

**TOWN OF ALTO
FOND DU LAC COUNTY, WISCONSIN**

DRIVEWAY AND CULVERT ORDINANCE

The Town Board of the Town of Alto does ordain as follows:

Section 1. TITLE/PURPOSE

- 1.1. Purpose. This ordinance is entitled "Driveway and Culvert Ordinance." The purpose of this ordinance is to provide for better and safer provisions for adequate access from private development to a public right of way.
- 1.2. Authority. The Town Board has the specific authority, powers and duties pursuant to secs. 60.61, 60.62 and 62.23 of the Wisconsin Statutes, as amended as well as the adoption of village powers under sec. 60.10.

Section 2. MINIMUM REQUIREMENTS

- 2.1. Permit Required. No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway, or street in the Town of Alto unless the person, firm, or corporation has received a permit from the Town of Alto and only as permitted by this ordinance. The word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is not in conformance with this ordinance.
- 2.2. All new private dwelling driveways or agricultural entries to fields must apply for a permit from the Town of Alto permit issuer. The location and length of culvert to be installed must be provided. The cost for a permit shall be \$50.00, payable to the Town of Alto.
- 2.3. Minimum requirements. The following minimum requirements shall apply for driveways and culverts:
 - a. Culverts. Private driveway: at least 18" in diameter and 20' in length.
Agricultural entry: Steel culvert at least 18" in diameter and 30' in length.
 - b. Driveways. The driveway within the area of the public right-of-way shall slope away from the public road at a minimum of 1% and a maximum of 5% to prevent erosion onto the public road. An adequate road bed base of suitable material to support the projected traffic for culverts must be used. Culverts shall be placed in the ditch line at elevations that will assure proper drainage
- 2.4. Driveways shall be installed at a minimum of 100' from the edge of intersection roadway, measured from the center point of the intersecting roads.

2.5. Additional Requirements. The grade of that portion of any private driveway located within the limits of any public road right-of-way, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway. Driveways shall be designed so that drainage shall run into adjacent ditches, not onto the road pavement. Filling of ditches and/or culverts located within a public right-of-way is prohibited without the prior written approval from the Town Board.

2.6. Costs. All cost incurred in construction of driveway and culvert installation and maintenance shall be the responsibility of the property owner requesting permit.

Section 3. ENFORCEMENT

3.1. Enforcement. All costs incurred by the Town relating to the enforcement of this ordinance or in making the determinations or inspections necessary hereunder shall be paid by the property owner, including, but not limited to, Town administrative costs and engineers' and attorneys' fees. Such costs shall be payable from the permit fee established by the Town Board from time to time. If a property owner refuses to comply with this ordinance, the Town may install the culverts and charge back the cost as a special charge pursuant to sec. 66.60(16) of the Wisconsin state statutes.

3.2 Penalties for Violations. In addition to all other remedies available to the Town, any person who shall violate any provision of this ordinance or who shall fail to obtain a permit as required by this ordinance shall upon conviction of such violation be subject to a penalty of a civil forfeiture of not less than \$50 nor more than \$500, together with the costs of prosecution, including reasonable attorneys' fees. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance.

Section 4. MISCELLANEOUS

4.1 Severability. It is hereby declared to be the legislative intent that should any provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance in its entirety or any part thereof, other than that so declared to be invalid.

4.2 Effective date. This ordinance shall take effect and be enforced upon its passage and publication as required by law.

Adopted this 10th day of December, 2018.

TOWN OF ALTO

By: Duane Bille
Town Chairperson

Attest: Yonyam Burns
Town Clerk