

**TOWN OF SEVASTOPOL
ORDINANCE NO. 05-2002
Town and Private Road Standards**

The Town Board of the Town of Sevastopol, Door County, Wisconsin ("Board"), does ordain as follows:

Section 1

Ordinance Nos. 98-05 and 98-09 of the Town of Sevastopol, as amended, are hereby repealed and recreated as set forth herein.

Section 2 - Authority

This ordinance is adopted pursuant to the authority granted in Wis. Stats. Sections 60.22, 81.01, 86.26 and 61.34.

Section 3 - Purpose

This ordinance is adopted to establish minimum standard specifications and regulations relating to the construction of private and public roads in the Town of Sevastopol.

Section 4 - Definitions

"Owner" means the legal owner of the property to be transferred as disclosed by records in the Office of the Register of Deeds for Door County, Wisconsin.

"Road" means any road or roads which the owner intends to transfer to the Town of Sevastopol.

"Transfer" means the conveyance of such road by deed, whether by sale or by donation, and by dedication in a plat, or by any other lawful instrument by which title to the road is transferred to the town.

"Private roadway/driveway" is defined as any area where travel occurs from a public road over land not considered to be part of a public road, whether by easement or ownership, for the purpose of gaining access to improvements.

Section 5 - Permit Required

No person shall construct a public road, private road or driveway, and no person shall work on or under an existing town road in the Town of Sevastopol ("Town") without first obtaining a

permit from the Board. Applications for any such permits shall be filed with the town clerk on forms approved by the Board. There shall be no charge for such permit. If the driveway or private road provides access from abutting land to a state trunk highway or is otherwise subject to Chapter Trans. 233 of the Wisconsin Administrative Code, no permit to construct such driveway or private road shall be issued until the applicant has obtained a permit from the Wisconsin Department of Transportation.

Section 6 - Town Road Standards

Wisconsin Statutes Section 86.26 is hereby adopted by reference and all roads must meet such standards and all additional standards as required in this ordinance to be accepted as town roads.

- A. Road Right-of-Way. All rights-of-way shall be a standard width of sixty-six (66') feet. All roads that are not through roads shall have a cul-de-sac at the terminus of the road with a minimum of sixty (60) foot radius.
- B. Clearing/Grubbing. All trees and brush shall be cleared a minimum of forty (40') feet in width (being 20 feet on either side of the centerline of the right of way). All stumps and roots in the area shall be removed, and all brush and stumps removed from the construction area shall be disposed of in a proper manner.
- C. Topsoil. All topsoil shall be removed from the roadbed area and shall not be used for fill in the roadbed area. After grading is completed, a minimum of six (6") inches of topsoil shall be spread in the ditch area and in any other disturbed areas.
- D. Grading. The road shall be graded to a uniform and gentle contour with the surface travel grade not to exceed ten (10%) percent. The roadbed shall be twenty-six (26') feet, tapered to a ditch on each side a minimum of twenty-four (24") inches below the roadbed surface. Back slopes of ditches shall not exceed a 3:1 pitch. All ditches shall be graded to maintain proper water drainage and to prevent entrapment of water. The roadbed shall be constructed and elevated to proper contours by means of fill and properly compacted to a minimum of ninety (90%) percent compaction. The typical road cross section pursuant to these standards is set forth in Exhibit "A" attached to this ordinance.
- E. Surface Gravel. After the roadbed has been properly graded, a minimum of six (6") inches of 3/4" crushed stone or gravel shall be spread a standard width of twenty-six (26') feet on the roadbed area, except in cul-de-sacs where the graded area shall extend a radius of fifty-six (56') feet. Gravel shall be uniformly graded and properly compacted.

- F. Asphalt Surface. All roads, to be accepted as town roads, must be hard surfaced with an asphalt surface a minimum of 2 1/2" thick after compacting. Standard roads must be hard surfaced twenty (20') feet wide and cul-de-sacs hard surfaced in a fifty (50') foot radius as approved by the Board. In the alternative, the Town may accept the road as a town road prior to completion of the asphalt surface with the agreement that the owner will be responsible to reimburse the Town for the cost of applying the asphalt roadway surface. The Town may require an appropriate surety or other guaranty to ensure that the owner does in fact reimburse the Town for all such costs.
- G. Acceptance. Upon completion of any road or roads, the owner shall notify the Board. The Board will then inspect said road along with the owner and/or contractor and a determination will then be made by the Board as to whether the road is acceptable. If the Board decides to accept the road or roads, the Board will notify the owner in writing. The owner shall furnish the Town with a plat survey of the road, acceptable evidence of title showing that the owner has clear and unencumbered title thereto, and an acceptable deed of conveyance wherein the owner conveys clear and unencumbered title to the Town.

Section 7 - Culverts

- A. Where a public or private road intersects with a town or county road or state highway, the Board may direct the installation of a culvert and designate the size and gauge of such culvert to accommodate the proper flowage of water. Culverts shall be installed using accepted practice and backfilled to prevent damage.
- B. Culverts, where required, shall be provided at the expense of the property owner or road applicant. In the alternative, the Town may purchase the culvert with the agreement that the property owner will reimburse the Town for any expenses in the purchase or installation of such culvert.
- C. No person shall close or block a culvert without authorization from the Board.

Section 8 - Private Roadways and Driveways

All new private roadways and driveways proposed to be installed and any existing driveway(s) or private roadway(s) serving open, unimproved land which the owner proposes to convert to a private roadway or driveway to serve one or more structures within the Town shall be constructed under the following specifications:

Minimum road surface width	12 feet
Minimum width clearance	24 feet
Minimum height clearance	Free of trees, wire, etc. 15 feet
Maximum surface grade	10 percent

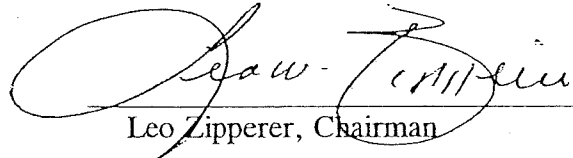
Section 9 - Insurance and Liability

Prior to commencement of any work upon a town road or within a town road right of way, the owner or contractor shall furnish to the Board a certificate of insurance for public liability, vehicle liability, property damage, and worker's compensation insurance with limits of not less than \$250,000 which shall name the Town as an additional insured. In addition, the owner and any contractors working for owner shall be responsible for locating and safeguarding existing utilities and notifying any parties necessary regarding the construction activities undertaken.

Section 10 - Effective Date

This ordinance shall take effect one day after its passage and publication.


Submitted by:


 Leo Zipperer, Chairman

Board Members	Aye	Nay	Exc.
Don Haen	✓		
Tom Olsen	✓		
JoAnn Schley	✓		
Berry Worrick	✓		
Leo Zipperer	✓		

Certification:

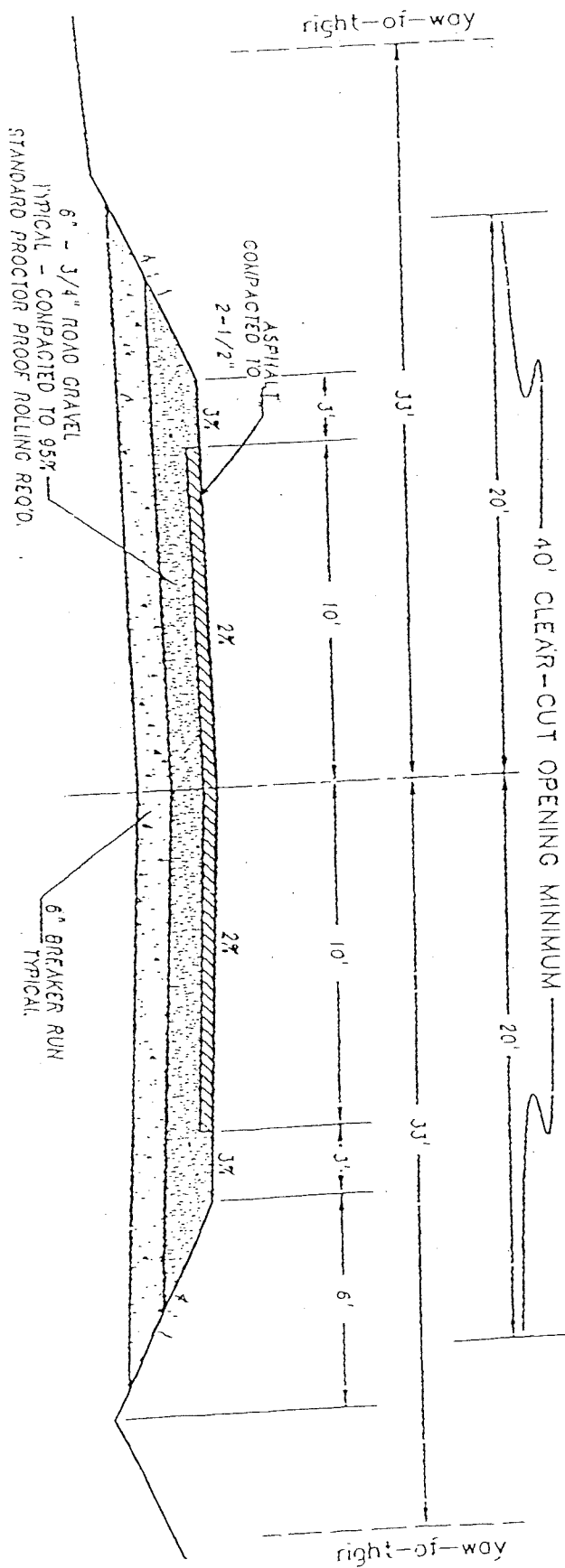
I, Linda Wait, Clerk of the Town of Sebastopol, hereby certify that the above is a true and correct copy of an ordinance that was adopted on the 19th day of August, 2002, by the Town Board of Supervisors.


 Linda D. Wait, Clerk
 Town of Sebastopol

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Town of Sevastopol

typical road - "cross section"



not drawn to scale 01 May 2001

