

**TOWN OF ST. CROIX FALLS
DRIVEWAY AND HIGHWAY ACCESS ORDINANCE
ORDINANCE NO. 97-01**

The Town of St. Croix Falls, Polk County, Wisconsin, ordains as follows:

SECTION I. Purpose

The purpose of this ordinance is to regulate the location design, construction and safety of driveways within the Town of St. Croix Falls, Polk County, Wisconsin.

SECTION II. Authority

The Town Board of the Town of St. Croix Falls has village powers under Section 60.10(2) (c), Wis. Stats., that grants general police powers as set forth in Section 61.34(1), Wis. Stats., to regulate certain uses, activities, businesses and operations that may affect the streets and highways in the Town of St. Croix Falls.

SECTION III. Definitions

Agricultural Driveway: A driveway used primarily to access an agricultural field or agricultural buildings.

Commercial Driveway: A driveway used to access a property that is primarily used for commercial use or to access a business.

Primary Structure: The main residential building or primary building of a business on a parcel.

Residential Driveway: A driveway used to access a property that leads to a residence as the primary use.

Secondary Driveway: A driveway used to access a property without leading to a primary structure or agricultural use.

3:1 Slope: The incline created by traveling 3 feet horizontally in one direction and 1 foot vertically in one direction.

SECTION IV. Jurisdiction

This ordinance shall apply to all driveways entering on to public roads in the Town of St. Croix Falls.

SECTION V. Driveway Permit Required

A. No person shall construct, improve or rework a driveway which changes the existing topography of the land without first obtaining a driveway or driveway access permit from the Town of St. Croix Falls. Re-surfacing of a previously constructed driveway with the same material does not constitute a change in the existing topography of the land.

B. All driveways that pre-exist this ordinance shall comply with the driveway ordinance that was in place when that driveway was originated (if any). Any driveway that has any improvements or construction that would necessitate a permit from the Town of St. Croix Falls shall be improved to meet the requirements of this ordinance. A change of use for a driveway shall require a permit, and the driveway shall be brought into compliance with any change of specifications brought about by the change of use.

C. Applications for driveway permits shall be submitted to the Town of St. Croix Falls Zoning Administrator. The Zoning Administrator shall review the application in a timely manner, and based upon the specifications set out in this ordinance, either approve or reject the application.

D. A person whose application is rejected by the Zoning Administrator may, within 30 days, appeal that decision to the Town Plan Commission, which will make a recommendation to the Town Board of the Town of St. Croix Falls. The Town Board shall then review the application, and, based upon the specifications set out in this ordinance, either approve or reject the appeal. Deviations from the specifications required by this ordinance may be approved by the Town Board in extenuating circumstances.

E. State or county driveway or access permits may be required in some cases. If a permit is required from another jurisdiction no construction may begin until such permit has been obtained. If that jurisdiction has specifications that differ from this ordinance, the jurisdiction rules that are stricter shall apply.

F. Any driveway location approved as part of a subdivision plat shall be exempt from the requirements regarding location of the driveway, however, a permit is still required for the driveway and all other requirements shall apply.

SECTION VI. Permit Fee

The fee for driveway permits is \$75.00.

SECTION VII. Specifications

A. Width: All commercial, residential, or secondary driveways accessing a public highway shall have a minimum road surface width of sixteen (16) feet and a maximum road surface width of thirty (30) feet. All agricultural driveways shall have a minimum width of thirty (30) feet.

- B. Road Bed Materials: All driveways shall have, at a minimum, five-inch bed of class gravel or crushed limestone, or such other material as approved by the Town of St. Croix Falls. This measurement shall be made after the road bed materials are compacted.
- C. Culverts: No driveway shall obstruct or impair drainage of any side ditches or roadside areas. Driveway culverts shall be installed, if determined to be necessary by the Zoning Administrator, to provide for adequate surface water drainage. Driveway culverts shall be of the galvanized steel, aluminized, or corrugated plastic type. Driveway culverts shall have a minimum of one foot of cover on top of the culvert, and a 3:1 slope from the road surface to the bottom of the culvert.
- D. Distance Between Driveways And Intersecting Highways: There shall be a minimum of two-hundred (200) feet between access driveways on the same side of the road. There shall also be a minimum of two-hundred (200) feet from an access driveway and the centerline of an intersecting highway. There shall be at least four-hundred (400) feet between a commercial driveway and the centerline of an intersecting highway.
- E. Line of Sight: There shall be a minimum of 200 feet line of sight distance from both directions where a driveway intersects a public road. In all cases, any driveway constructed shall be located in such a manner so that vehicles approaching or using it will have adequate sight lines in both directions from the driveway.
- F. Angular Placement: The center line of that part of the driveway lying adjacent to the public road right-of-way shall always be approximately right angles to the pavement.
- G. Grade: All driveways constructed shall have a grade of no greater than ten (10) percent. A slight dip across the driveway shall be placed just before the culvert at the entrance to the public road to prevent debris from washing onto the public road.
- H. Primary Structures: Driveways shall not serve more than two (2) primary structures. Driveways shall be built up to the specifications of the Town of St. Croix Falls Road Standards Ordinance if three (3) or more primary structures are serviced.
- I. Driveway Length: The first fifty (50) feet of any driveway from the road surface must be built to the specifications of this ordinance. After the first fifty (50) feet the driveway shall be at least twelve (12) feet in width. There shall also be at least fourteen (14) feet of height clearance within the first fifty (50) feet from the road surface to allow access for emergency vehicles.

SECTION VII. Inspection and Approval

The inspection and approval of any driveway site shall be a prerequisite to the issuance of a driveway permit. The complete and final construction of any driveway shall be subject to the approval of the Town Board of the Town of St. Croix Falls.

SECTION IX. Violation/Penalty

No person, corporation or organization shall construct or install any driveway which violates any provision of this ordinance regardless of whether intent to violate was present. Any person, corporation or organization failing to comply with the provisions of this ordinance shall be subject to penalties as prescribed in the Town Schedule of Penalties and Cash Deposits, with each day such violation exists constituting a separate offense, and/or be subject to an injunction action which demands that the condition constituting the violation cease or be cured. Any person, corporation or organization failing to comply with the provisions of this ordinance shall also be responsible for paying the costs of prosecution.

SECTION X. Validity

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be invalid.

SECTION XI. Effective Date

This Ordinance shall take effect from and after its passage and legal publication.

Adopted on March 11, 1997, by a vote of 3-0 (in favor).

Published on June 12, 1997, in Polk County Ledger.

Amended on March 21, 2008, by Ord. 08-02.

Amended on April 21, 2010, by Ord. 10-04

Amended on August 18, 2010, by Ord. 10-06

Amended on June 17, 2015, by Ord. 15-05

Amended on June 15, 2016, by Ord. 16-03