

Driveway Ordinance No. 2.01
Town of Cloverland

Section 1: Title and Purpose

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

- Provide for the safe location of driveways & private roadways,
- Prevent erosion and runoff from driveways onto town roads,
- Provide for adequate ingress & egress of emergency vehicles,
- To promote the public health, safety, and general welfare of the community.

Section 2: Statutory Authority

NOW THEREFORE, The Town Board of Supervisors of the Town of Cloverland, Vilas County, Wisconsin, does hereby enact this ordinance establishing regulations for the safe and orderly layout of driveways that enter on to town roads as an exercise of the police power and in accordance with the laws of the State of Wisconsin, including but not limited to Sections 60.10(2)(c), 60.22(3), 81.01 and Chapter 61 of the Wisconsin Statutes.

Section 3: Permit Required

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 require a permit and inspection by a representative designated by the Town Board. A permit application shall be completed and the site shall be flagged by applicant for inspection by the Town Board Representative. The Driveway Permit shall be obtained prior to the construction of a new driveway or new residence. A fire number will be assigned after the Driveway Permit is issued.

Section 4: Minimum Requirements

The following provisions apply to private driveways and private roadways exiting from any portion of any town road:

1. The driveway shall be constructed with a minimum width of eighteen (18) feet for the distance of the town right-of-way, with a maximum side slope grade of 3:1.
2. All driveways and private roadways shall be located a minimum of 5 feet from the nearest side lot line.

3. Where deemed to be necessary, a minimum of a 12 inch diameter culvert shall be installed and maintained by the property owner to provide proper drainage under the entrance and along the town road.
4. Fill shall be made over culverts so that the ends are free and the ends shall be ripped or sodded to prevent fill material from spilling into the ditch and clogging the culvert. Work of placing culverts and riprap and/or sod shall proceed diligently and be completed promptly after work has begun and shall present a neat appearance when completed.
5. The driveway or private roadway entrance shall be at a grade not to exceed 5% for the distance from the edge of pavement to the town road right-of-way, unless otherwise granted a variance from this provision by the town board.
6. Town road surfaces, slopes, shoulders, ditches and vegetation disturbed by construction shall be restored by the property owner.
7. All work shall be performed without danger or interference with traffic using town roads.

Section 5: Driveways exempted

1. Driveways fronting on a private easement road are exempt from obtaining a driveway permit.
2. Driveways accessing on to County, State or Federal Highways must obtain approval of the proper regulating authority for those roads for a driveway permit and are exempt from obtaining a driveway permit with the Town of Cloverland.

Section 6: Variances

A variance in the provisions of this ordinance may be granted, but only by majority approval of the entire town board. The Town Board may vary any of the requirements where the peculiar nature of the property or the design of the road may make the rigid adherence to the above requirements impossible or impractical.

Section 7: Enforcement & Penalties

Any person who constructs or modifies any driveway without a permit as required by this ordinance shall forfeit \$100.00 plus all applicable assessments, surcharges and court costs. Any person who constructs or modifies a driveway in violation of any other provisions of this Ordinance, unless the violation is corrected within thirty (30) days of date of written notice from the Town Board or Building Inspector, shall forfeit \$100.00 plus all applicable surcharges and court costs for each violation. Each day that any

violation continues shall constitute a separate offense. An unlawful driveway constitutes a public nuisance and may be subject to abatement by any applicable procedure.

Section 8: Severability and Liability:

Should any section, clause, provision or portion of this ordinance be adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be effected thereby.