

DRIVEWAY ORDINANCE

WHEREAS, THE Town Board of the Town of Greenbush has determined it is necessary for the safety and welfare of the general public to dictate minimum requirements and standards for driveways, culverts and drainage structures within the Town;

WHEREAS, the Town Board of the Town of Greenbush has carefully considered the public comments and input, if any, presented at the March 25, 2002 public hearing on the herein described Ordinance;

NOW, THEREFORE, THE Town Board of the Town of Greenbush does hereby ordain as follows:

Section 1. **Creating Code.** The provisions of Chapter 14 of the Municipal Code of the Town of Greenbush, Sheboygan County, Wisconsin, are hereby created to read as follows:

DRIVEWAY AND CULVERT REGULATIONS

14.01 Purpose

In order to promote the public health, safety and general welfare of the Town and Town residents, the Town Board shall determine the minimum requirements and technical standards for driveways, culverts and drainage structures constructed within the Town.

14.02 Permit Required

No person or business entity shall construct, reconstruct, pave, alter or enlarge any private driveway; or install, reinstall, replace or move a culvert within the Town without first obtaining a driveway permit approved by the Town Board or its designee as required in this chapter, except routine maintenance and upkeep. Where a new driveway is to be constructed in conjunction with the construction of a new principal structure, this driveway permit shall be issued along with the building permit. No person shall commence work on any new driveway or culvert before the driveway permit has been issued. Payment of fees is a requirement of permit issuance.

14.03 Application

Application for a driveway permit shall be made in writing upon forms issued by the Town Clerk and shall be accompanied by a drawing accurately depicting the proposed driveway to be constructed, reconstructed, altered or enlarged. The drawing shall identify the following:

- (1) The location of existing and proposed improvements, including driveway width;

- (2) Building setbacks from all lot lines; and
- (3) Road names and roadway right-of-way widths.

14.04 General Requirements

The location, design and construction of driveways shall be consistent with the following requirements:

- (1) Driveways shall intersect the public road at right angles from the property line;
- (2) All properties accessing public road right-of-way shall have roadside drainage ditches and drainage structures to insure positive drainage from surrounding properties. Improvements shall be constructed as directed on the issued permit.
- (3) All driveways constructed, reconstructed, paved, altered or enlarged within the Town after the effective date of this Ordinance shall have:
 - a. An all-weather surface that is drivable in all weather conditions, and that is at least a minimum of twelve (12') feet in width; and
 - b. An area clear of brush, stones, trees or similar obstructions that measurer at least eighteen (18') feet horizontally (centered on the centerline of the drivable surface) and fourteen (14') feet vertically (measured from the top of the drivable surface).
- (4) No driveway shall be longer than one hundred fifty (150') feet from the right-of-way / property line, or if the legal description of the applicant's property includes the improved right-of-way, then said one hundred fifty (150') feet shall be measured from the closest edge of the improved roadway. Any driveway proposed to be longer than one hundred fifty (150') feet, as described herein, may be permitted upon issuance of a conditional use permit by the Town Board following the procedure and standards established by Section 22 of the Town Zoning Code (Chapter 12).

14.05 Culvert Standards and Installation

- (1) Materials: All culverts shall be constructed of corrugated steel or reinforced concrete, unless specifically excepted by the authorized representative of the Town. Driveways serving business, industrial or commercial properties having regular heavy vehicles shall be evaluated case by case for special considerations. Stronger materials and installation requirements may be required.
 - a. Corrugated Steel:
 - * Corrugated steel and pipe arch shall conform to AASHTOM36M.
 - * Pipe shall be bituminous (inside and out), galvanized or aluminized coated.
 - * Average inside diameter of circular pipe shall not vary from the nominal diameter by more than 1% or +/- 1/2 inch, whichever is greater.
 - * Pipe shall conform to the following gauges and dimensions:

Size (inches)	Minimum sheet thickness (inch)
15 through 24	0.064
30 through 36	0.079
42 through 48	0.109

* Horizontal elliptical culverts or combinations thereof, may be used when there is insufficient bury.

* Coupling bands shall conform to AASHTOM36, 7-inch minimum width with two ½ inch galvanized bolts.

b. Reinforced Concrete:

* Reinforced concrete pipe, Class II, shall be used for driveway culvert pipes.

* Class II, Wall B, reinforced concrete pipes shall be used for end walls.

* Two ended sections must be fastened with metal bands.

c. Connections: Drainage ditch improvements, grades, side slopes 3:1 maximum.

* Pre-manufactured or shop-fabricated connections shall be used whenever possible.

* Saw-cut connections cut in field.

* Re-coat corrugated metal pipe saw cuts with bituminous coating.

d. Drainage: The culverts shall be placed in the ditch line at elevations that will assure proper drainage. Ditches shall be constructed to be minimum 2-feet below the edge of paved road.

e. End walls: Culverts 24” and larger shall be provided with a minimum of one apron end wall at the upstream culvert end. End walls may also be required if so directed by the Town’s authorized representative. Adjacent ground shall be graded and landscaped flush with the end wall.

f. Erosion Control: Erosion control measurer shall be implemented as necessary to control erosion, as shown on the building permit, or as directed by the Town’s authorized representative.

(2) References: Installation of driveway culverts covered by this ordinance shall be in accordance with the following:

a. American Association of State Highway and Transportation Officials (AASHTO); and

b. State of Wisconsin Department of Transportation, Division of Highways; Standard Specifications for Road and Bridge Construction, 1996 Edition and Supplements.

14.06 Fees

(1) Material Cost: The property owner shall install the culvert and be responsible for the cost thereof.

(2) Permit Fees: Permit fees are due at the time the permit is processed. Work may not proceed until fees are paid and permit is issued.

(3) Fee Structure: A driveway or culvert permit fee in the sum of Fifty Dollars (\$50.00) shall be paid to the Town at the time the driveway and / or culvert permit application is filed with the Town Clerk. The Town Board shall

periodically review and establish the fees associated with driveway and culvert permits.

14.07 Penalty

Every person, firm or entity which violates this code shall, upon conviction, forfeit a sum not to exceed \$1,000.00 for each day of non-compliance, together with the costs of prosecution, plus the costs of repair to correct any damage caused by said violation, and in default of payment, shall be imprisoned in the County Jail until said forfeiture and costs of prosecution are paid, but not to exceed thirty (30) days.

Section 2. **Effective Date.** This ordinance shall take effect upon enactment and publication.