

Subject: Town of Green Valley Driveway Ordinance

**Town of Green Valley
Ordinance # 2002-4**

Amended 08/11/2004

Amended 4-9-08

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ORDINANCE #2002-4

Town of Green Valley Driveway Ordinance

Section 1. Title and Purpose.

Whereas: It is in the public interest for the Town of Green Valley, Shawano County, WI to establish and follow certain requirements for the creation of new driveways, or work done on existing driveways in the Town of Green Valley, in order to accommodate anticipated traffic and afford satisfactory access to police, fire fighting, and emergency medical vehicles;

Whereas: this ordinance is prepared to establish and follow certain requirements, for driveways, and culverts in the Town of Green Valley, Shawano County, Wisconsin; the Title of this Ordinance shall be the Town of Green Valley Driveway Ordinance.

Section 3. Adoption of Ordinance

Whereas: The Town Board of Supervisors of the Town of Green Valley has the specific authority, power, and duties pursuant to 82.03 Wis. Statutes to regulate, prohibit, and restrict construction, alteration, creation and enlargement of driveways accessing Town Roads in the Town of Green Valley, Shawano County, WI;

Whereas: The Town Board of Supervisors of the Town of Green Valley can designate the power and ability to regulate, prohibit and restrict construction, alteration, creation and enlargement of driveways and culverts in the Town of Green Valley, Shawano County, WI, to the Town of Green Valley Plan Commission or the Chairperson or Secretary of said Plan Commission under section 7 (b) of the Town Plan Commission Ordinance;

Whereas: This ordinance is adopted as authorized under s. 60.61, 60.62 and s. 82.03 Wis. Statutes. Now, therefore, it is hereby ordained by the Town Board of Supervisors of the Town of Green Valley, Shawano County, WI as follows:

Section 3. Definitions

Apron: area that covers culvert – must be flared

Clearance: Open space devoid of trees, posts, and other obstructions.

Clearance width: clearance from trees and overhead obstructions and overhangs.

Drainage: the gradual drying of highway by system of ditches, trenches, channels, etc.

Driveway/access: Any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be part of the public road for the purpose of gaining access to land or improvements.

End walls: flared pieces put on the ends of culverts to prevent weeds, etc. from clogging or closing the end of the culvert.

Field access: Any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be a part of the public road for the purpose of gaining access to a field or undeveloped property

Height Clearance: clearance from trees and overhead obstructions and overhangs

Improvement: to upgrade or re-construct a pre-existing driveway. Adding or replacing a permanent surface, i.e. concrete or asphalt.

Reconstruction: altering the base, surface width, sides, etc. of an existing driveway

Roadway: the traveled portion of the highway

Routine maintenance/preventative maintenance: does not affect the base or dimension of driveway, this means the addition of gravel or patching/crack sealing, filling holes or the like. Widening or lengthening is not considered normal or routine maintenance.

Staging Area: area adjacent to driveway specifically for purpose of staging emergency equipment, i.e., fire trucks, pumpers and other vehicles for emergency situations.

Surface Width: hard, compact area of the driveway

Turnaround: Any portion of a driveway in which an emergency vehicle, i.e. fire trucks, pumpers and other vehicles, may gain access or may turn around by coming around in a full circle.

Working day: Any day not falling on a weekend, or national holiday.

Section 4. Requirements

Permit Required: No person or business entity shall construct, reconstruct, pave, alter or enlarge any public or private driveway; or install, re-install, replace, or move a culvert, within the Town of Green Valley, without first obtaining a driveway permit from the Town Plan Commission of the Town of Green Valley, or its designee, as required by this ordinance.

General Requirements: Some of these general requirements are to aid in the dispatch of emergency vehicles to the structures affected. The location, design and construction of driveways shall be consistent with the following requirements:

Section 4.1 Requirements for Standard Driveway (driveways less than 290' in length)

Minimum height clearance – 14' - all

Minimum surface width — 18' residential

Minimum surface width — 30' commercial (depending upon the nature of the business)

Minimum clearance width for the entire length of the driveway-- 18'

Radius to the inside of the driveway surface if a curve is present - 25'

The composition of the base of any driveway shall be, no less than 6" of breaker rock with an additional 4" of packed aggregate. Driveways will not be capped with aggregate until the building inspector has inspected the base course of said driveway.

All culverts must be a minimum of 18" in diameter, and have flared end walls in place, except for field access, unless otherwise approved by the Town of Green Valley Plan Commission or their designee, based on inspection of the location and requirements of the grade, slope, ditching, etc. Larger culverts may be required as locale indicates. Anything other than sloped end walls will NOT be permitted.

The minimum length of the culvert shall be no less than 24' for residential or 36' for field access, unless otherwise approved by the Town of Green Valley Plan Commission or its designee, based on inspection of the location and requirements of the grade, slope, ditching, usage, etc.

Driveway entrance must be such as to allow entry of emergency vehicles from the roadway.

Driveway surface area to end wall of culvert must be flared.

The Town of Green Valley Plan Commission and their designee reserves the right to add additional requirements, as needed depending on the terrain and locale and purpose on an individual basis.

Section 4.2 Requirements for Driveways of more than 290'

Requests for driveways longer than 290' shall come before the Town of Green Valley Plan Commission.

In addition to the requirements in Section 4.1, driveways longer than 290' will also require the following:

Additional pre-inspection prior to issuance of the permit, based on information received by the Plan Commission, or their designee, to determine if additional requirements will be required. This pre-inspection may be by the Town of Green Valley Plan Commission, or its designee. An additional fee will be charged for driveways longer than 290'.

All driveways will require an inspection by the Building Inspector. The Building Inspector for the Town of Green Valley may charge an additional fee for inspection of driveways longer than 290'.

Minimum clearance width for the entire length of the driveway, when the driveway is or will be longer than 290', shall be 20'

Any driveway longer than 290' requires either a turnaround with a minimum radius of 35' (to the inside of the surface area), outside radius of 60', or, a turnaround as approved by the Town Plan Commission.

Minimum surface width, when the driveway is or will be greater than 290' shall be 20'.

Section 4.3 Requirements for Field Access Driveways

The minimum length of the culvert shall be no less than 36' [30' if off a 4 rod road] for field access, unless otherwise approved by the Town of Green Valley Plan Commission, based on inspection of the location and requirements of the grade, slope, ditching, usage, etc.

In addition to the requirements for a standard driveway, composition of the base of a driveway for field access shall be no less than 6" of breaker rock with an additional 6" of packed aggregate.

Minimum surface width — 36' field access apron [30' if off a 4 rod road]

No end walls are required for Field access driveways and culverts.

Section 4.4 Requirements for Driveway Accessing a new principal structure

Where a new driveway is to be constructed in conjunction with the construction of a new principal structure, this driveway permit shall be issued prior to obtaining a fire number from Shawano County. Once a fire number is issued by Shawano County, the Town of Green Valley shall charge a fee for the installation of that number sign according to requirements of the ordinances.

Requirements for a driveway accessing a new dwelling will have the same standard requirements or more as for a Standard Driveway or Driveway longer than 290' as stated in Sec 4.1 or 4.2 above.

Additional inspection, and enforcement of compliance, shall be conducted by the Town Enforcement Officer, or their designee, as directed by the Town Board of Supervisors of the Town of Green Valley, or the Town of Green Valley Plan Commission.

Section 4.5 Driveways Accessing a State or County Highway

Driveway permits for immediate access to a county or state highway/road within the Town of Green Valley will be issued by Shawano County or the State of Wisconsin. This ordinance applies to all driveways in the Town of Green Valley for that portion of the driveway that is on private property. Also see Section 5 regarding line-of-sight requirements.

Driveway permit from the County or State must be shown prior to obtaining a Building permit from the Town of Green Valley. Requirements in Section 4, 4.1, 4.2, 4.3, 4.4 above also apply to Section 4.5.

This ordinance applies to ALL driveways in the Town of Green Valley. A copy of this ordinance will be given to all requesting Building Permits for structures coming off State and County Highways to ensure compliance with Town requirements.

Section 4.6 Requirements for Shared Access Driveways – [Driveway off a private driveway]

A driveway that will be connecting to another driveway that comes off a road or alley is a special circumstance. It is imperative that emergency vehicles be able to locate specific residences quickly. Therefore, two 911 number signs are required in all instances of a driveway coming off another driveway. [For multiple residences sharing a common driveway] all plates must be at the end of the driveway, with no more than three (3) plates on one (1) post, and corresponding fire numbers must be attached to the residence no higher than 10' and no less than 4' from the ground level on the side

of the building that is visible and facing the road or driveway. If residence does not have a driveway, the fire number must be posted no further than 5' from road or parking surface, approximately in center of building on post. Corresponding number shall be attached to building according to 4' – 10' height.

All signs shall be a flag style plate in accordance with county requirements as to color, size and lettering.

The property owner shall be responsible for payment of any additional fees, as noted in the Town of Green Valley Fee Schedule.

If any public roadway or alleyway is found to have inadequate access for emergency vehicles, this same type of sign placement may be required.

Section 4.7 Routine Maintenance of Existing Driveway

The permitting requirement does not apply to routine or preventative maintenance and improvements as stated above that does NOT alter the base, surface width or length of an existing driveway. Permit is required for reconstruction of an existing driveway.

Section 5. Line of Sight

All state and federal highways are hereby designated Class A highways. All county trunk highways not designated Class A are hereby designated Class B. In each quadrant of every street intersection of Class A & B highways, there shall be designated a visual clearance triangle bounded by the street centerlines and a line connecting them 300 feet from a Class A highway intersection, 200 feet from a Class B highway. If two highways of different class intersect, the greater distance shall apply to both centerlines. Within this triangle, no object over 2 1/2 feet in height above these streets shall be allowed, if it obstructs the view across the triangle. Posts or open fences are excluded from this provision. Tree trunks less than 1 foot in diameter shall be exempt where they are unbranched, to a height of 10 feet and located a minimum of 30 feet apart. All unincorporated villages are exempt from this paragraph, as per county ordinance. Since all driveways accessing County or State Highways must be approved by Shawano County or the State of Wisconsin, additional requirements may come from either Shawano County or the State of Wisconsin.

All Town roads in the Town of Green Valley that are not designated Class A or B, are hereby designated Class C. (For purposes of this ordinance, class C highways cover these types of Town Roads – major, minor, local, or low use.) [Check with Plan Commission or Town Board of Supervisors for classification of your road] For access to a major Class C highway intersection, a 150 feet visual clearance triangle shall be required. For minor, local, or low use Town Roads, this requirement may be altered.

In no case, should a vehicle have to pull out into the roadway in order to have an adequate line of sight, so as to view approaching traffic on any class of road in the Town of Green Valley.

Section 6. Application

Application: The purpose of the driveway MUST be specified in written form prior to issuance of the permit. Application must be made in writing, along with a drawing accurately depicting the proposed driveway to be constructed, reconstructed, altered or enlarged. This drawing shall include: the location of existing and proposed improvements with dimensions, including driveway width and length; all numbers and writing shall be legible; the drawing should show all setbacks, lot lines and show the nearest building corner. This application shall go to either the Secretary or the Chairperson of the Town of Green Valley Plan Commission to allow them, or their designee, to view the property prior issuance of the permit. Failure to obtain a permit prior to starting the project will result in double the amount of the fees.

When a driveway permit is applied for, the applicant will receive a copy of this driveway ordinance, at which time, the fee will be paid to the Town of Green Valley Plan Commission. For fees, see Section 8. The permit will be good for a period of six (6) months from the date it is issued.

Section 7 – Fire Numbers

Fire numbers shall be posted in a manner as to be visible from the road on which the property is located. Numerals indicating the official numbers for each principal building or each front entrance to such building shall have numbers mounted to a post perpendicular to the roadway, a minimum of four (4) feet and a maximum of six (6) feet from road surface level, and visible from both directions of travel on the roadway. All posts must be within ten (10) feet of the right side of the driveway as you are looking at driveway from the road, no further than 21' from roadway shoulder on county or town road, and no further than 5' from edge of right-of-way on state highways. If residence is on a private road, same requirements apply as to a county or town road.

The Town of Green Valley has a fee for replacement of fire number signs. The property owner shall pay the cost of a new or additional signs and/or numerals.

Section 8. Fees

Fees are established by the Town Board of Supervisors of the Town of Green Valley by Resolution. Basic fee should be sent with the application to the Plan Commission Secretary or Chairperson. Additional fees may be charged for other services, as deemed necessary by Town Plan Commission or its designee. If it is determined that a variance is required and the applicant cannot wait until the next regularly scheduled Plan Commission meeting, a special meeting may be called. Additional fees will be charged for a special meeting, in this case.

Section 9. Severability: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 10. Exceptions

Any proposed driveway accessing a county or state highway must be approved by Shawano County or State of Wisconsin.

In an area that has no ditch, or that a ditch will not accommodate the requirements of this ordinance, the Secretary or Chairperson of the Plan Commission may determine that a culvert would not be practical and may be waived, or that a different size culvert may be used, dependent on the lay of the land. If a variance is required, other than the above, to the driveway requirements, the Town of Green Valley Plan Commission will review and grant driveway variances. An additional fee may be charged.

Section 11. Enforcement

Enforcement: Pre inspection of this location, will apply as stated in sect 4, paragraph 2 of this ordinance. Post inspection shall be by the Building Inspector as requested by the Town of Green Valley Plan Commission or as directed by the Town Board of Supervisors of the Town of Green

Valley. If a driveway, that has been constructed or updated since the inception of this ordinance, is found to be out of compliance with the ordinance, it will be brought into compliance, by the owner and at the owner's expense within twenty-five working days. If, after this time, the existing driveway is still not in compliance, the Town of Green Valley will bring it into compliance and add a special assessment to the property owner's property tax bill to cover the cost.

A penalty may be applied if driveway is not in compliance when occupancy permit is issued.

Section 12. Effective Date (originally)

Effective Date: The provisions of this ordinance shall take effect 12/12/2002

Passed on 12/11/2002

Vote: for 3 Against 0

Amendments are made to this ordinance on 08/11/2004 as follows:

Definitions added
Added paragraph to Section 4.5
Added Section 4.6
Added Section 4.7
Added to Section 7

Amendments are made to this ordinance on 04/09/2008 as follows:

Amended and added Section 3 statute numbers.
Amended Section 4.1 composition requirements
Amended Section 4.2 requirements for long driveways
Amended Section 4.3 requirements if off a 4-rod roadway
Amended Section 4.4 to delete refusal to issue occupancy permit
Amended Section 7 to correspond with new County Fire Number ordinance
Amended Section 11 to delete refusal to issue occupancy permit but add penalty language
Amended application to include name and number of new Building Inspector

Effective Date: The provisions of this ordinance shall take effect 4-9-08


Passed on 4-9-08

Vote: for 3 Against 0


Posted in the following public places
within 30 days after board passage:

on 4-9-08


Cluster boxes in Green Valley
Fire Station in Pulcifer
Community Center in Advance


Arl Rudie, Town Chairperson

Attested By:


Janalee Jenerou, Town Clerk


Gary Uelman, Supervisor


Terry Tipton, Supervisor