

**DRIVEWAY ORDINANCE  
TOWN OF GULL LAKE  
ORDINANCE #103b**

An ordinance to regulate the installation of private driveways onto the Town of Gull Lake roads.

**SECTION I. PURPOSE**

The purpose of this Ordinance is as follows: To establish standards for driveways that will provide for better and safer access from private development to a public right-of-way and to provide adequate access for emergency vehicles.

**SECTION II. AUTHORITY**

Wisconsin Statutes 60.55 and 60.565 provide for emergency services access for police and fire protection and WI Statute 81.01 designates the town board to supervise all town roads.

**SECTION III. DEFINITIONS**

Emergency Vehicles=fire trucks, equipment used in fire retardation, ambulance, electrical line trucks

**SECTION IV. ADOPTION OF ORDINANCE**

The Town of Gull Lake at its' regular monthly meeting on Monday, October 9, 2000 voted to adopt the original ordinance effective on October 16, 2000. The existing Driveway Ordinance was revised extensively and the revised Driveway Ordinance #103a became effective on December 16, 2003. The revised Driveway Ordinance #103a was revised again and became effective on August 8, 2006.

**SECTION V. PERMITS**

- A. A driveway permit is required for all driveways and roads with access onto Town of Gull Lake roads.
- B. All sites must be inspected and approved before any earth moving is begun.
- C. All permits are subject to approval or denial of the Town of Gull Lake, Town Board
- D. Permits will be available from: Gull Lake Clerk/Treasurer and Washburn County Zoning.

**SECTION VI. CONDITIONS OF ISSUANCE**

- A. The applicant indicated on the permit represents the driveway land owner.
- B. The permittee shall furnish all materials, labor, and pay all costs in connection with the construction of the driveway and its' appurtenances on the road right-of-way. The subsequent maintenance of the driveway and its' appurtenances within the limits of the road right-of-way shall be the responsibility of the indicated permittee, who shall be obliged to pay all costs and accomplish all work necessary in relation to maintenance of the driveway.
- C. The minimum clearance requirements of the drive shall be:
  - 30 feet entrance cleared width
  - 20 feet minimum width—this requires 10 feet of clearance on each side of the center of the driveway. (clearance from trees and branches, vegetation, rocks, stumps and debris)
  - 14 feet minimum height clearance
  - maximum grade, 10% equals 1 ft. in 10 ft.
  - a turn around 20 feet wide and 40 feet long within 100 feet of the building
  - at least one 25 foot length and 20 foot width segment of road surface shall be provided for each 300 feet of driveway length to provide for the safe passage of meeting vehicles.An adequate road bed base of suitable material to support the projected traffic
- D. The driveway shall not obstruct or impair drainage in highway side ditches. Culverts where necessary shall be adequate for surface drainage along the roadway and consist of a 12" diameter pipe with a minimum length of 30 feet (acquired and paid for by the driveway owner).

- E. The driveway installation shall be made without jeopardy to or interference with traffic using the roadway.
- F. Highway surfaces, shoulders, ditches and vegetation that are disturbed by the driveway installation shall be restored to at least their pre-existing condition.
- G. The surface of the driveway connecting with the highway shall slope down and away from the highway shoulder a minimum of 2% and a maximum of 5%.
- H. No revisions or additions shall be made to the access driveway or its' appurtenances on the right-of-way without the permission of the road supervisors.
- I. The Town of Gull Lake does not assume any responsibility for the removal or clearance of snow, ice or sleet or the opening of windrows of such material upon any portion of any driveway or entrance along any town road even though snow, ice and sleet is deposited or windrowed on said driveway or entrance by its' authorized representative engaged in normal winter maintenance operations.
- J. The permittee, his successors or assignees agree to hold harmless the Town of Gull Lake and its' duly appointed agents and employees against any action for personal injury or property damage sustained by exercise of this permit.

**SECTION VII. ENFORCEMENT**

All costs incurred by the Town relating to the enforcement of this Ordinance or in making the determination or inspections necessary hereunder, shall be paid by the property owner, including but not limited to, any costs to the Town for bringing such driveways up to the provisions of the Ordinance if the property owner refuses to do the same. Town administrative and inspection costs shall be payable by the permit fee established by the Town Board at the Town of Gull Lake Board meeting on November 11, 2003. Permit fee is set at \$20.00. This fee is subject to change upon the discretion of the town board, but only at a properly noticed public meeting. If any of the required costs are not recovered from the property owner, said costs can be charged back to the landowner as a special assessment on their property taxes.

**SECTION VIII. VIOLATIONS**

Violation of this Ordinance is subject to a fine of \$500.00 and/or the restoration of the entry onto the Town of Gull Lake road.

**SECTION IX. 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 so declared to invalid.

**SECTION X. EFFECTIVE DATE:**

This ordinance shall take effect after passage, publication and recording according to law.

Passed and adopted by the Town of Gull Lake Board this **8<sup>th</sup> day of August 2006.**

Chairperson, Katherine Berndt \_\_\_\_\_ Date \_\_\_\_\_

Supervisor, Robert Haddick \_\_\_\_\_ Date \_\_\_\_\_

Supervisor, Robert Shellenberger \_\_\_\_\_ Date \_\_\_\_\_

ATTESTED BY THE TOWN CLERK, \_\_\_\_\_ Date \_\_\_\_\_

Lolita Olson \_\_\_\_\_

(Online Document valid without Board Members' Signatures')