

TOWN OF HAYWARD
HIGHWAY ORDINANCE
2-92

As amended through April 12, 2005

Adopted May 5, 1992
Amended May 2, 1995
Revised July 3, 1996
Amended Dec 8, 1998
Amended Apr 12, 2005

An ordinance establishing rules and regulations for the acceptance of private roads by the Board of Supervisors; in areas of new residential developments.

SECTION A:

The Town Board of Supervisors of the Town of Hayward, Sawyer County, Wisconsin, do hereby find, determine and ordain that in order to promote the public safety, general welfare and convenience, it is necessary that certain requirements be established and followed in the creation of new highways and to establish standards for the maintenance of existing roads so that in the opinion of the Supervisors the public will not be materially affected; by the action of the Town Board accepting said road; nothing in this ordinance shall require the Town to improve existing town roads which do not conform to this ordinance.

It is not intended by this ordinance to repeal, abrogate, annul, or interfere with any existing highway rules, or regulations issued pursuant to law in regards to any public highway.

SECTION B:

In order to clarify this ordinance the following words are defined:

APPROACH: That portion of road extending 100 feet on each side of a culvert or bridge

BASE COURSE: The supporting part of a road or bottom.

DRAINAGE: To make gradually dry, by trenches, channels, etc.

ELEVATION: Average roadway height above shoulders.

GRADE: The rate of ascent or descent of a road.

HIGHWAY: A road or way over which the public generally has a right to pass.

ROAD BED: The whole material laid in place and ready for travel.

ROADWAY: The traveled portion of the road including the surface and shoulders.

SURFACE COURSE: The top of the roadway or traffic course.

SECTION C:

Individual home owners or owners of land abutting on that part of a highway sought to be created or altered, shall make application in writing to the Board of Supervisors, giving location and description of the proposed highway. Said application may be delivered to any supervisor or the Town Clerk. Upon receipt of application, Supervisors will proceed to examine proposed route of highway. If approval is received, then the individual or group of individual home owners may proceed to build highway, under the supervision of the Town Board.

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SECTION D

The following are the standards set by the Board of Supervisors for the construction of the proposed highway, in compliance with good practice, general construction and safety.

HIGHWAY: The minimum width for any highway shall not be less than 66 feet wide right of way, with a surface width of 22 feet and a roadway width of 30 feet.

GRADE: The maximum shall not be more than 11%.

ELEVATION: At least 12" higher than the natural grade of the land abutting highway where possible.

DITCHING: A roadway must be complete and have proper elevation to provide for the removal of water. Where it becomes necessary to make a lateral trench leading from the main ditch, then the additional land necessary for the removal of accumulated water must be provided and deeded over to the Town, along with the necessary land for the highway and under the supervision of the Town Board. Ditches must be maintained at least 12" lower than natural/existing land abutting highway.

BASE COURSE: Must be of quality and composition suitable for the location. In low or swampy areas the base course must have a sandy composition to provide necessary drainage of the road bed to provide a solid base.

SURFACE COURSE: Must consist of crushed packing gravel of a quality and composition suitable for traffic loads. The amount of gravel necessary for acceptance must be at least 3000 cubic yards per mile or as stated in writing by the Town.

CULVERTS: Any culvert necessary for proper drainage shall be provided and installed after elevation and location is obtained from the Town Board. The minimum length of any culvert installed shall be 40 feet in length. However, the diameter and length of said culvert will be subject to the approval of the Town Board.

If at any time it is decided by the Town Board that the construction of a culvert or bridge would be of a size and cost, or that it would create a hardship to the owner or owners of land required to build said culvert or bridge, then the Town Board will proceed to accept the road, complete as required by the above rules, except that part extending 100 feet on each side of said culvert or bridge. That portion of the road shall be called the approach. The approach may be constructed by the Town and be billed back to the owner or owners of the culvert or bridge less any aids that may be received from bridge aids.

Any new driveways from a Town Road shall be inspected and permit issued by the road supervisor to determine the need of a culvert. The fee for this permit shall be included with the building permit.

EROSION CONTROL: Any landowner or developer improvement or action to roadways or land abutting roadways shall not increase or contribute to erosion of the roadway or right of way.

SECTION E:

Upon completion of the proposed highway, the Board of Supervisors will proceed to make the final inspection, accepting or rejecting the road as the case may be. If the road is rejected, then corrections must be made again. If final acceptance is then made, the owner or the owner shall deed to the Town all the land necessary for the road. If accepted by the Board of Supervisors, initial blacktopping for any new road identified with a certified survey map dated after July 2, 1996 will be the deeding party's responsibility. Any new road identified with a certified survey map dated prior to July 2, 1996 will be exempt from the blacktopping requirement if petitioned to accept the road by January 1, 1997.

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SECTION F:

If a present road is of gravel construction and the adjoining landowners desire the road to be hardsurfaced or seal coated prior to the time that the Town of Hayward hardsurfaces or seal coats the road the landowners shall pay 50% of the cost of the hardsurfacing. All payments shall be prepaid prior to hardsurfacing.

SECTION G:

Where any section or part or section of this ordinance is amended, voided or supersede thereby, the remaining sections not so specifically amended or voided or superseded shall remain in effect.

SECTION H:

A landowner found in non compliance with the driveway permit, or any of the sections of this ordinance, shall be given a written notice to correct the problem. If the land owner does not correct the problem within 30 days of the date of the written notice, the landowner shall receive a \$100.00 fine plus court costs. If the problem is not corrected within 60 days of the written notice, the landowner shall receive an additional \$100.00 fine plus a \$25.00 per day fine for each day after the 60 days that the landowner is found in non compliance of this ordinance plus court costs.

SECTION I

The Town of Hayward Town Chairperson, the Town Road Supervisor, and the Town Clerk has the authority to enforce this ordinance

SECTION J:

 This ordinance shall take effect upon its passage and publication as provided by law.

This ordinance was adopted at a regular meeting of the Town Board of the Town of Hayward on May 5, 1992. Amended at a regular meeting of the Town Board of the Town of Hayward on May 2, 1995. Revised at a regular meeting of the Town Board of the Town of Hayward on July 2, 1996. Amended December 8, 1998, and Amended April 12, 2005.

Original Ordinance and all Amendments on file at Town of Hayward.

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