

2015-1 (Revision of 2011-1)

DRIVEWAY ACCESS AND CULVERT ORDINANCE

**AN ORDINANCE TO ESTABLISH STANDARDS AND
PROCEDURES FOR APPROVAL OF DRIVEWAY
ACCESS AND CULVERT IN THE TOWN OF ELLINGTON**

Section 1.0 INTRODUCTION

1. **Authority.** This ordinance is adopted pursuant to authority conferred by Chapter 60, Wis. Stats.
2. **Purpose.** The purpose of this ordinance is to promote the public health, safety, and general welfare of the Town of Ellington by ensuring safe access and adequate means to convey surface water runoff within public right-of-ways in the Town of Ellington.

Section 2.0 GENERAL PROVISIONS

1. **Applicability.** This ordinance applies to all driveway access and culverts located within public right-of-ways in the Town. No driveway access and/or culvert in a public right-of-way may hereinafter be installed, relocated or replaced without a driveway access/culvert permit as provided herein.
2. **Other Requirements.** The standards, procedures and approvals required by this ordinance are minimum standards of the Town of Ellington. Any driveway access or culvert on a County Highway or State Highway may be subject to additional standards, procedures and approvals of other governmental units. Where more than one governmental unit has authority to approve, a driveway access or culvert shall comply with the most restrictive requirements. A permit under this ordinance only constitutes approval under this ordinance. The applicant is solely responsible for obtaining any other required approvals.

Section 3.0 DESIGN AND APPROVAL REQUIREMENTS

1. **Driveway Access and Spacing.**
 - (a.) Ordinarily, there shall not be more than one driveway access per residential parcel and not more than two driveway accesses per commercial or industrial parcel. Minimum distance between access driveways shall be 100 feet and the minimum distance between access driveways and the center line of an intersecting public highway shall be 150 feet. For parcels abutting on two roads, access shall be limited to the minor road.
 - (b.) No driveway access or culvert in a sub-division will be granted unless it was part of the original platted sub-division.
 - (c.) Driveways shall be a minimum of 50 feet from property lines, except for a platted sub-division.
2. **Driveway Width.** The maximum width of a culvert shall be 40 feet and the minimum width of a culvert shall be 30 feet. For the purpose of ensuring

adequate and effective access to all dwellings for emergency vehicles, any driveway which is over 100 feet in length which is used or intended to be used as access to a dwelling shall have a right-of-way cleared of trees brush, stumps, and rocks of not less than 20 feet in width and a graveled surface width of not less than 16 feet.

3. **Culvert Design.** All culverts shall be large enough to pass normal surface water flows without creating any backwater. Culverts shall ordinarily be installed below the bed of the ditch channel. Culvert sizes, inlet types and slopes shall be as determined by the Town of Ellington. Culverts shall comply with the following minimum standards:
 - a. Culvert, if needed, shall be a minimum of 18 inches in diameter, have at least one foot of cover, and be constructed of corrugated metal unless otherwise authorized by the Town Board. Culverts shall have tapered end walls, with earthened dirt and grass. Culvert should be a minimum of 30 feet in length.
 - b. Driveway height, at the point of the culvert, shall not exceed the level of the outside edge of the road shoulder.
 - c. The side slopes of the driveway shall equal or be flatter than the side slope of the main highway but shall not be steeper than four to one unless otherwise designated on an individual basis.
 - d. Surfaces of driveway should be graveled or black topped from the right-of-way to the road shoulder or pavement.
 - e. Concrete is not permitted from the right-of-way to road shoulder or pavement.

Section 4.0 ADMINISTRATION

1. **Driveway Access/Culvert Permit.** Application for a driveway access/culvert permit for the installation, relocation or replacement of a driveway access/culvert within the Town shall be made in writing upon a form furnished by the Town. There shall be a permit fee paid by the applicant at the time the application is submitted to the Town. The Town shall then review the application and designate the appropriate location or the access and the diameter, length and design of the culvert. Once the culvert is approved by the Town, the permit will be void after two years.
2. **Installation and inspection.** Driveway access and culverts are subject to inspection by the Town. The Town shall notify the owner in writing of an improperly located or designed driveway access or culvert. If the owner fails to correct the deficiency within 90 days of written notice, the Town may take such corrective action as it deems necessary and charge the cost to the owner.
3. **Violation and Penalties.** It shall be unlawful to install, relocate or replace a driveway access or culvert in violation of this ordinance. Any person, firm or corporation that fails to comply with the provisions of this ordinance shall upon conviction thereof, forfeit not less than \$100.00 and not more than \$1000.00 and the cost of prosecution for each violation.

Adopted and approved this 29th day of April, 2015.

Joe Schumacher Chairman Joe Schumacher

Robert Prunty Supervisor Robert Prunty

Allen Kaddatz Supervisor Allen Kaddatz

ATTESTED BY

Bonnie Fischer Bonnie Fischer, Clerk

Date 4-29-15