

AMENDED ORDINANCE PROVIDING FOR CONSTRUCTION
OF PRIVATE ROADS IN THE TOWN OF CROSS PLAINS,
DANE COUNTY, WISCONSIN

ORDINANCE PROVIDING FOR THE CONSTRUCTION OF PRIVATE ROADS (DRIVES) FOR RESIDENCES LOCATED MORE THAN 100 FEET FROM A PUBLIC ROAD IN THE TOWN OF CROSS PLAINS, DANE COUNTY, WISCONSIN.

WHEREAS, the Town of Cross Plains previously adopted an Ordinance providing for the construction of private roads effective March 25, 1982, amended August 6, 1993, repealed September 20, 1993 and a new Ordinance adopted August 18, 1993;

AND WHEREAS, it is deemed expedient and necessary that new regulations be adopted and established for the construction of private roads (drives) in the Town of Cross Plains where dwellings are located more than one hundred feet (100') from a public road;

AND WHEREAS, it is deemed expedient that said regulations are necessary for the health, safety, welfare and convenience of the public pursuant to Section 61.34 of the Wisconsin Statutes, and to provide access for fire department and other emergency vehicles.

NOW, THEREFORE, the Town Board of the Town of Cross Plains, Dane County, Wisconsin, pursuant to the exercise of its Village Board powers pursuant to Section 60.29(13) of the Wisconsin Statutes and pursuant to Section 61.34 of the Wisconsin Statutes and pursuant to Section 61.34 of the Wisconsin Statutes for the health, safety, welfare and convenience of the public does ordain as follows:

1. APPLICABILITY. This ordinance shall apply to any private road (drive) which serves a residence located more than one hundred feet (100') from a public road.

2. PERMIT. No private road (drive) shall be constructed in the Town of Cross Plains which is subject to this ordinance unless application is made therefor to the Town Clerk and a permit issued following Town Board approval.

3. TOWN BOARD APPROVAL. No permit shall be issued by the Town Clerk for construction of said road without the prior approval of the Town Board.

4. SPECIFICATIONS. The following specifications shall apply to all private roads (drives) constructed after the date of this Ordinance and which are subject to this ordinance.

- (a) Width - Four rod (66.0 feet) right of way with a roadbed of not less than twenty-four feet (24') and a roadtop of not less than fourteen feet (14').
- (b) Material - The roadbed shall have not less than six inches (6") of base rock and not less than two inches (2") of road gravel.
- (c) Culvert - A culvert shall be located at each ditch line and shall be not less than eighteen inches (18") in diameter.
- (d) Side Banks - All side banks shall be graded to a slope of not more than one foot (1') in each three feet (3') of horizontal distance.
- (e) Curve - Any curve in said road shall have an inside radius of not less than twenty-five feet (25').
- (f) Road Grade - The grade of said road shall be not more than twelve percent (12.0%).
- (g) Ditches - All ditches shall be seeded, sodded or faced with stone rip-rap to allow drainage without erosion.

(h) Location and Plan - The location and plan must be approved by Town Board.

(i) Costs - All costs to be paid by property owners.

6. LIABILITY. The Town of Cross Plains shall not be liable in any regard for damages to any person or property or problems with any road whether or not constructed in accordance with the requirements of this Ordinance.

7. BUILDING PERMIT ON PRIVATE ROAD. No building permit shall be issued for the construction of any residence located more than one hundred feet (100') from a public road, unless a private road (drive) has been constructed in accordance with the terms of this Ordinance or unless provisions for said construction have been made by a letter of credit, performance bond or similar instrument which guarantees construction of the road by a definite date and is approved by the Town Board.

8. SEVERABILITY. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

9. EFFECTIVE DATE. This Ordinance shall take effect and be in force the day after its passage, publication and posting as provided by law.

Dated this 15th day of January, 1996.

ATTEST:

TOWN OF CROSS PLAINS

Ann Walden
Ann Walden - Town Clerk

Harold P. Krantz
Harold Krantz - Town Chairman

Robert Boehnen
Robert Boehnen - Town Board Member

Robert Bowman
Robert Bowman - Town Board Member

ADOPTED: January 15, 1996
PUBLISHED: ~~January~~ February 15, 1996
POSTED: Feb 16, 1996
EFFECTIVE: " 16, 1996