

**Town of Lakeside
Douglas County
Driveway Ordinance**

1. TITLE AND PURPOSE

- a. This ordinance is entitled the Town of Lakeside Driveway Ordinance.
- b. The purpose of the ordinance is to regulate for public health and safety reasons, establishment, location, construction, repair, modification and reconstruction of private driveway (access road) that will intersect any public road in the Town of Lakeside. The ordinance will set forth an orderly procedure for obtaining a driveway permit, and will establish driveway permit fees and penalties for failure to obtain a required driveway permit.

2. AUTHORITY

The Town Board of the Town of Lakeside has the specific authority under ss. 66.0425 and 86.07, Wisconsin Statutes, to adopt a town road/highway driveway ordinance, and has the general under its village powers under s. 60.22, Wisconsin Statutes, to adopt this ordinance.

3. ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the Town Board by vote and proper notice having been given, provides for the regulation by permit of certain driveways and highway access locations in the Town of Lakeside.

4. DEFINITIONS

- a. "Driveway" means any private way, private road, private access or other avenue of private travel that runs through any part of a private parcel of land that connects or will connect with any public highway/road and will provide vehicular access from the highway/road to a residence, business, recreational site or other similarly appropriate use.
- b. "Emergency vehicle" means any fire, first responder, ambulance, or police vehicle used in emergency or hazard activities in the Town.
- c. "Town" means the Town of Lakeside, Douglas County, Wisconsin.
- d. "Town Board" means Chairperson and Supervisors for the Town of Lakeside, Douglas County, Wisconsin.
- e. "Town Chairperson" means the Chairperson for the Town of Lakeside, Douglas County, Wisconsin.
- f. "Supervisor" means the Supervisor for the Town of Lakeside, Douglas County, Wisconsin.
- g. "Applicant" means the applicant who may be the owner, agent, or contractor.

5. MINIMUM REQUIREMENTS

- a. A Driveway Permit is required whenever a proposed private driveway (access road) will intersect any public road in the Town. **An approved driveway shall be in place before a building permit can be issued.**
- b. If the proposed driveway will intersect a state or county highway, the Wisconsin Department of Transportation, the Douglas County Highway Department and or the Douglas County Zoning Administrator will establish the rules and regulations regarding conditions for the permit and compliance with the permit.
- c. The Department of Natural Resources shall be notified of the proposed driveway by the applicant who may be the owner, agent, or contractor prior to any work.
Contact Steve LaValley - (715) 392-7988
- d. The applicant who may be the owner, agent, or contractor shall submit a construction plan and location showing specifications including dimensions from property lot lines, grade, slope, width, material required and length of the driveway and erosion control. The driveway shall be designed and constructed in such a way that it will not cause any damage to the town road nor create any hazard to the public as they travel on the town road.
- e. The applicant who may be the owner, agent, or contractor shall be responsible for damages to Town roads and shall be required to reimburse the Town for necessary repairs to Town roads.
- f. The following requirement specifications shall apply.
 - aa. Culvert (No Plastic) Minimum length shall be 30 feet.
 - bb. Minimum road surface width 12 feet (Not including shoulder.)
 - cc. Minimum clearance width 30 feet

- dd. Minimum height clearance 16 feet
- ee. Maximum grade 10 percent

g. At the end of the driveway, a turn around of 60 ft. shall be provided or another method provided to allow turn-around of Town service and emergency vehicles.

6. PROCEDURE AND FEES

- a. Application for a Driveway Permit to intersect a town road should be made to the Town Chairperson, or in their absence, to a Town Supervisor. The application will include the legal description of the property, a rough drawing of the proposed driveway site, and payment of required fees.
- b. The Chairperson or Supervisor will make an appointment to meet with the applicant **at the site** to discuss the specifics of the driveway.
- c. All expenses of construction and materials will be the responsibility of the applicant. Under no circumstances will the Town perform actual work of constructing the driveway or setting the culvert, but the Chairperson or Town Board may require that a Town employee be present to oversee the construction.
- d. If the requirements and procedure of this ordinance are not followed and a private driveway is constructed in such a way to cause damage to the town road or to create a hazard to public safety, the Town will require that the private access road or driveway be changed to correct these flaws at the private owners expense.
- e. When the private access road/driveway is completed, the applicant will notify the Town Chairperson who will then make a final inspection of the driveway, and if the driveway is properly constructed, the Chairperson or Supervisor will approve the driveway in writing on the permit.
- f. The Board of the Town of Lakeside will establish fees for obtaining a driveway permit and penalties for failure to obtain a driveway permit before constructing a private access road. The fee's will be reviewed annually at the budget meeting by the Town Board and adjusted as needed so that the fee's will cover the direct costs of onsite consultation, inspection and administration.
- g. The initial fee established by the Board is \$10.00 and includes initial on-site consultation, any interim inspections or consultations and final site inspection and approval.

7. PENALTIES

- a. Any driveway constructed on land in the Town of Lakeside in violation of any of the provisions of this ordinance shall be deemed to be an unlawful driveway.
- b. Any constructed unlawful driveway which intersects a town road on land in the Town of Lakeside in violation of any provision of this Ordinance shall be required to forfeit the not less than \$20.00 or more than \$100.00. The Town Board will determine the penalty fee.
- b. Any constructed unlawful driveway which intersects a state or county highway on land in the Town of Lakeside will be subject to any penalties, forfeitures or conditions established by the State of Wisconsin and/or Douglas County.
- c. Any physical changes required by the Board of the Town of Lakeside to an unlawful driveway to bring the driveway into compliance with the terms of this Ordinance and the terms of the driveway permit will be made at the owners expense.

8. EFFECTIVEDATE

This ordinance shall take effect after a public Town Board meeting and adoption by the Board of the Town of Lakeside and posting as required by law.

Date adopted: _____

Town Chairperson

Town Supervisor

Town Supervisor

Town Clerk