TOWN OF NEWPORT

TOWN ROAD ORDINANCE O-1-97

1.01 Title. This ordinance shall be called the Town Road Ordinance for Town of Newport, Columbia County, Wisconsin.

1.02 Purpose. The Town Board of the Town of Newport finds that residential and commercial development within the town may result in the construction of roads serving the development and that the public interest may require that these roads become public roads for which the Town of Newport will be responsible. The purpose of this Section is to adopt minimum requirements for roads to be constructed in the Town, to ensure that these roads are safe and meet certain minimum the standards.

1.03 Statutory Authority. This ordinance is adopted as authorized under *s. 60.50 and Chapter 81 of the Wisconsin Statutes.*

1.04 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law.

1.05 Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by the *Wisconsin Statutes*, or by a standard in the *Wisconsin Administrative Code*, and where the ordinance provision is unclear, the provision shall be interpreted in light of the *Wisconsin Statutes* and the *Wisconsin Administrative Code* standards in effect on the date of adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

2.00 Adoption of State Standards. The provisions of *Wisconsin Administrative Code* Chapters *Trans. 204 and Trans 206,* and as amended from time to time, are hereby adopted and incorporated herein as if set forth in full, except for those provisions that are expressly modified herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made part of this Ordinance. In the event of a conflict between the Wisconsin Administrative Code and this ordinance the more restrictive provision shall control.

2.01 Specifications for Roads. All roads constructed by persons for dedication to the town or intended to be used as a public roadway shall be constructed in accordance with the requirements of Wisconsin Administrative Code regulating town roads as well as the following specifications:

a. The arrangement, character, extent, width, grade and location of all roads shall be considered in their relation to existing and planned roads, to topographical conditions, to public safety and convenience and in their appropriate relation to the proposed uses of the land by such roads.

b. The width of rights-of-way for all roads shall be 4 rods (66 feet).

c. The rights of way shall be kept cleared of trees and brush

d. Ditches for carrying off storm water shall be provided as required. There shall be no ponding. Drainage shall be towards the highway and away from adjoining lots. Drainage shall be constructed to insure that there is no deterioration of the roadway.

e. Culverts shall be installed with end walls and 18" drains as required and as determined by a licensed engineer.

f. The road base shall be gravel to a 28-foot top.

g. The road base shall be 8-10 inches of gravel.

h. The road surface shall be hot mix asphalt to a twenty-foot top. The asphalt surface shall be two coats of 1.5 inches compacted twice with the first coat applied no sooner than one year after the gravel base has been constructed. [redacted]

i. All cul-de-sacs shall have a 200-foot diameter paved turn around area.

j. All guard posts, rails signs shall be installed as determined by the Town Board.

k. The Town Board shall inspect the road during construction

l. The Town Board may require that prior to construction of the roadway that the developer obtains at its expense soil borings to determine the suitability of the soil for proposed road. way

m. All requirements and provisions of this ordinance may be waived by the Town Board under circumstances deemed proper by the Town Board.

n. The developer shall propose a name for the road. Existing road names shall be projected wherever possible. Road names shall be subject to the approval of the Town Board.

o. In the event that the proposed road intersects with a County, State or National highway, said intersection must comply with the applicable county, state or federal standard.

p. The Town Board reserves all rights to accept or reject any proposed dedication whether or not such road conforms with the requirements of this ordinance.

q. It is recommended that road grades not exceed more than 5%.

r. A performance bond issued by a bonding company acceptable to the Town Board or an irrevocable letter of credit in an amount equal to the [redacted] cost of construction of the road is required. In lieu of a bond the Town Board may accept an irrevocable letter of credit issued by a financial institution acceptable to the Town Board in an amount equal to the [redacted] cost of construction of the road.

DEVELOPER'S (Bid)

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3.00 Engineer certification. No road shall be accepted by the town by the Town for dedication without receiving a statement signed by a certified engineer that the road meets the requirements of the Wisconsin Administrative Code and the minimum requirements of this ordinance.

4.01 Severability. If any provision of this ordinance is invalid or unconstitutional or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provisions or application.

4.02 Applicability. The requirements of this ordinance apply to all persons and properties within the Township of Newport unless specifically exempted therefrom as provided in this ordinance.

4.03 Effective Date. This ordinance shall take effect on the date of publication following passage.

4.04 Enforcement and penalties.

Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be subject to a forfeiture of not less than $10.00 nor more than $200.00, together with the costs of the action, and in default of payment thereof to imprisonment in the County jail for a period of not less than one (1) day nor more than six (6) months, or until such forfeiture and costs be paid. Compliance therewith may be enforced by injunction at the suit of the Town or the owner or owners of the land within the Town affected by the regulations of this ordinance. Each day of violation of this ordinance shall constitute a separate offense.

Donald P. Nelson
Town Chairman

Gordon A. Wheeler

Richard C. Anderson

Dated and Introduced: 7/8/97
Published before Passage: 8/2/97
Passed: 9/9/97
Published after Passage: _____

Attest:

Town Clerk