

**Town of Apple River**  
**Driveway/Culvert Ordinance**  
**ORDINANCE # 1-2006**

The Town Board of the Town of Apple River, Polk County, Wisconsin does hereby create a driveway/culvert ordinance.

1. **Purpose.** The purpose of this ordinance is to promote the safety and general welfare of the citizens of the Town of Apple River through authorization of driveway locations and minimum standards which allow proper drainage of surface waters within town ditches.
2. **Definition.** A driveway is defined as a private roadway which serves no more than three parcels.
3. **Driveway/Culvert Construction Application Required.**
  - a. No person, partnership, company nor corporation shall locate, establish, or construct any new driveway or install or replace any culvert without having first obtained a Driveway/Culvert Construction Application from the Town Highway Maintenance Department who shall determine need, size and grade and collect the fee as determined by the Town Board.
  - b. Prior to the time the use of a property served by a driveway changes, the owner and/or other necessary parties shall obtain a Construction Application from the Town of Apple River Highway Maintenance Department and approval from the Town of Apple River before the new use of the property can be undertaken.
4. **Driveway Location.** The Highway Maintenance Department shall approve the location of any driveway which will intersect with any private road or town highway located within the Town of Apple River. The Highway Maintenance Department will determine the need for culverts on all driveways. No more than three (3) driveways shall be permitted along the arc of a cul-de-sac.

The property owner/developer must obtain permission from the State of Wisconsin, Department of Transportation for access to state and federal highways, and from the Polk County Highway Department for access to any county highway.

5. **General Requirements.** The location, design and construction of driveways shall be in accordance with the following:
  - a. **General Design.** All driveway approaches shall be at least twenty (20) feet apart and there shall be at least ten (10) feet from the edge of the driveway to the property line except by special permission from the Building Inspector. Driveways shall in all cases be placed where ever possible as to not interfere with utilities in place.  
  
In addition to those requirement listed above, private driveways one hundred fifty (150) feet and over in length, measured from the edge of the traveled surface of the intersecting highway to the structure, must meet the following standards to permit access to principle buildings by the Town of Apple River Fire Department: a minimum twenty-four (24) foot right-of-way, minimum clear-cut width of twenty (20) feet, minimum driving surface of twelve (12) feet, a minimum height clearance of fifteen (15) feet, and a minimum width of twenty (20) feet for all aprons and approaches. Driveways one hundred fifty (150) feet and over accessing parcels on which there are no structural improvements are exempt from the requirements in this paragraph. However, if a structure is subsequently built, this will mandate upgrade of the culvert and driveway to the standards of this ordinance.

The Highway Maintenance Department, based on recommendations of the Town of Apple

River Fire Department may request additional clear cut and driving surface widths to alleviate concerns caused by sharp curves, steep inclines or other situations which would interfere with emergency vehicles utilizing the driveway.

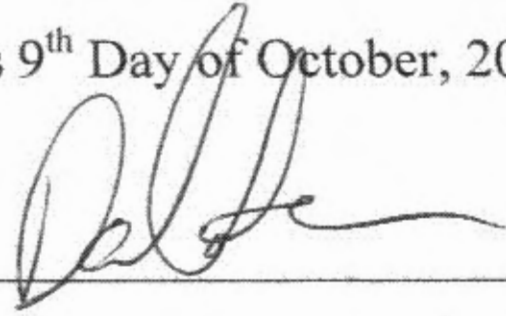
- a. **Culverts.** The Highway Maintenance Department will determine the need for culverts on all driveways. If culverts are needed the Highway Maintenance Department will determine the culvert diameter and length based on site location and drainage needs. In no case shall the culvert diameter be less than twelve (12)" nor the culvert length less than thirty (30) feet in length.
- a. **Drainage.** The surface of the driveway connecting with the highway cross sections shall slope downward and away from the highway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the highway roadbed. Under no circumstances shall such driveway apron extend above any highway pavement.
6. **Final Inspection/Approval.** The final inspection and approval for driveways will be made by the Highway Maintenance Department at completion of construction.
7. **Prohibited Driveways and/or Filling.** No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure with the right-of-way limits of any highway in the Town of Apple River except as permitted by this ordinance. As used herein the word "structure" include private driveways, a portion of which extends into any highway, and which is in non-conformance with this ordinance.
8. **Mail Boxes.** Mail boxes shall be installed in accordance with US Postal Service regulations, but as far from the town pavement as those regulations allow. Mail box supports and attachments shall be strong enough to withstand the pressure and thrust of plowed wet snow, but shall not be so formidable and massive as to damage vehicles and cause serious injury to people who may accidentally strike them.
9. **Applicability.** This ordinance shall apply to all driveways constructed or reconstructed within the Town of Apple River after the effective date of this ordinance.
10. **Appeal.** The property owner/developer has the right to appeal to the Town Board any decision/recommendation made by the Town Building Inspector or Highway Maintenance Department.
11. **Enforcement.** No fire number or building permit for construction of any kind will be issued until such time as the Driveway/Culvert Construction Application has been approved.

Any persons, partnerships, company or corporation who violates any provision in this ordinance shall pay, when a permit fee is required, double the specified fee and shall remove, alter or correct the installation as ordered by the Town Building Inspector or Superintendent of Highways. If the owner or occupant does not correct the installation as ordered by the Town within the allotted time, the expense of correcting the installation shall be done by the Town and the expense thereof shall be charged to the property as a special charge pursuant to Section 66.0301, Wisconsin State Statutes after notice and hearing.

This ordinance shall be effective upon passage by the Town Board of the Town of Apple River and publication as provided by law.

The Driveway/Culvert Ordinance for the Town of Apple River is hereby

Adopted this 9<sup>th</sup> Day of October, 2006 by the undersigned.

Chairman 

Supervisor David Waterman

Supervisor Ken Chapelaine

Attest: Clerk Ken Sample

copy to Greg's 10-16-06