Town Board in the Schedule of Penalties, Fees, and Deposits. However, if the site of the driveway, the culvert or the grade of the driveway within the town right-of-way fails to meet standards as established by this ordinance, the landowner will be responsible for all costs incurred to bring the driveway up to minimum standards as established by this ordinance. Failure to procure a permit before establishing a driveway shall incur a penalty fee also as established in the Schedule of Penalties, Fees, and Deposits.

SECTION 6 – LISTING OFFICIAL

The Chairman of the Town Board or his/her designee is hereby designated as the listing official. All questions pertaining to this ordinance should be directed to the Chairman or designee as is appropriate to the matter in hand.

SECTION 7 – VALIDITY OF PORTIONS

If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court or Competent Jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

SECTION 8 – EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Town Board and publishing or posting as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Prairie Lake on September 11, 2001 and revised at the regular meeting on May 14, 2002 and further revised at the regular meeting on February 14, 2017.

Filed this 14th day of February, 2017

Dale Lehner
Dale Lehner, Chairman

Janice Rustong
Janice Rustong, Supervisor

Karn Moe
Karn Moe, Clerk

Wayne Brenholt
Wayne Brenholt, Supervisor