

Chapter 247

DRIVEWAYS AND CULVERTS

[HISTORY: Adopted by the Town Board of the Town of Middle Inlet 9-8-2005. Amendments noted where applicable.]

GENERAL REFERENCES

Citations — See Ch. 14.

Highways — See Ch. 285.

Subdivision of land — See Ch. 405.

§ 247-1. Purpose.

The purpose of this chapter is to promote the safety and general welfare of the citizens of the Town of Middle Inlet through authorization of driveway locations and minimum standards which allow proper drainage of surface waters within Town ditches.

§ 247-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DRIVEWAY — A private roadway which serves no more than one parcel of land owned by the same individual(s).

§ 247-3. Driveway/culvert construction application required.

- A. No person, partnership, company or 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 Clerk-Treasurer. The Town Chairperson shall determine need, size and grade. The Town Clerk-Treasurer shall collect any fee(s) 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 and approval from the Town of Middle Inlet before the new use of the property can be undertaken.

§ 247-4. Driveway location.

- A. The Town Board or its designee shall approve the location of any driveway which will intersect with any private road or Town highway located within the Town of Middle Inlet. The Town Board or its designee will determine the need for culverts on all driveways. No more than three driveways shall be permitted along the arc of a cul-de-sac.
- B. The property owner/developer must obtain permission from the State of Wisconsin

Department of Transportation for access to state or federal highways and from the Marinette County Highway Department for access to any county highway.

§ 247-5. 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 20 feet apart, and there shall be at least 10 feet from the edge of the driveway to the property line, except by special permission from the Town Board or its designee. Driveways shall, in all cases, be placed wherever possible as to not interfere with utilities in place.
 - (1) In addition to those requirements listed above, private driveways 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 principal buildings by the Town of Middle Inlet Fire Department: a minimum of twenty-four-foot right-of-way, minimum clear-cut width of 20 feet, minimum driving surface of 16 feet, a minimum height clearance of 15 feet, and a minimum width of 20 feet for all aprons and approaches. Driveways 150 feet and over accessing parcels on which there are no structural improvements are exempt from the requirements in this subsection. However, if a structure is subsequently built, this will mandate an upgrade of the culvert and driveway to the standards of this chapter.
 - (2) The Town Board or its designee, based on recommendations of the Town of Middle Inlet 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.
- B. Culverts. The Town Board or its designee will determine the need for culverts on all driveways. If culverts are needed, the Town Board or its designee will determine the culvert diameter and length, based on site location and drainage needs. In no case shall the culvert be less than 18 inches in diameter, nor shall the culvert length be less than four feet greater than the base course width of the driveway.
- C. 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.

§ 247-6. Final inspection and approval.

The final inspection and approval for driveways will be made by the Town Board at completion of construction.

§ 247-7. Prohibited driveways and filling.

No person, firm or corporation shall place, construct, or locate, or cause to be placed,

constructed or located, any obstruction or structure within the right-of-way limits of any highway in the Town of Middle Inlet, except as permitted by this chapter. As used herein, the term "structure" shall include private driveways, a portion of which extends into any highway, and which is nonconforming with this chapter.

§ 247-8. Mailboxes.

Mailboxes shall be installed in accordance with U.S. Postal Service regulations but as far from the Town highway pavement as those regulations allow. Mailbox 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/or cause serious injury to people who may accidentally strike them.

§ 247-9. Applicability.

This chapter shall apply to all driveways constructed/reconstructed within the Town of Middle Inlet after the effective date of this chapter.

§ 247-10. 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.

§ 247-11. Violations and penalties.¹

Any person, partnership, company or corporation who violates any provision in this chapter shall be cited and subject to the penalty in Chapter 1, General Provisions, § 1-4, plus the costs of prosecution. In addition, they shall pay double the specified fee, when a permit fee is required, and shall remove, alter or correct the installation as ordered by the Town Board or its designee. If the property owner or occupant/developer does not correct the installation as ordered by the Town, within the allotted time, the Town shall hire a contractor to make the needed corrections and the cost of bringing the installation into compliance with this chapter shall be paid by the property owner/developer either directly or through the special assessment procedure in § 66.0701, Wis. Stats., following reasonable notice and hearing.

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).