

**Town of Hayward
Driveway and Private Road Ordinance
Ordinance # 06-2009**

As amended through August 14, 2012
Adopted July 14, 2009
Amended March 9, 2010
Amended August 14, 2012

I) The purpose of this Ordinance # (06-2009) is to ensure (1) that all new driveway or private road construction follows State of Wisconsin codes, Sawyer County zoning and subdivision ordinances and (2) swift, and unencumbered access of emergency vehicles to all properties. For new building construction, the requirements of this ordinance must be accomplished before the occupancy permit is issued. Owners of property with existing driveways or private roads constructed before the date of this ordinance that are not in compliance with this ordinance are encouraged to, but not required, to make changes except under the terms of Section VII.

II) 1) Driveways and Private Roads shall be laid out so as to intersect all highway classes as nearly as possible at right angles. Deflections of up to twenty (20) degrees may be acceptable depending upon conditions.

2) Driveways are described as serving no more than two properties (residential or commercial or combination).

3) Private roads serve 3 or more properties.

III) ACCESS DRIVEWAYS

1. Access driveways to highways from abutting properties shall comply with the following requirements.

Class of Highway	Minimum distance of Highway frontage between access driveways for Separate Land Uses (feet)	Minimum distance access driveways to be located to the right-of-way on the Intersecting Highway (feet)
Class A Highways and Federal Aid Primary Highways	600	300
Federal Aid Secondary Hwys	500	250
Class B Highways	300	150
Class C Highways	75	75
Without public sewer - all zone districts.	75	75
With public sewer (R-1, RR-1, RR-2 and C-1 only).	50	50

Where there is more than one lot abutting on Class A and Class B highways between access driveways, a service road of not less than 50 feet right-of-way shall be provided across the entire frontage of each lot unless a temporary access permit has been granted with the approval of the agency having jurisdiction over the highway. Use of access is limited to the use authorized in the temporary access permit. This permit would be revocable when a frontage road is provided.

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2. The maximum number and width of access driveways to highways and service roads shall be as follows:

TYPE OF ACCESS DRIVEWAY	MAXIMUM NUMBER OF ACCESS DRIVEWAYS	MAXIMUM WIDTH OF ACCESS DRIVEWAYS
Commercial and Industrial Land Uses	2	35 feet
Other Land Uses	1	24 feet

Where cross-overs in median strip have been provided, access driveways shall be directly opposite these cross-overs.

IV) Compliance with Driveway Permit

This ordinance includes all conditions and requirements listed on the front and back of “Permit for Access Driveway to Town of Hayward”.

V) DRIVEWAYS:

1. Driveways shall have at least a minimum width clearance of 20 feet and an unobstructed height of 16 feet. Driveways must remain clear of debris year round and snow in excess of 4” accumulation shall be removed. Any accumulation greater than 4” may inhibit the Fire Department’s ability to answer fire calls.

2. Driveways longer than 300 feet shall provide enough turnaround space for a 30 foot fire truck between 50 and 100 feet of the primary building and passing areas(driving surface areas of no less than 30’wide by 75’long) shall be provide at approximately 300’ intervals.

3. The turnaround space can be provided by one of the following methods:

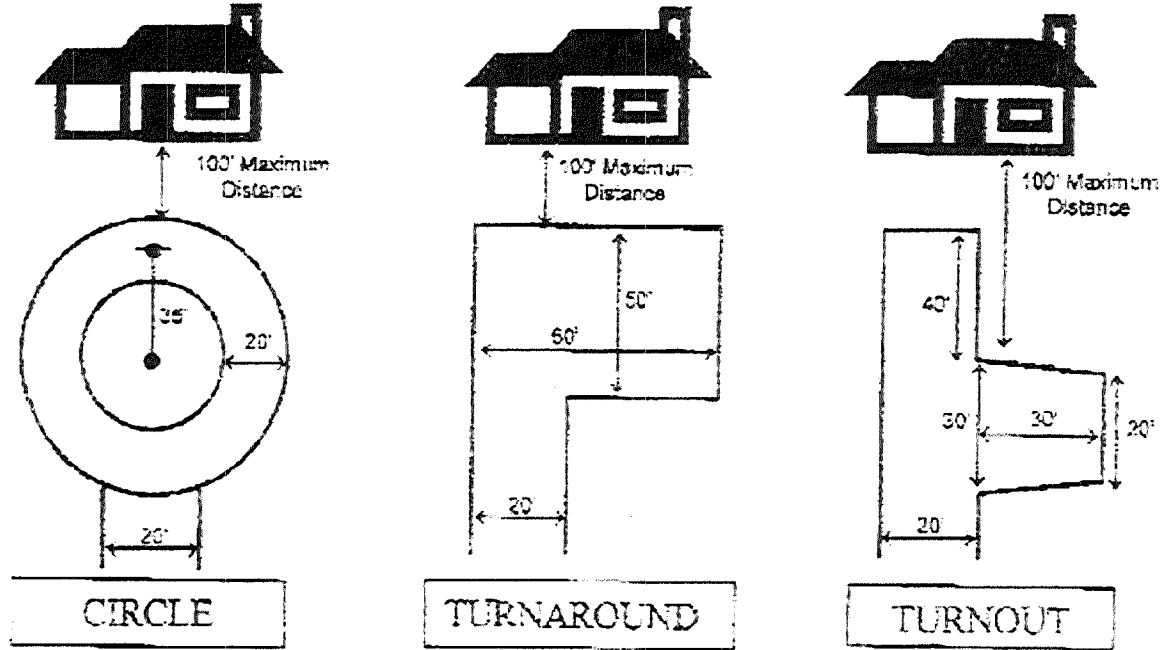
A. If a circle drive is constructed, it must have a radius of no less than 35 feet to the centerline; or

B. A turnaround space free of trees and other obstructions may be provided if it has the dimensions of not less than 50 feet wide by 60 feet deep; or

C. A turnout may be provided with the following dimensions: The length shall be a minimum of 30 feet. The width at the entrance shall be a minimum of 34 feet. The turnout may be trapezoidal in shape, thereby tapering down to a minimum of 20 feet at the rear. In addition, a minimum of 40 feet of driveway must be provided between the building and the turnout to allow enough room to back a 30-foot fire truck into the turnout.

See diagrams on page 3

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Thank you for your cooperation in this process!

4. Any curves in driveways must not be less than 50-foot radius.
5. Exemptions from the provisions of this article would include:
 - a. New buildings that are 100 feet or less from a public road or a private road.
 - b. Those portions of both private roads and driveways which are restricted by an existing easement of less than 20 feet in width.
 - c. In addition to the above standards, a permit E-M-04-68 or its subsequent revision must be filed with the Wisconsin State Department of Transportation for access to all state highways. Approval must be given by the above agency before the county will consider and give approval to the applicant's request. Access to county highways must be approved by the Sawyer County Highway Department prior to construction of a driveway connecting to a county highway.

VI) PRIVATE ROADS

1. All private roads serving multiple buildings, constructed after the enactment of this article shall be constructed per Section 6.1.5, 6.1.7, 6.1.8, and 6.1.9 of the Sawyer County Subdivision Ordinance as Stated below:

6.1.5 PRIVATE ROAD EASEMENTS: These provisions shall apply to all private roads intended to provide access to newly created parcels.

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- a) Private roads are only allowed in minor subdivisions (by CSM) and shall meet the following requirements:
- 1) A minimum of 66' wide private road right of way shall provide access from a public road to no more than 4 lots.
 - 2) A private road shall not exceed the greater of 1,320' in length or the length of a quarter-quarter section.
- b) Shall have a height clearance of 16' and shall have a minimum traveled road width of 20'.

6.1.7 All private dead end roads shall have sufficient side and overhead clearance to allow access for emergency, police, fire, utility and school bus usage. Dead-end roads over 600 feet shall have an improved turnaround/cul-de-sac at the end.

6.1.8 Private roads that are existing and owned by the sub divider at the time of the effective date of this ordinance that are proposed to provide access to newly created parcels, shall meet the requirements as specified in this section.

6.1.9 Private roads from an existing public road to the newly created lot(s) shall be clearly labeled and the recorded access (volume and page) shall be shown on the map.

VII) Existing Driveways and Private Roads:

Existing driveways to unimproved lots for which a building permit is issued must be brought into compliance per section I.

Existing driveways to improved lots are subject to the following:

When making any addition or improvements to an existing dwelling, such as but not limited to, an attached or detached garage or accessory building, existing driveways shall be brought into compliance with this section within 15 days of the project completion (project as described in the building permit) or prior to issuance of the occupancy permit or:

1. Property owner shall file an agreement between the property owner and the Town of Hayward Fire department of any structure on the property larger than 800 square feet, and
2. The agreement shall include a reason for not complying with the ordinance, signatures of the above listed parties, and date, and
3. The agreement shall be kept and maintained by the Town of Hayward Fire Department.

Existing private roads should also be brought into compliance for safety purposes and must be brought into compliance if, for any and all reasons, the lots or parcels are reconfigured or the number of lots serviced by the road increases.

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VIII) Fees:

The Town of Hayward Fire Department shall assess an additional fee of \$25 for services and shall be collected when a building permit is issued for new construction, additions, or remodels and before signing off on an existing location with issues.

IX) Administration:

This Ordinance will be administered by the Town Road Supervisor for new construction and by the Fire department for existing driveways and structures

X) Enforcement:

By Town of Hayward Chairman and/or Town of Hayward police Department.

XI) Penalties:

First offense for non compliance - \$100.00 plus court cost; 30days after – 2nd offense \$200.00 plus court costs

XII) Severability:

The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

XIII) Driveways not able to conform to this ordinance may request a variance from the Town of Hayward Board.

Approved and signed July 14, 2009, Amended March 9, 2010 and August 14, 2012. The original Ordinance and Amendments are on file at the Town of Hayward.