

ORDINANCE #3-9-2005 (Amended on 1-9-14)
TOWN OF AMHERST ROAD ORDINANCE
Town of Amherst, Portage County, Wisconsin

The Town Board of the Town of Amherst, Portage County, Wisconsin, does ordain as follows:

SECTION I: PURPOSE

Whereas, to protect and provide for the public health, safety and general welfare of the Residents of the Town of Amherst, and

Whereas, to provide for the safe and efficient movement of vehicular and pedestrian traffic, to provide for the proper location and width of roads and access points and to help with the implementation of official street plans.

SECTION II: STATUTORY AUTHORITY

Chapters 80, 81, 86 and 236 of the Wisconsin State Statues grant authority for this ordinance.

TERMS: when interpreting any term in this Ordinance, the ordinary meaning of the term will apply unless the context clearly indicates a different meaning is intended. If a question arises as to the meaning of a term used, the Town Board's definition takes precedence.

SECTION III: GENERAL TOWN ROAD SPECIFICATIONS;

- A. Anytime a road is to be built to Town of Amherst specifications, plans must be submitted to the Town Board or designee in advance for approval.
- B. The project will be subject to, without notice, inspection by the Town Board or its designee in any or all stages of construction.
- C. Proof of ownership must be provided for all land upon which any road is proposed and written authorization by the owner to construct the road according to the Town's terms and specifications.
- D. Prior to construction of any road, under this ordinance, a surety bond, cashiers check or a letter of credit shall be filed with the Town Board, in the sum equaling the estimated cost of construction plus 25%.
- E. Where a road project is not completed to Town standards, written formal notice will be given, citing the corrective action(s) required. If, within 60 days of that notice, corrective action is not taken to the Town Board satisfaction, the Town shall complete the road or correct the deficiencies and retain sufficient portion of the bond or deposit, including interest, to cover all expenses.
- F. Roads must be completed within 12 months from start of construction, unless the Town Board approves an extension.
- G. All roads shall intersect each other as close to right angles as topography and other limiting factors will allow, as determined by the Town Board, but never less than 60 degrees.

H. To avoid dangerous jogs, roads should be designed to intersect directly opposite of each other, or have a minimum centerline off set of 125 feet, unless the Town Board deems otherwise.

I. All cul-de-sacs shall have a minimum 120 foot diameter road right of way and 100 foot diameter paved surface with the same road construction as a town road.

J. No street or road may interrupt or convert any natural drainage way. To maintain water-free roadways, drainage ways and ditches have been established in the road right-of-ways in the Town of Amherst. Whenever a new road is to be built to Town specifications, the builder will be responsible to build it in accordance with Wisconsin State Statues, Chapter (88). In addition, culverts, ditches, erosion control structures, and bridges shall be installed or constructed where the natural hydraulic flow or drainage would be obstructed or constricted by the road and wherever required to preclude traffic construction, flood or erosion damage to properties. A drainage plan will be drawn up by appropriate governmental agencies and submitted to the Town Board for approval. A drainage easement shall be shown on any certified survey map or plat submitted. Properly sized culverts as determined by the Town Board may be required. The top of the culvert shall not be less than 18 inches below the roadway surface. Bridges and other structures shall conform to standard Wisconsin Department of Transportation specifications.

K. Stumps and brush shall be uprooted to a minimum width of 30 feet on either side of the centerline of the proposed road. Loose stumps, logs, and brush shall be removed from the right of way along with all rocks larger than 12 inches in diameter. No logs, stumps or brush shall be buried within the roadbed. Tree branches overhanging in the right of way shall be removed to a height of 16 feet and the width of 20 feet on either side of the centerline.

L. All roadways shall be graded to the full width including side slopes and ditches. Graded and other disturbed areas outside the roadway shall be suitably seeded and mulched, or sod laid in order to provide protection from run off. Disturbed ground can be otherwise protected to prevent erosion until natural vegetation recovers sufficiently to serve this purpose.

M. Standard safety signs shall be installed on 4 by 4 inches by 10 foot treated posts, or equivalent, at intersections, curves with obstructed visibility, or any similar hazard points, at the discretion of the Town Board. Road name signs shall be installed conforming to State statutes, on two-inch diameter by 10 foot galvanized posts. The Town will supply these signs at the expense of the developer.

N. To avoid problems with road maintenance, no items and/or protruding materials are allowed in the Town Road right-of-way, with the exception of fire numbers, mailboxes and traffic signs.

O. The Town of Amherst will require a three-year warranty from road building firms to meet the Wisconsin Department of Transportation road specifications and designs for bituminous hot mix.

SECTION IV: STANDARD TOWN ROAD SPECIFICATIONS

- A. All town roads shall be under laid with 8 inches of compacted road gravel, to lay for one winter season (December 15th thru May 31st) before blacktopping.
- B. Traveled roadway surface of 22 feet shall be paved with a minimum of 2 ½ inches of compacted hot bituminous surface mix (blacktopping)
- C. Shoulders shall be 4 feet of compacted gravel surface unless determined by the Town Board that a 3 foot paved shoulder be installed for bike and pedestrian traffic.
- D. In addition to the above requirements, all roads, streets and public ways shall be constructed pursuant to the provisions of the Wisconsin Statutes, the Wisconsin administrative code, and any other lawful governing authority, including other applicable town ordinances.

SECTION V: PRIVATE DRIVEWAYS

- A. Minimum separation between driveways is 100 feet. Deviations from the standard are allowable at the discretion of the Town Board.
- B. Minimum separation of driveways from intersections is 100 feet.
- C. Driveway width shall be a minimum of twelve feet within the town right of way.
- D. The only permissible paved surface on town right of way within five feet of the edge of the road shall be asphalt.
- E. The Town Board Representative will review each proposed driveway for location, line of sight and need for culverts. Culverts will be installed, where necessary, at landowners' expense.
- F. Maintenance of driveway, including culvert, is the sole responsibility of the landowner.
- G. Temporary and field driveways may require the same specifications as residential driveways at the discretion of the Town Board.

SECTION VI: VISION CLEARANCE

There shall be a vision clearance triangle in each quadrant of all intersections of highways, roads, or railroad rights-of-way. Such clearance triangles shall be bounded by the highway, road, or railroad right-of-way lines which are located a distance back from the intersection of the right-of-way lines equal to twice the set back required on the intersecting highway or road. In the case of railroads the setback shall be 100 feet from the center of the right-of-way.

- A. Within a vision triangle, no object of natural growth shall be maintained, or permitted to grow between a height of 2 ½ feet and 10 feet above the elevation of the road or highway grade at the centerline.
- B. Nothing shall be planted, placed, designed or constructed so as to constitute a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one highway or road to another.

SECTION VII: SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or

not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be effected.

SECTION VIII: EFFECTIVE DATE

This ordinance shall become effective the date after publication or posting.
Effective date of this Ordinance April 17., 2005

ADOPTED ON APRIL 16, 2005

Michael Peplinski Sr. Town Chairman

Richard Trzebiatowski Town Supervisor

Roger Bacon Town Supervisor

ATTEST: Arlene Domaszek Town Clerk

AMENDMENT ADOPTED 1-9-14

ATTEST: SHAWN LEA, TOWN CLERK.