

TOWN OF STANLEY
CODE OF ORDINANCES
CHAPTER 3: DRIVEWAYS

WHEREAS, the Town Board of the Town of Stanley has the authority to control the location and construction of private driveways, pursuant to Sec. 86.07(2), no person shall construct any private driveway or install any culvert or make any other alteration in any highway in the Town of Stanley without a permit, such permit to be obtained following consultation with and approval by the Town Highway Foreman and/or the Board of Supervisors; and

WHEREAS, it is the responsibility of the Town Board to control the location, number, and construction of driveways because driveways reduce the traffic handling capacity of thru highways and driveways often create the need for lower speed limits and cause reduced traffic efficiency and driveways can be a contributing factor in traffic accidents;

NOW, THEREFORE, the Board of Supervisors of the Town of Stanley, Barron County, Wisconsin, does hereby ordain as follows:

3.0 DRIVEWAY PERMIT

A. Any person wishing to construct a driveway shall purchase a permit at a cost of \$5.00 from the Town Chairmans designee.

3.1 DRIVEWAY LOCATION AND SPACING

A. Since fewer driveways reduce conflict points and make it easier for drivers to avoid hazardous situations, the number of driveways in the Town of Stanley shall be limited as follows:

1. There shall be no more than one private driveway allowed per residential partial.
2. There shall be no more than two driveways allowed per commercial parcel;
3. Field entrances shall be allowed subject to Town Board approval.

B. Since the need exists to control the spacing of private driveways to avoid such driveways being constructed too close to intersections and other driveways and to avoid conflicts and confusion in turning into or out of such driveways, the spacing of private driveways in the Town of Stanley shall be as follows:

1. There shall be a separation of 300-500 feet between rural driveways;
2. There shall be a separation of no less than 10 feet between adjacent driveways in residential areas;

3. There shall be a separation of 50-100 feet from an intersection radius to avoid conflicts with cars stopping or sign placement.

C. There is a need to locate private driveways in the Town of Stanley in a manner that will maximize traffic safety; therefore,

1. Adequate sight distance shall be provided so that oncoming vehicles may be seen from the driveway for a distance equal to stopping sight distance for prevailing speed;

2. Location of driveways on the other side of the road shall be considered and the driveways should be across from each other, if cross traffic is likely;

3. The island area on the right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way line shall remain unimproved for vehicular travel or parking. Such areas shall be considered as restricted and may be filled in or graded down only when the following requirements are fully complied with:

a. The filling in or grading down shall be to grades approved by the highway foreman and, except where highway drainage is by curb and gutter, water drainage of the area shall be directed away from the highway roadbed in a suitable manner.

b. Culvert extension under the restricted area shall be of like size and equivalent acceptable material of the driveway culvert, and intermediate manholes adequate for clean-out purposes may be required where the total culvert length exceeds 100 feet.

c. Where no highway side ditch separates the restricted area from the highway roadbed, permanent provision may be required to separate the area from the highway roadbed to prevent its use for driveway or parking purposes by construction of a border, curb, rail, or posts deemed adequate by the highway foreman.

3.2 DRIVEWAY WIDTH AND ANGLE

A. Residential driveways in the Town of Stanley shall be no narrower than 16 feet nor wider than 30 feet. The centerline of that part of the driveway lying on the road right-of-way shall always be at approximately right angles to the pavement.

B. Commercial driveways in the Town of Stanley shall be no narrower than 18 feet nor wider than 30 feet. The angle between the centerline of a driveway serving two-way traffic and the edge of the pavement shall not be less than 45 degrees. Where suitable precautions are taken, or one-way operation along divided highways permits only one-way operation of the driveways, the angle of the entrance drive to a property may be decreased. The angle of the exit drive with the highway pavement shall be not less than 45 degrees.

3.3 DRIVEWAY RADIUS

Because entrances are widened or flared where they meet the roadway in order to make turning easier, faster, and safer, they are usually described as a turning radius in feet.

A. Residential driveways in the Town of Stanley shall have a driveway radius of 5 to 10 feet.

B. Commercial driveways in the Town of Stanley shall have a driveway radius of 5 to 10 feet.

3.4 DRIVEWAY CONSTRUCTION

A. All property owners requesting a permit to construct a driveway in the Town of Stanley shall furnish all materials, do all work, and pay all costs in connection with the construction of such driveway and its appurtenances on the highway right-of-way. In every instance, the subsequent maintenance of the driveway and of its appurtenances within the limits of the highway right-of-way shall be the responsibility of the property owner, who shall be obligated to pay all costs and accomplish all works necessary in relation to the said maintenance of the driveway facility.

B. Materials used and the type and character of the work shall be suitable and appropriate for the intended purpose.

C. The nature of construction shall be subject to the approval of the Town of Stanley highway foreman and/or Board of Supervisors. The driveway installation shall be made without jeopardy to or interference with traffic using the right-of-way. Highway surfaces, shoulders, ditches, and vegetation which are disturbed by the driveway installation shall be restored to at least the pre-existing conditions by the driveway constructor. Any such facilities disturbed by operations relating to the subsequent maintenance of the driveway shall be restored to the satisfaction of the highway foreman and/or Board of Supervisors.

D. The Town of Stanley shall be held harmless against any action for personal injury or property damage sustained by anyone during the construction of a driveway.

E. The Town of Stanley does not assume any responsibility for the removal or clearance of snow, ice, or sleet or the opening of windrows of such material, upon any portion of any driveway or entrance along any Town road, even though snow, ice, or sleet is deposited or windrowed in said driveway or entrance by its authorized representatives engaged in normal winter maintenance operations.

F. The surface of the driveway connecting with the highway shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the highway roadbed.

G. The driveway shall not obstruct or impair drainage in highway side ditches or roadside areas. Driveway culverts, where necessary, shall be adequate for surface water drainage along the highway and in no case less than the equivalent of 15-inch diameter and 24-foot long pipe. The distance between culverts under successive driveways shall be not less than 10 feet except as such restricted area is permitted to be filled in under the provisions of I.C.3.

3.5 PENALTIES

A. If any driveway is constructed or any culvert is installed in violation of the provisions of this ordinance, the culvert may be removed and the affected Town road restored to its former condition by the Town, and all costs involved in the removal of such culvert and the restoration of such Town road shall be borne by the person(s) violating these provisions.

B. Any person violating this ordinance shall be punished by a forfeiture of not less than \$ 25.00 nor more than \$100, plus costs.

25.00

3.6 SEVERABILITY

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

3.7 ENFORCEMENT

A. This ordinance may be enforced by the Town Chairperson or such other official as the Board or Chairman may, from time to time, designate in writing.

B. This ordinance may be enforced under Chapter 1 by Citation or by such other means as is permitted by Statute.

3.8 EFFECTIVE DATE

This ordinance shall take effect upon its passage and posting or publication as provided by law.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Stanley on 2-11, 1992.

A. Stittwell
Town Chairperson

Arden P. Mortensen
Town Supervisor

Donald J. De Haven
Town Supervisor

Published: Notice of Intent To Adopt a Code of Ordinances on 1-15-92

Posted: _____

Filed this 11th day of February, 1992.

Ronda M. Barta
Town Clerk