301.1 Driveway, Field Road and Right-of-way Ordinance

I Authority
II Purpose
III Definitions
IV Reminders
V Requirements for Driveways
VI Driveway Permit Required Prior to Commencing Driveway Installation or Modifications
VII Application for Driveway Permit; Engineering Plan Requirement
VIII Requirements for Engineering Plan
IX Enforcement
X Field Road Requirements; Field Road Permit Required
XI Trail Requirements; Trail Permit Required
XII Condition Caused by Existing Driveways and Field Roads
XIII Activities in Town Road Right-of-way
XIV Penalties
XV Effective Date

SECTION I – AUTHORITY

This Ordinance is adopted pursuant to the general powers granted under Wisconsin Statutes Sections 60.10(2)(c), 60.22(3), 60.61(1m), 61.34(1), 101.02(7), 101.65, 101.76, and 236.45 and authority recognized in Wisconsin Administration Codes.

SECTION II – PURPOSE

A. This Ordinance regulates the siting, construction, improvement or modification of driveways, trails and field roads as well as excavation and depositing of materials in the right-of-way. Its purpose is to assure that the design, location, method of construction and conservation practices used in creating and maintaining driveways, trails, field roads and the public right-of-way promote public safety and the general welfare of the community.
B. This ordinance should be interpreted and enforced consistent with the Town of Berry Comprehensive Plan.
C. Topography, location and the characteristics of roads make each piece of property unique. The Town Plan Commission and Board of Supervisors shall exercise discretion in applying this ordinance so as not to impose any requirement which is an undue burden on the owner of the driveway or field road relative to the benefit to the community.

SECTION III – DEFINITIONS

A. Improvements. Residential dwelling units, buildings, structures and land uses which may require emergency services. Preparing the soil for growing crops, pasture, woodlot, or leaving the land fallow are land uses which shall not be considered Improvements.
B. Driveway. Any distinct path, road or area of access from a public road in the Town to an improvement. Use of driveways normally includes but is not limited to automobiles, trucks and farm equipment. A driveway need not be located entirely on the same parcel as the improvement to be served by the driveway, but the Town must be satisfied that the owner of the improvement has individual authority and enough control over the land

underlying the entire length of the driveway to unilaterally fully implement the requirements of this ordinance.

C. Shared Driveway. A driveway to be utilized by more than one residential dwelling unit or by one or more residential dwelling units and a commercial or retail building or use.

D. Field Road. Any established, clearly visible and regularly used path, road or area of access commencing at the shoulder of a public road in the Town which does not create a way of access to an improvement, and which path, road or area of access is clearly visible and regularly used. Use of field roads normally includes but is not limited to automobiles, trucks and farm equipment. Installation of a culvert is considered to be in connection with a field road unless installed in connection with a driveway.

E. Trail. Any established path, road or area of access from a public road in the Town that is open to the public and that serves as a thoroughfare for pedestrians, horses, non-motorized vehicles, snowmobiles, ATV's but not for automobiles, trucks or farm equipment. Trails may be used for either recreation or transportation, by modes specified, and typically connect points of public access such as roads or go from such a point to a specific destination. Trails typically cross more than one or a few properties.

F. Person. An individual, partnership, limited liability company, corporation, company, owner, occupant, tenant, or user.

G. Recorded Shared Driveway Agreement. Runs with the land, specifies how responsibility for construction and maintenance of a driveway, or a shared use portion of a driveway, will be shared among users of that driveway. If a recorded shared driveway agreement upon which a driveway permit has been issued is modified or otherwise amended with respect to how construction and maintenance is shared, it may only do so with approval of the Town Board.

SECTION IV – REMINDERS

A. State, County, and Village Requirements. Driveways which cross state, county or village road right-of-ways will require permits from those respective entities.

SECTION V - REQUIREMENTS FOR DRIVEWAYS

A. Driveway Visibility Requirement. In order not to present a transportation safety hazard on a public road, a driveway may connect to a public road only if the location of the connection allows significant advance visibility of on-coming traffic from both directions to vehicles exiting the driveway, and sufficient braking distance to any vehicle traveling the road who encounters a vehicle slowed to enter the driveway. In making this determination, the slope of the road, whether it is straight or curved, and the road's posted speed limit shall be considered. When issuing the permit, the Town may choose to specify a range of location, segment of a town road, within which the center line of a driveway entering a town road may be allowed.

B. Culverts With End Walls May Be Required. Where a driveway will cross a ditch, culverts with end walls shall be installed under the driveway to ensure water in the ditch is not obstructed by the driveway. Culverts may be metal, poly, or concrete. Figures 1 and 3 illustrate proper culvert placement.

C. Maximum Slope That May be Disturbed.

1. New Driveway. No land with a slope of more than 25% averaged over a distance of 25 feet shall be disturbed for the construction of a driveway.

2. Existing Driveway. Where an existing driveway presents a safety hazard, in the Board's discretion it may allow land with a slope of 25% or more to be disturbed if necessary to modify, improve or relocate the driveway to alleviate or remove the hazard.

D. Slope of Driveway Centerline. The surface of the first 10 feet of the driveway or the length of driveway from highway pavement edge to culvert center, whichever is lesser, adjacent to the paved/traveled area of the public road shall be lower than and shall slope away from the edge of the surface of the paved/traveled area of the road. In addition, the slope of the driveway's centerline for the first 45 feet of driveway as measured from the centerline of the public road right-of-way shall not exceed 4%. After the first 45 feet, the slope of the driveway's centerline shall not exceed 12% averaged over any 50 foot segment. See figure 3.

E. Width, Base, Finished Surface and Emergency Vehicle Turnaround.

1. For Driveways to Residential Dwelling Units the driveway shall have:
   a. A base course at least 12 feet wide which will support the passage of vehicles, including emergency vehicles, at all times of the year considering soil and moisture conditions underlying the driveway. See Figure 3.
   b. A finish surface of either 3/4 inch and/or 1 ¼ inch gravel with fines at least 2 inches thick and 12 feet wide over the base course for the following crushed materials; crushed limestone, crushed recycled concrete product, crushed recycled asphalt product and crushed gravel. Other surfaces may be applied over the 3/4 inch and/or 1 ¼ inch gravel with fines layer.
   c. As the driveway approaches the public road, the driveway's width shall widen as shown in Figure 1 and such widened area shall also be covered with base course and finish surface.
2. For Shared Driveways the driveway shall have:
   a. A base course at least 16 feet wide which will support the passage of vehicles, including emergency vehicles, at all times of the year considering soil and moisture conditions underlying the driveway. See Figure 3.
   b. A finish surface of either 3/4 inch and/or 1 ¼ inch gravel with fines at least 2 inches thick and 12 feet wide over the base course for the following crushed materials; crushed limestone, crushed recycled concrete product, crushed recycled asphalt product and crushed gravel. Other surfaces may be applied over the 3/4 inch and/or 1 ¼ inch gravel with fines layer.
   c. As the driveway approaches the public road, the driveway's width shall widen as shown in Figure 1.
3. For Driveways Exceeding 1,000 Feet in Length all width, base and finish surface requirements for a driveway to a residential dwelling unit as described in subsection (1) above shall be met and, in addition, there shall be at least one "passing segment" within each 1,000 foot length of driveway. A "passing segment" means a segment of driveway at least 50 feet long and 18 feet wide (making 2 vehicle lanes at least 50' x 9' each) and including 12.5 foot long entrance and exit triangles to the 50' x 18' segment. Figure 6 illustrates a passing segment. Base course and finish surface shall be applied to the entire passing segment. Passing segments shall be located as near to the middle of each 1,000 foot segment as possible.
4. Emergency Vehicle Turnaround. In addition to the requirements in subsections (1), (2)

and (3) of this section, any driveway, including shared driveways, exceeding 250 feet in length shall have an emergency vehicle turnaround. An "emergency vehicle turnaround" means an area of driveway in addition to that defined in subsections (1), (2) and (3) of this section which is large enough and is shaped to allow an emergency vehicle to turn around rather than retrace the entire driveway in reverse. Figures 4 and 5 illustrate satisfactory emergency vehicle turnarounds. The emergency vehicle turnaround shall be located at least 100 feet and no more than 250 feet from the improvement which the driveway serves and shall have a base course and finish surface.

F. Ditches and Backslope. If there is a ditch adjacent to the driveway, the distance from the centerline of the driveway to the centerline of the ditch shall be at least 10 feet. The slope from the edge of the driveway to the centerline of the ditch shall not exceed 25%. The slope from the centerline of the ditch to natural ground, the "backslope" or side of the ditch furthest from the edge of the road, shall not exceed 33% if no engineering plan is required and 50% if an engineering plan is required under this ordinance. Figure 2 illustrates this requirement.

G. Obstruction Free Area. To accommodate emergency vehicles, a driveway must have an obstruction free zone that is at least 14 feet high and 20 feet wide centered on the centerline of the driveway. See Figure 2.

H. Curves. The minimum radius of the inside of any curve in any driveway shall not be less than 30 feet.

I. Easements. Where the right to install or use a driveway or any segment of a driveway is granted by easement, such grant shall convey rights adequate to building and maintaining a driveway conforming with this ordinance.

J. Wetlands or Waterways. No driveway may include any section that fills wetlands or waterways in contravention of State or Federal law.

K. Water Discharge. No driveway shall cause a substantial increase in the volume or rate of water discharged to adjacent properties or road right-of-way unless the owner of the affected property has granted an easement.

L. Modification of an Existing Driveway. If the permit requested is for modification of an existing driveway, the Board may, in its discretion, grant variances from Town driveway specifications herein in such permit when existing site conditions make it impractical to meet some of those specifications, provided the resulting driveway improves the utility and safety of the existing driveway, and brings it as close to compliance with those specifications as the Board deems practical.

M. Paving a Driveway. Concrete pavement may only come to the right-of-way and not to the road edge, unless a written, signed waiver has been approved by the Town Board and filed with the Clerk. The Town will not be responsible for replacement of concrete pavement when it is disturbed or removed in the course of reconstruction or repair of Town roads, or by snowplowing or other maintenance of the road by the Town.

SECTION VI – DRIVEWAY PERMIT REQUIRED PRIOR TO COMMENCING DRIVEWAY INSTALLATION OR MODIFICATION

A. Driveway Permit Required for New Construction or Material Alteration of Existing Driveway. A Town of Berry driveway permit is required before any of the following activities may be commenced:

1. Constructing a driveway or segment of a driveway in Berry.
2. Constructing a driveway which connects to a Berry road, even if the improvement is in another municipality.
3. Extending a driveway in Berry.
4. Improving or altering an existing driveway or driveway segment which is either in Berry or which connects to a Berry road such that:
   a. The route of the driveway is altered; or
   b. The direction, volume or rate of flow of surface waters discharging from the property onto other property or onto the public road right-of-way is materially increased; or
   c. The centerline slope of any 50 foot segment of the driveway will be 12% or greater after the alteration.

B. Driveway Permit Period. Construction of the driveway for which a permit has been issued must be completed within 2 years following the issuance of a permit or the permit will expire. Completion occurs upon approval of the installed driveway by the Town Board. Once a permit is expired authorization to construct the driveway is revoked. A new permit may be applied for.

C. Application for Permit Extension Due to Extenuating Circumstances. Any permit holder who, due to unanticipated hardship, has failed to complete construction within 2 years of the permit approval date, and who requests an extension of the permit from the Town Board prior to the expiration of the permit, shall be granted an extension of the permit not to exceed 9 months. The Town Board may request a recommendation from the Plan Commission before acting on any request for extension.

D. Actual Construction to Comply With Ordinance. A driveway permit is issued based on the applicant's representation that once the driveway is installed or modified, it will meet the requirements of Section 5 of this ordinance and be consistent with the information submitted during the permit approval process.

SECTION VII – APPLICATION FOR DRIVEWAY PERMIT; ENGINEERING PLAN REQUIREMENT

A. Application. A completed Driveway Permit Application Form with all required attachments must be submitted to the Town Clerk. The Form is available from the Town Clerk. The required attachments must:
   1. Identify the land which is the subject of the application and its owner; if the right to the driveway derives from an easement, provide a copy of the easement or describe it including a legal description;
   2. Show the location of the driveway on a site map to scale. Entry into a town road, driveway segments that cross slopes greater than 20%, driveway segments within 30 feet of wetlands or marshy areas, and driveway segments within 10 feet of a parcel boundary must be located precisely;
   3. Describe the soil types and slopes which the driveway will cross;
   4. Illustrate and describe an erosion control plan;
   5. Provide a copy of a shared driveway agreement, if any part of the driveway is to be a shared driveway;
   6. Show existing or proposed zoning; and
   7. Include an engineering plan, if required.

B. Engineering Plan Required for Certain Driveways and Otherwise As the Town Board Determines. A driveway plan prepared by a civil engineer is required for any proposed driveway segment which:
   1. Is intended or is likely to disturb land with a slope of more than 20% averaged over a distance of 25 feet; or
   2. Which will require any kind of significant erosion control measures, for instance, a retaining wall or structure or special seeding.
   3. Also, the Town Board may, in its discretion, make submission of an engineering plan a condition which must be met prior to issuance of a permit. When an engineering plan is required, the Town Board will not approve a permit until it:
      a. Has first approved the engineering plan and
      b. Approvals from Dane County and/or the State of Wisconsin per Wisconsin Statutes Section 86.07 have been obtained, if required. See Section 8 for engineering plan requirements. Submission of an engineering plan which meets the requirement of this ordinance does not guarantee the issuance of a permit.

C. Application Fee for Driveway Permit. The applicant must submit a fee, amount obtainable from the Town Clerk, with each completed application for a driveway permit or the application will not be processed. The fee is not refundable.

D. Town Clerk to Create Forms and Process Applications. The Town Clerk shall design and create a supply of driveway permit application forms.

E. Amending Permits. A completed Driveway Permit Application Form showing requested modifications and information appropriate to support those modifications must be submitted to the Town Clerk.

SECTION VIII – REQUIREMENTS FOR ENGINEERING PLAN

If an engineering plan for a driveway is required by this ordinance or the Town Board, such engineering plan shall include the following.

A. Maps and Diagrams. Written diagrams, maps and/or schematics which depict the following:
   1. The precise location of the driveway;
   2. A centerline profile showing the elevations of the driveway and the corresponding grade elevations of the existing natural land;
   3. The location, size, shape and material of any retaining walls;
   4. The slope of the centerline of the driveway;
   5. The location and size of any culverts;
   6. The cross section of the driveway;
   7. Any mulching, matting or other method recommended for erosion control;
   8. Compliance with Dane County's Erosion Control and Stormwater Management Ordinance

B. Certification. The engineer who prepared the plan shall certify over his or her professional seal that if the driveway is constructed or modified according to the design described in the plan, the result will be a driveway which complies with this ordinance.

SECTION IX – ENFORCEMENT

A. Construction. A driveway must be constructed or modified so as to meet the requirements of Section 5 of this ordinance and according to the information submitted in the

application for a permit for the driveway. If those portions of the driveway located outside the road right of way for which an engineering plan was not required are not constructed as shown in the permit, but otherwise comply with the requirements of Section 5 of this ordinance, the driveway shall be approved. Those portions of a driveway for which an engineering plan was required that are not constructed according to the approved engineering plan, may/shall be approved upon receipt of signed certification by a licensed engineer over his or her professional seal that the driveway complies with this ordinance. If the driveway located within the road right of way is not constructed as shown in the permit, but otherwise complies with the requirements of this ordinance, the driveway may be approved at the sole discretion of the Town. See (7) (E) Amending Permits.

B. Inspections. The Town Board shall establish procedures for the inspection of driveways to determine compliance with the provisions of this Ordinance and the information submitted in application for a permit for the driveway. A driveway is ready for inspection when the final rough grade, emergency turnaround, if needed, and crushed aggregate base is installed (final surface gravel or asphalt is not required for inspection). Damage to the Town Road in the area of the driveway entrance, caused by or related to construction activity on the property served by the driveway, shall be repaired by and at the cost of the driveway permit holder, upon demand of the Town, and no driveway may be approved as completed until such repairs are completed or the cost for performing such repairs has been paid to the Town.

C. Incomplete or Non-Conforming Driveways. The permit holder will be notified in writing if the driveway is incomplete or fails to conform to the plan or any section of this Ordinance. The driveway will be inspected again after the permit holder makes any necessary corrections. If more than 3 inspections are required to confirm compliance with this Ordinance and the plan for the driveway approved by the Town Board, the permit holder will be charged for each subsequent inspection.

D. Bringing Driveway into Compliance. When a driveway does not conform to this Ordinance, the Town Board may, if it chooses, bring the driveway into compliance, or, in the event of an abandoned, unfinished driveway, to remediate the area to correct any material erosion or safety problems and to prevent damage to a Town road. The permit holder grants the Town irrevocable access to the property to do so by accepting the original permit. The Town may recover such costs from the permit holder. If such costs are not timely paid by the permit holder, such costs shall be assessed as a special charge against the property served, pursuant to Wisconsin Statutes Section 66.0703. The Town Board shall not be required to use the remedies provided in this Section prior to using any other method of enforcement provided in this Ordinance, and this remedy shall be in addition to any other enforcement remedies provided for in this Ordinance.

SECTION X – FIELD ROAD REQUIREMENTS; FIELD ROAD PERMIT REQUIRED

A. Permit Required. A Town of Berry field road permit is required before constructing or modifying that part of a field road which traverses Berry road right-of-way.

B. Requirements for Field Roads. The surface of the first 10 feet of a field road or the length of field road needed to cross an installed culvert, whichever is greater, adjacent to the paved/traveled area of the public road shall be lower than the edge of the surface of the paved/traveled area of the road. In addition, the slope of the field road's centerline for the

first 45 feet of the field road as measured from the centerline of the public road right-of-way shall not exceed 4%. Culverts may be metal, poly, or concrete.

C. Field Road Permit Application. To apply for a field road permit, a completed Field Road Permit Application Form must be submitted to the Town Clerk together with the proper Field Road Permit Application Fee amount. The application form and permit fee amount is available from the Town Clerk.

SECTION XI – TRAIL REQUIREMENTS; TRAIL PERMIT REQUIRED

A. Permit Required. A Town of Berry trail permit is required before constructing or modifying that part of a trail which traverses a Berry road right-of-way.

B. Trail users. The scope of trail use will be determined by the trail permit. Trail use may include all forms of pedestrian (walking, running, skiing, rollerblading, etc), non-motorized vehicles (bicycles, baby carriages, etc), equestrian (riding, driving), and snowmobiles, and ATV's. Use by motorized wheelchairs may be allowed for those requiring their use to meet ADA requirements on trails constructed to accommodate such vehicles. Allowable trail use will be determined at the time a trail is permitted, and may be reviewed from time to time and further restricted if permitted uses are found to be in conflict.

C. Requirements for Trails.

1. Slope. The surface of the first 10 feet of a trail or the length of trail needed to cross an installed culvert, whichever is greater, adjacent to the paved/traveled area of the public road shall be lower than the edge of the surface of the paved/traveled area of the road.
2. Culverts. If a trail is to be paved, or if expected use of the trail will cause ditch erosion within the right of way, a culvert may be required. Culvert materials shall be designated by the permit
3. Visibility. In order not to present a transportation safety hazard on a public road, or a hazard to trail users, a trail may connect to a public road only if the location of the connection allows significant advance visibility of on-coming traffic from both directions to trail users exiting the trail, and sufficient braking distance to any vehicle traveling the road who encounters a trail user entering the road. In making this determination, the slope of the road, whether it is straight or curved, and the road's posted speed limit shall be considered. When issuing the permit, the Town may choose to specify a range of location, segment of a town road, within which the center line of a trail entering a town road may be allowed. On road parking may be restricted according to Wisconsin Statutes Section 349.13 if necessary to assure safe visibility.
4. Off Road Parking. Where ingress or egress from a trail is expected at a public road, sufficient off road parking shall be provided for the anticipated number of trail user vehicles, but not less than 10 vehicles. Parking lot size will be determined based on user vehicle type. Automobiles will require 30 feet by 12 feet minimum per vehicle. Snowmobile vehicles and trailers will require 16 feet by 50 feet minimum per vehicle combination, and horse trailers will require 24 feet by 75 feet minimum per vehicle combination.

D. Trail Permit Application. To apply for a trail permit, a completed Trail Permit Application Form must be submitted to the Town Clerk. The application form is available

from the Town Clerk.

SECTION XII – CONDITION CAUSED BY EXISTING DRIVEWAYS AND FIELD ROADS

A. When a driveway or field road washes or causes a potential hazard to a public road, the Town Board shall, in writing, notify the owner(s) of the land traversed by the driveway/field road of the potentially hazardous conditions and require the owner to take remedial action to correct the problem. Such notice shall state the deadline for correcting the problem. The Board may subject any property owner who fails to correct the conditions within the time frame stated in the notice to the penalties of this ordinance. In addition, as provided by Wisconsin Statutes Section 66.0703, the landowner shall be liable for any costs incurred by Berry to remedy the hazardous conditions.

B. In the event the Town requires the replacement of any culvert which is located in Town road right-of-way for an existing driveway or field road the construction of which pre-dated the effective date of this ordinance or the construction or modification of which had previously been finally inspected and approved by the Town Board pursuant to Section 9 of this Ordinance, or in conjunction with the road repair or replacement undertaken by the Town, the Town shall pay the entire cost of such replacement.

C. In all other circumstances the property owner shall be responsible for the cost of maintaining their driveway in its existing condition if it predates this ordinance, or in the condition it was in at the time of the most recent final inspection and approval, pursuant to Section 9 of this Ordinance, except for the nature of improvements or alterations permitted without permit under Section 6 (A)(4).

D. Fences adjoining Town right-of-way shall be erected and maintained in accordance with applicable state statute. Replacing a fence removed or altered to accommodate Town road repair, rebuilding or ditching shall be at the expense of the Town only if the existing fence is on the property line or a permitted structure in the right-of-way.

SECTION XIII – ACTIVITIES IN TOWN ROAD RIGHT-OF-WAY

A. No Objects in Town Right-of Way. No object may be permanently constructed or placed within 33 feet of the centerline of any Town road except culverts with end walls, mailboxes, road signs and utility fixtures, including poles. A mailbox installation shall be placed on the side of the highway in the direction of travel by the U.S. Postal Service delivery person. The installation must comply with DOT #14. The newspaper delivery box or tube must be located no more than 12 inches to the left or right side of the regular mailbox or the newspaper delivery box or tube may be mounted on the same post as the U.S. postal box and shall have minimum interference with road maintenance.

1. No Permit Required. Installation of a mailbox or newspaper tube, harvesting of trees, mowing, recovering of gravel washed onto town road or right-of-way, cleaning manure or debris that has fallen in the right-of-way, repair or regrading of existing driveway or field road to return to original condition and control of invasive weeds, will not require a permit.
2. Permit Required. No person shall make any excavation, or fill, or install any culvert, or make any other alteration, or deposit or store materials in any Town Road right-of-way, or in any manner disturb any highway or bridge without a permit thereof from the Town. Such permit shall contain the statement and be subject to the conditions

that the work shall be constructed subject to such terms and conditions as may be prescribed by the Town and be performed and completed to its satisfaction. In the case of temporary alterations the highway or bridge shall be restored to its former condition and that the permittee shall be liable to the Town, as the case may be, for all damages which occur during the progress of said work or as a result thereof. The Town Chairperson shall set such reasonable terms and conditions as he or she determines are necessary to affect this chapter's purpose, subject to appeal to the Town Board upon the permit applicant's request. Examples of activities subject to this section include, but are not limited to, utility pole and wiring placement, regrading, temporary storage of agricultural and forestry materials, storage of disabled vehicles, burning barrels and similar uses.

B. Permit Process.
   1. Application for Right-of-Way Work Permit. The applicant must submit a completed application for a Right-of-Way permit to the Town Clerk.
   2. Town Clerk to Create Forms and Process Applications. The Town Clerk shall design and create a Right-of-Way permit application form to be reviewed and approved by the board.
   3. Amending Permits. A completed Right-of-Way Permit Application Form showing requested modifications must be submitted to the Town Clerk.
   4. Reporting. At each regularly scheduled Town Board meeting, the Town Chairperson shall report all requests for permits that have been received and permits that have been granted under this section since the last regularly scheduled Town Board Meeting.

SECTION XIV – PENALTIES

A. Any person who violates or refuses to comply with the requirements of this ordinance shall be subject to a forfeiture of not less than $50.00, nor more than $200.00 plus costs incurred by the Town to enforce the ordinance. Each day a violation is permitted to exist shall constitute a separate offense. In addition, the Town may seek an injunction ordering compliance with this ordinance. The Town shall not be required to prosecute for forfeiture before seeking an injunction.

B. If any culvert is installed, or any excavation or fill, or any other alteration or deposit or storage of materials is made in violation of the provisions of Section 12, above, the highway may be restored to its former condition by the Town and any person who violates this subsection shall be punished by a fine of not less than $5, nor more than $100, and shall reimburse the Town for all costs of restoration.

SECTION XV – EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

Dated this 17th day of June, 2024

Published: June 27, 2024
Posted: June 20, 2024

Brenda Kahl, Clerk/Treasurer
David Evert, Supervisor

Duane Haag, Chairperson
Michael Statz, Supervisor

Nichole Schwoerer, Supervisor

Derek Statz, Supervisor

Diagrams not to scale

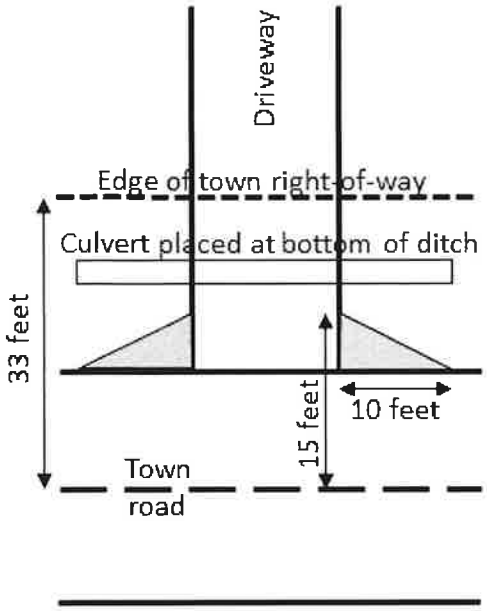

Figure 1. Entrance of a driveway into Town road. Minimum culvert size is 30' long x 18" diameter or 15" x 21" oval. Larger culverts may be required by the Town where needed. All culverts within the town right-of-way require end walls at both ends.

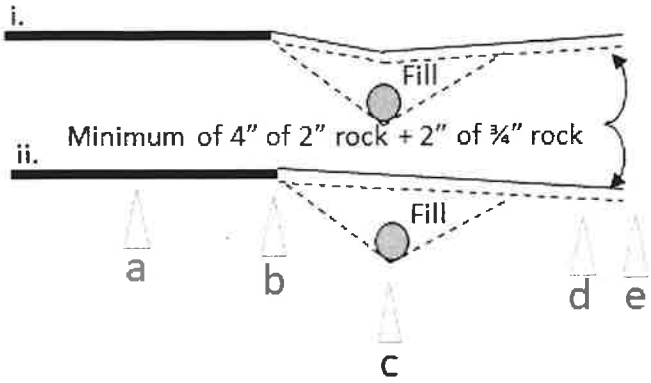

Figure 3. View of profile of public road and driveway showing placement of culvert and slope within town right-of-way.
a. Center line of Town (public) road.
b. Edge of pavement or traveled portion of public road.
c. A point on the surface of the driveway normally immediately above the center of the culvert, which in turn is placed in the center line of ditch. The slope from point **b** to point **c** must be between -1% and -4%.
d. Edge of public right-of-way which is 33 feet from point **a**.
e. A point on the driveway 32 feet from the edge of the pavement or traveled portion of the public road (point **b**). The slope from point **c** to point **e** may not be greater than 4% **(i)** or less than -4% **(ii)**.

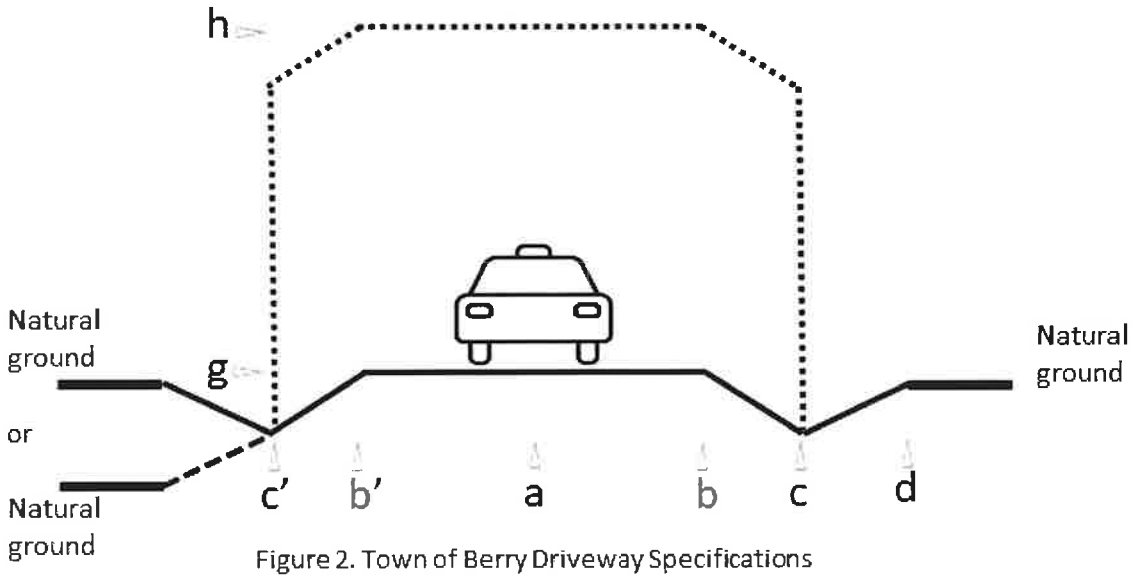

Figure 2. Town of Berry Driveway Specifications

b-b'	Finished surface, width (feet)	12
a-c	Minimum distance from centerline to ditch (feet)	10
b-c	Maximum slope from driveway edge to ditch (%)	25
c-d	Maximum slope (%) of backslope, no engineering plan	33
	Maximum slope (%) of backslope, with engineering plan	50
g-h	Height of obstruction-free area (feet)	14
c-c'	Width of obstruction-free area (feet)	20

Diagrams not to scale

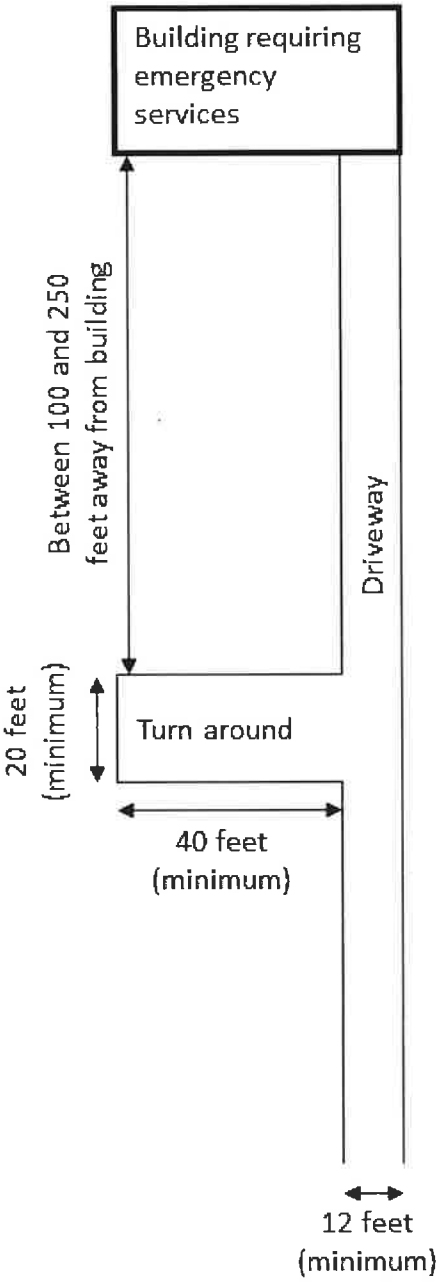

Figure 4. Rectangular emergency vehicle turn around design. The turn around must be a minimum of 20 feet x 40 feet, with the long axis perpendicular to the driveway. The turn around must be at least 100 feet and no more than 250 feet from a structure that may require fire protection.

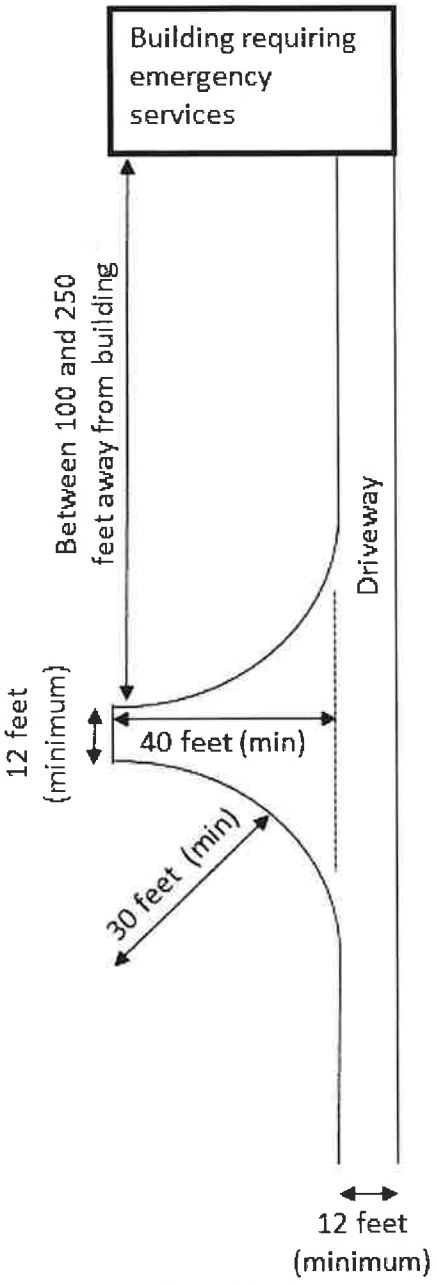

Figure 5. In back-out emergency vehicle turn around design. The turn around must be a minimum of 40 feet deep. The radius of curvature of each arc shall not be less than 30 feet. The base of the turn around must be at least 100 feet and no more than 250 feet from a structure that may require fire protection.

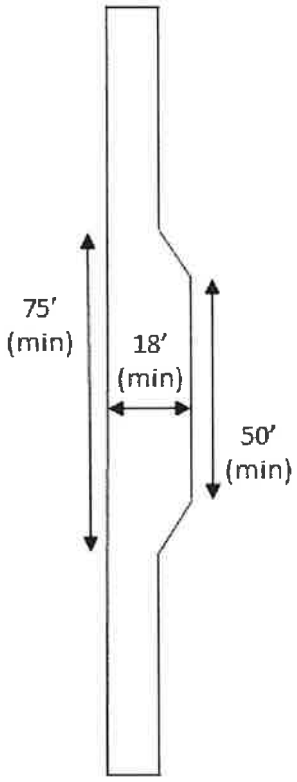

Figure 6. Passing lane segment is 18 feet wide and 50 feet long with 12.5 foot long entrance and exit triangles for a total of 75 feet long.