

TOWN OF GRANT ROAD CONSTRUCTION ORDINANCE

An ordinance Regulating the Construction of Roads and the Method of Financing Same in the Town of Grant, Portage County, Wisconsin.

The Town Board of the Town of Grant, Portage County, Wisconsin, does ordain as follows:

Section 1

Repealer

Previous ordinance , together with all subsequent amendments, entitled "An Ordinance pertaining to subdivisions and other divisions of land by others, the Construction of Roads in the Town of Grant, Portage County, Wisconsin" is hereby repealed in its entirety and recreated as follows:

Section 2

Definitions

Definitions in this ordinance: 1. "New Road" means a road right-of-way constructed and blacktopped by a subdeveloper or adjacent property owners and subsequently conveyed to the town by plat, certified survey map or deed.

2. "Existing Road" means a deeded road right-of-way constructed, but not blacktopped, or existing and blacktopped and in need of maintenance or new blacktop.

3. "Right-of-Way" means a road right-of-way in which the road has not been constructed, has not been blacktopped, but the right-of-way has been deeded to the town.

Section 3

New Roads

(a) All new roads within the Town of Grant in residential areas, other than state or county, will be the responsibility of the adjacent property owner to cut in, stump, grade, provide drainage apparatus where necessary, gravel, blacktop, and shoulder to specifications established by the Town Board. The owner of the road shall obtain a first inspection of the road upon the owner's completion of the cutting in, stumping and grading of road. Upon a satisfactory first inspection the owner shall gravel the road according to Town specifications, and then obtain a second inspection. The first and second inspection shall be performed by the Town Board. within one (1) year after acceptance of the road, by the approval of the plat by the Town Board, the road shall be hard surfaced and shouldered, unless otherwise provided by resolution of the Town Board.

A bond sufficient to complete the necessary improvements, consistent with the direction of the Town Board, shall be posted prior to the acceptance of the plat, certified survey map, or deed. A plat shall not be signed until the road is completed, except for hard surfacing, according to Town specifications. Hard surfacing must meet Town Board approval.

(b) All roads or streets will be stumped and graded to a minimum of sixty-six (66) feet in width.

(c) All 40-line roads will be graded to the full width of the right-of-way.

(d) Specifications shall be established by the Town Board for new or reconstructed roads in the town and will be on file with the clerk of the town.

(e) All wood cut from road rights-of-way shall be removed from the roadway. It will be offered to the adjacent property owner if requested in writing within a reasonable time.

Section 4

Existing Road

Section 3 does not preclude any action by Town Board to grade gravel and/or blacktop any existing roadway deemed to be in the best interest of the town.

Section 5

Boulevards

Boulevards, defined as such, will not be permitted anywhere within the Town of Grant, Portage County, Wisconsin.

Section 6

Right-of-Way

(a) Within the Town of Grant there shall be no:

1. Private structures or objects placed within the road right-of-way. The Town of Grant will not be responsible for such illegally placed structures or objects.

2. Personal use of road right-of-way except for planting or maintaining a lawn.

(b) Pursuant to sec. 86.04 of Wis. Stat., the Town Board shall have the right to order the removal of any object or structure which lies within the bounds of the road right-of-way.

Section 7

Hardsurfacing

(a) The hardsurfacing of an existing road shall be commenced by a petition in writing signed by a majority of all owners of real estate bounding the specified town road. Each parcel bounding the specified town road shall be entitled to no more than one vote despite multiple ownership. Owners of more than one parcel bounding the specified town road shall be entitled to only one vote. Authority to proceed with the requested hardsurfacing shall be subject to approval by resolution of the Town Board. All petitions, bearing the necessary signatures, shall be filed with the Town Clerk no later than June 1st of the calendar year in which hardsurfacing is requested.

(b) Cul-de-sacs on roads to be hardsurfaced shall be fully hardsurfaced from center-point to a circumference with a minimum radius of fifty (50) feet, with a 75 foot right-of-way radius.

(c) All hardsurfacing shall comply with specifications established by the Town Board.

(d) The cost of new hardsurfacing shall be specially assessed to adjacent property owners in accordance with the terms of sec. 60.51, sec. 66.60 and sec. 66.605, Wis. Stat.

(e) Subsection B(a) does not preclude any action by the Town Board to grade, gravel or hardsurface any existing roadway deemed to be in the best interest of the town.

Section 8

Roadway Ditches

(a) Roadway ditches shall be constructed consistent with the specifications set forth on Diagram A attached hereto.

(b) No property owner shall modify an existing roadway ditch in such a manner as to cause the depth to vary from the greater of:

- a. The original elevation; or
- b. A depth nine (9) inches below the edge of the paved surface of the road.
- c. All culverts that are necessary leading to or within the tract must be installed by the Owner or Sub-Divider.

A property owner may remove up to four (4) inches of topsoil on the right-of-way from the lotline to the outside edge of the roadway shoulder. In any event, no property owner may modify an existing roadway ditch, nor install a driveway without culvert pipes, so as to impede the natural drainage of water. Culvert cost to be paid by landowner.

(c) The Grant Town Board shall have authority to order, in the interests of the public safety, health, and welfare, that a deeper roadway ditch is required for drainage or road preservation.

Section 9

Shoulders

(a) All newly constructed roadways within the Town of Grant shall have a two (2) foot minimum shoulder which consists of a gravel or aggregate road base.

(b) If existing hardsurfaced roads are overlaid, the shoulder shall be of reasonable width consisting of a gravel or aggregate road base.

Section 10

Driveway

(a) Driveway approaches (area between road surface & lotline) may be constructed of the following material: bituminous, gravel, granite, sand, sod, and such materials as the Town Board may approve from time to time in order to protect road grading equipment. Concrete driveway approaches are prohibited.

(b) when grading or reconstructing a roadway, the Town of Grant will replace existing driveways for each separate freehold. The portion of the driveway approach to be replaced will be from that portion of the edge of the roadway to the edge of the abutting right-of-way. A driveway shall be replaced with a surface similar to it's original surface except that concrete will be replaced with a material acceptable under section 8(a) of this ordinance.

Section 11

Subdivision Entrances

In all entrances and exits of subdivisions in the Town of Grant ~~Rapids~~ there shall be no signs or structures in the road right-of-way.

Section 12

Special Assessments

(a) When the costs of improvements are determined by the Town Board to be assessable to benefitted property owners, special assessments shall be assessed pursuant to the terms of sec.66.54, sec.66.60 and sec.66.605, WI Stat

(b) In the event property benefitted by a public improvement derives no use of the improvement the special assessment may be deferred on terms and in such a manner as prescribed by the Town Board. If prescribed by the Town Board, special assessments may be paid in installments over a period not to exceed ten (10) years. All assessments deferred or to be paid in installments shall bear interest at a rate to be set by the Town Board. This interest charge shall be made to cover administrative expenses relating to these assessments.

Section 13

Penalties

Any person, firm or corporation that fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not less than Ten Dollars (\$10.00) or more than Two Hundred Dollars (\$200.00) for each violation, plus the costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense. All prosecutions of violations of provisions of this ordinance shall be commenced by citation pursuant to Town of Grant Ordinance.

Section 14

Effective Date

This ordinance shall take effect and be in force upon its passage and publication as provided by law.

Passed and adopted this 8 day of Sept. 1997, by the Town Board, Town of Grant, Portage County, Wisconsin.

ATTEST:

Alden Pedersen
Alden Pedersen
Chairman

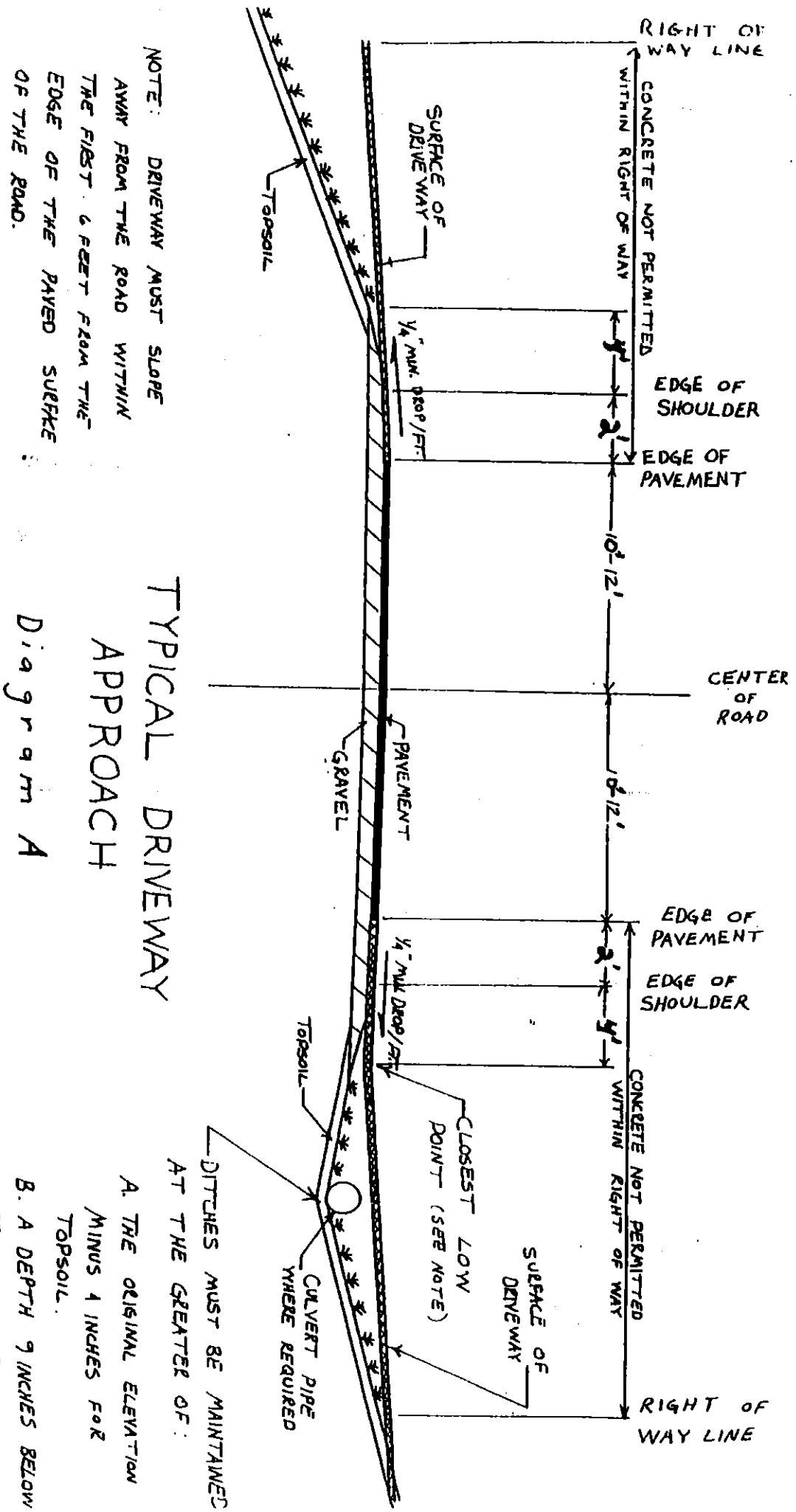
Witness

Mary Urban
Mary Urban
Clerk/Treasurer

Dave Cook
Dave Cook
Supervisor

Dan Gilman
Dan Gilman
Supervisor

Posted this 11 day of Sept, 1997



TYPICAL DRIVEWAY
APPROACH

Diagram A

NOTE: DRIVEWAY MUST SLOPE AWAY FROM THE ROAD WITHIN THE FIRST 6 FEET FROM THE EDGE OF THE PAVED SURFACE OF THE ROAD.

DITCHES MUST BE MAINTAINED AT THE GREATER OF:
 A. THE ORIGINAL ELEVATION MINUS 4 INCHES FOR TOPSOIL.
 B. A DEPTH 9 INCHES BELOW THE OUTSIDE EDGE OF THE PAVED SURFACE OF THE ROAD.

Road Specifications:
Within The Town of Grant, Portage County
As of September 9, 1997

All New Roads Require:

1. Sixty six foot (66') right-of-way.
2. Seventy five foot (75') radius for cul-de-sacs.
3. Brush and waste removal.
4. Stumping and grading to right-of-way.
5. Twenty four foot (24') wide by four inches (4") deep, crushed gravel base. Depth to be measured after compacting. Above specifications are minimum.
6. Hardsurface to be:
 - A. Twenty feet (20') minimum.
 - B Two inch (2") minimum hot mix in residential areas.
7. Shouldering of gravel or black dirt.
8. Culverts of adequate size (length & diameter) as required by the Grant Town Board.

Items 1 to 8 are to be furnished at the landowners or sub-dividers expense.

Alden Pedersen
Alden Pedersen
Chairman

Dave Cook
Dave Cook
Supervisor

Dan Gilman
Dan Gilman
Supervisor

Witness Mary Urban
Mary Urban
Clerk/Treasurer