

**TOWN OF ATHELSTANE
HIGHWAY/ROAD ORDINANCE
ORDINANCE NO. 4**

The Town Board of the Town of Athelstane, Marinette County, Wisconsin, does hereby ordain as follows:

SECTION A. 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 roads in the Town of Athelstane.

That in the opinion of the Town Board, the public will not be materially affected by the action of the Town Board accepting said road.

It is not intended by this ordinance to repeal, abrogate, annul, or interfere with any existing highway/road rules or regulations issued pursuant to laws in regards to any public highway/road, except as this ordinance expressly provides to the contrary.

SECTION B. The following words shall have these meanings:

Road Bed – the whole material laid in place and ready for travel

Roadway – a road, the traveled part of it

Highway/Road – a road or way over which the public generally has a right to pass

Base Course – the supporting part of road or bottom

Surface Course – the top of roadway or traffic course

Drainage – to make gradually dry, by trenches, channel or etc.

Grade – the rate of ascent or descent of a road

Approach – that portion of road extending 100 feet on each side of culvert or bridge

SECTION C: Individual home owners or owners of land abutting on that part of a town road/private road sought to be created or altered, shall make application in writing to the Land Use Commission and to the Town Board of Athelstane, giving location and description of proposed road. Said application shall be delivered to the Town Clerk. Upon receipt of application, the Land Use Commission and the Town Board shall proceed to examine proposed route of the road. If approval is received then the individual or group of individual homeowners may proceed to build a road under the supervision of the Town Board. The Town Board has final approval for a road to be built.

SECTION D. The following are the standards set up by the Town Board of Athelstane for the construction of the proposed road, in compliance with good practice, general construction, and safety.

Town Road The minimum width for any Town road shall be not less than sixty-six (66) feet wide right of way, with a roadway of twenty-two (22) feet and two (2) feet of gravel shoulders.

Private Road The minimum width for any private road shall be not less than sixty-six (66) feet right of way, with a roadway of twenty-two (22) feet and two (2) feet of gravel shoulders. A private road shall be defined as a road with more than two (2) parcels having access to the road. Maintenance and upkeep shall be the responsibility of the parcel owners.

Blacktopping The surface of any public and private road shall meet town specs and be finished with a layer of bituminous material not less than three (3) inches thick after completion.

Ditching 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 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 road.

Driveway Width Driveways shall be twenty (20) feet wide to accommodate emergency vehicles

Culverts Shall be not less than 24 feet long, diameter to be determined by Town Board to assure proper drainage. Landowner is responsible for cost of installation.

Truck Weight Limits When appropriate, the Town Board shall cause the maintenance crew to post weight limit signs, not to exceed 7 tons.

SECTION E. No person shall cause a driveway to be built to a Town road without first obtaining a driveway permit and by abiding with such conditions, including culverts, as the Town Board shall direct.

SECTION F. Billboards are not permitted within public roadway.

SECTION G. Any person who fails to comply with the provisions of this Ordinance shall pay a forfeiture of not less than \$25 and not more than \$100, plus cost of prosecution. Each day that an individual is in violation of this Ordinance shall be considered a separate violation for which a separate penalty may be applied.

This ordinance adopted by the Town Board of the Town of Athelstane on this 10th day of August, 2005.