

Town of Sheridan

Private Road Zoning Ordinance

Normal and Medium Duty Traffic

Ordinance 15

Written October,5,2006

Rvised after legal review 3/13/2007

Adopted this _____ day of _____, 200_ by the Town Board of Supervisors,
Town of Sheridan, Dunn County, Wisconsin.



TOWN OF SHERIDAN



David Bartlett, Chairman



Gary Allram, Supervisor



Peter Score, Supervisor

Attest



Gerald Miller, Clerk

Dated: _____



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15.1 DEFINITION:

PRIVATE ROAD: A vehicle access-way ***not*** owned or maintained by a unit of government that is constructed to either town or county specified road standards, the use of which is restricted but not limited to the three or more owners of the parcels, lots or building sites served.

15.2 FINANCIAL BURDEN:

It is the financial responsibility of the land owners that the roadway traverses and/or serves to maintain said roadway to acceptable Town Board standards.

The Town Board may at its discretion opt to:

1. Provide maintenance and charge landowners accordingly.
2. Give notice to landowners of unacceptable conditions and require them corrected. Failure to correct conditions may result in financial penalties.
3. Private road easement will be indicated on deeds of all effected parcels said roadway will traverse.

15.3 STATEMENT OF PURPOSE:

An ordinance establishing rules and regulations for the approval of private roads by the board of supervisors: in areas of new residential developments. Any roadway must meet standards set forth by the Wisconsin Statute 82.50. The main concern is preservation of agricultural land. Roadways should be located as close to the property boundaries as possible. All land zoned agricultural should remain wherever possible intact to prevent cutting fields into small parcels, unless it is physically impractical due to terrain or economic hardship.

15.4 REGULATION:

The Town Board of Supervisors of the Town of Sheridan, Dunn County, Wisconsin, do hereby find, determine and ordain; That in order to promote the public safety, general welfare and convenience, it is necessary that certain requirements be established and followed in the creation of new roadways in the Town of Sheridan, and so the residents of Sheridan Township will not be economically affected by action of the Town Board of Supervisors accepting a dedication of a road.

It is not intended by this ordinance to repeal, abrogate, annul, or interfere with any exiting highway rules, or regulations issued pursuant to laws in regards to any public highway.

15.5 DEFINITIONS:

In order to clarify this ordinance the following words mean:

1. Road Bed--- the whole material laid in place and ready for travel.
2. Roadway--- a road—the traveled part of it.
3. Highway--- a road or way over which the public generally has a right to pass.
4. Base Course-- the supporting part of road or bottom.
5. Easement-- the right of way in which the roadway is to be placed
6. Surface Course---the top of road way or traffic course.
7. Drainage--- to make gradually dry, by trenches, channels or etc.
8. Grade--- the rate of ascent or descent of a road.

9. Approach--- that portion of road extending 100 feet on each side of culvert or bridge.

15.6 APPLICATION:

Preliminary Application

Individual home owners or owners of land abutting on that part of a roadway sought to be created or altered, shall make application in writing to the Town Board, giving location, crude map, and description of proposed roadway. Application fee of twenty five dollars (25.00) is required for preliminary consideration. Said application and fee may be delivered to any supervisor or the Town Clerk. Upon receipt of application, supervisors will proceed to examine proposed route of roadway and at their discretion refer application to land use commission. If proposed road meets the requirements of State, County, and Town laws and/or ordinances, then the individual or group of individual landowners may proceed to final application.

Final Application

By making this application the applicant gives the Town Board or its Agent permission to enter land for inspection. The final application fee will be set by the Town Board. A Certified Survey Map (CSM) of proposed easement and roadway is required. After fee is paid and CSM is delivered and approved the individual or group of individual landowners may proceed to build roadway, under the supervision of the Town Board or its agent.

15.7 SPECIFICATIONS AND STANDARDS:

Pursuant to Wisconsin Statute 82.50. Following are the standards set up by the Board of Supervisors for the construction of the proposed roadway, in compliance with good practice, general construction and safety. Further stated the road must be constructed to following standards, if so done, the road will be entitled to approval (if not so done it will not be approved and corrections must be made).

1. **Highway:** the minimum width for any roadway easement shall be not less than 66 feet wide, with a road bed width of 24 feet.
2. **Grade:** the establishment of a grade will be provided by the Town Board or its designated representative.
3. **Ditching:** of roadway must be complete and proper elevation to provide for the removal of water. Where it becomes necessary to make a lateral trench leading from main ditch, then the additional land necessary for the removal of accumulated water must be provided. This additional land must remain as permanent water runoff area and so indicated on the deed.
4. **Base Course:** must be a quality and composition suitable for the location, generally 4 inches in depth. In low or swampy areas, the base course must have a sandy composition, to provide necessary drainage of road bed. Any muck holes encountered before and during construction of road base course must be removed and filled with a sandy lift to provide a solid base.
5. **Surface Course:** must consist of crushed packing gravel of a quality and composition suitable for traffic loads. The amount of gravel necessary for acceptance must be at least 2 inches in depth.
6. **Culverts:**
 1. Any culverts necessary for proper drainage shall be provided and installed after elevation and location is obtained from the Town Board. The minimum length of any culvert installed in the road bed shall be 26 feet in length, however, the diameter and length of said culvert will be subject to the approval of the Town Board, after the amount of flowage is determined. Any secondary culverts installed in any lateral trenches, will be of a size and length as determined by the Town Board.
 2. If at any time it is decided by the Town Board, that the construction of a culvert or bridge would be a size and cost that would create a hardship to the owner or owners of land, required to build said culvert or bridge, then the Town Board will proceed to accept road, complete as required by these rules and regulations, except that part extending 100 feet on each side of said culvert or bridge. The portion of road extending 100 feet on each side of culvert or bridge will hereafter be known as the approach. The approach will be accepted incomplete, on the condition that the Town Board will bill back to the owner or owners a portion of the cost of construction of bridge or culvert. The Town will then proceed to build said culvert or bridge and approach with the help of bridge aid, if available, and the balance of cost of construction not covered by aid will be charged to owner or owners of land abutting road.
7. **Approach:** The approach must be maintained to keep entering and exiting safely. The land owners serviced by the private road are responsible for mowing and snow removal to maintain safe usage of the roadway.

It is not the intent of this section to discriminate or favor and individual or individuals, but rather to aid in construction, so as to reduce the cost of construction; in areas where nature has created extreme road building conditions.

15.8 ACCEPTANCE OR REJECTION:

Upon reviewing the application, CSM and inspection the Town Board may:

1. Approve the roadway as presented and assess appropriate fees. After fees are paid the construction can proceed.
2. Reject the proposed roadway for one or more of following reasons:
 1. Incomplete application
 2. Incorrect mapping
 3. Roadway placement unacceptable
 4. Application fee not received
3. If rejected, applicant can reapply once in a thirty six (36) month period.

15.9 CONSTRUCTION INSPECTIONS:

Base course inspection: Town Board will be notified for base course inspection. After inspection and approval granted surface course can then be applied.

Surface course inspection: Town Board will be notified for surface course inspection. After inspection and approval granted then shoulder grading can be completed.

Final Inspection: Town Board will be notified that roadway is ready for final inspection.

15.10 FINAL INSPECTION:

Upon completion of proposed highway, the Board of Supervisors will proceed to make final inspection. If road is rejected, then corrections must be made as recommended by Board of Supervisors, before final inspection can then be made again. If accepted roadway is completed and appropriate filings will be made. In addition no building permits will be issued until final inspection and approval of private road.

15.11 DISCLAIMER:

Where any section or part of section of this ordinance is amended, voided or superseded thereby, the remaining sections not so specifically amended, voided or superseded shall remain in effect.

15.12 FINAL FEE SCHEDULE:

Refer to Sheridan Fee Schedule

PRIVATE ROAD APPLICATION

-PRELIMINARY -FINAL

To the supervisors of the Town of Sheridan, Dunn County, Wisconsin:

We, the undersigned *freeholder(s)* in the Town of Sheridan, Dunn County, Wisconsin, apply to you to lay out alter discontinue a highway in the town described as follows: *legal*

description: _____

A crude map of the highway location and land that will be affected must attached to the preliminary application. The Preliminary Application fee is twenty five (\$25.00) dollars. Town Board and will notify in writing the applicant(s) upon approval of preliminary application.

A Certified Survey Map of the abutting land and the highway complete with dimensions, location and grades must be attached to the final application. Final application fee of \$_____ (refer Subchapter 12 of ordinance) must also accompany final application.

We request that this application remain on file until the time set for hearing and inspection by the parties concerned.

Dated this _____ day of _____, 20____.

Print name Print name

Address Address

Signature Signature

(More names and signatures may be placed on back of this application)

Note: Section 82.01 (2), Wis. stats., provides: "Freeholder" means a person who owns a fee simple or life estate interest in land, a person who is a land contract vendee, or a person who has an interest in land arising under chapter. 766, Wis. stats.

Print name Print name

Address Address

Signature Signature

Print name Print name

Address Address

Signature Signature
