

TOWN OF LIBERTY GROVE
ORDINANCE #3-06
STANDARDS FOR CONSTRUCTION AND ACCEPTANCE
OF TOWN ROADS

The Town Board of the Town of Liberty Grove (hereinafter referred to as “the Town”), in the County of Door, State of Wisconsin, does hereby ordain as follows:

Ordinance 1-82 is hereby repealed

This ordinance #3-06 supercedes any and all previous ordinances pertaining to the construction of public roads and public road standards

Purpose.

The rules and regulations set forth in this Ordinance are to establish standards for the construction of roads within the Town, to enhance the general safety of roads and promote efficient and sound road construction standards for the general welfare of the Town.

Section I.

A. Definitions

1. **Town Road:** a public thoroughfare for which work has to be done in its construction and maintenance, including but not limited to clearing, excavating, filling, leveling, compacting, paving, crack filling and chip sealing.
2. **Private Road:** a road that has been or is to be constructed that serves private residences or businesses and for which the same amount of work may or may not have been done as that for a Town road.

Section II.

A. Permits

1. Anyone who wishes to build a road in the Town shall first apply in writing for a permit from the Liberty Grove Town Board, in a form satisfactory to the Town.
2. A \$50 permit fee shall accompany the application, which amount may be changed by Town Board action without amendment to this ordinance.
3. The Town Clerk/Administrator (hereinafter C/A) shall first inspect the area on which the road is to be built. Plans, surveys, and maps shall be furnished and the road staked prior to C/A inspection. Upon satisfaction that the proper criteria have been met, a permit shall be issued, signed by the C/A and Town Chairman.
4. A road permit shall be good for one year. If construction is not begun within one year, a new permit must be applied for and the appropriate fee paid.

Section III.

A. Road standards

1. Width

- a. Right of way width shall be four (4) rods, that being 66 2/3 feet
- b. Surface (traveled) width shall be 20 feet on a minor side road, and 22 feet on a major connecting road
- c. Shoulder width shall be 3 feet per side, consisting of gravel material

2. Grade

- a. A 2% grade from center to the edge of road shall be maintained
- b. Maximum grade shall be 6-7-9
- c. Maximum horizontal curve 7 – 30

3. Visibility

- a. The road shall be visible for a distance of 350 feet at the intersection with a town, county or state road.

- b. No object over 2 ½ feet in height above the road and within 25 feet of the intersection will be allowed if it obstructs the view. The only exceptions will be stop signs, street signs and other traffic control signs of this nature.
- c. All trees, brush and stumps shall be removed from the right of way to a minimum of 40 feet in total width.
- d. No objects shall be allowed to be placed in the road right of way without permission of the Town Board.
- e. Objects allowed in the right of way without permission include Town regulatory signs and mailboxes (see Town Ordinance #8-01 regarding siting of mailboxes).

4. Construction

- a. All top soil shall be removed from the road bed area, and shall not be used for fill in the road bed area.
 - b. Stumps or other debris shall not be buried in the road bed.
 - c. Ten inches of crushed stone (breaker run or equivalent) shall be installed as a base with 8 inches of ½ to 5/8 inch gravel layered on top of the base. The surface gravel shall be placed the full width of the road surface, encompassing the shoulders on each side.
 - d. Vertical distance from top of traveled surface to bottom of ditch shall be a minimum of 21 inches.
 - e. Ditches shall be constructed to facilitate drainage of water from the roadbed area. Culverts (minimum 12” diameter made of corrugated metal) shall be installed when the road is determined to impede the natural flow of water. The Town Board shall determine the necessity of installing culverts. Should the property owner and/or their agent dispute the Board determination of a culvert, the Board shall hire an engineer to determine the water flow and charge the cost of the engineer to the contractor. All disturbed areas must be covered with 4 inches of topsoil and reseeded with a perennial grass.
 - f. Side banks shall be graded to a slope of not greater than 25%.
 - g. Vertical clearance of 13’6” shall be maintained throughout the road length.
 - h. Dead end roads are to be avoided whenever possible. A dead end road shall have a cul-de-sac with a radius of 65 feet. Roads greater than 1,000 feet in length may be granted a cul de sac at the discretion of the Town Board.
 - i. All roads that are paved shall have a minimum of 2.5 inches of compressed hot mix asphalt for the total width of the traveled surface.
- B. Acceptance of road into Town road system.
- 1. State Statute 82 shall govern the procedure for incorporating a road into the Town road system.
 - 2. Acceptance of a road into the Town road system shall be at the sole discretion of the Town Board, and subject to a final inspection by the Town Board or its designee. If such inspection reveals that corrections must be made, such corrections must be made before the Town Board considers acceptance of the road. Conformance to the standards as set forth in this ordinance does not guarantee that the road will be accepted by the Town Board.

3. All private roads that are requested to be turned over to the Town shall meet the road standards as set forth in Section III. A. of this ordinance, including paving in Section III. A.4.i, before the Board considers the application.
4. All roads to be incorporated into the Town road system shall be conveyed to the Town by deed, said document to include a complete legal description of the road/land to be conveyed.

C. Private roads.

1. A private road shall have a sign at its intersection with a town, county or state road showing it is a private road.
2. Maintenance of a private road shall be the sole obligation of the adjacent owners of the private road.
3. Property owners along a private road selling a lot shall furnish a letter to the prospective buyer stating that the road is private and not maintained by the Town.

D. Penalties.

Penalties for violations of any provision of this Ordinance shall be not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), plus the costs and disbursements of prosecution, for any violation which occurs under the terms of this Ordinance. Each violation of any section constitutes a separate offense.

E. Conflicting Ordinances.

All ordinances in the Town that conflict with the provisions of this Ordinance in whole or in part are hereby repealed.

F. Severance Clause.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance.

G. Interpretation.

The provisions of this ordinance shall be liberally construed in favor of the Town, and shall not be construed to be a limitation on or repeal of any other power granted the Town under the Wisconsin Statutes.

H. Adoption.

This ordinance shall take effect upon passage and publication as provided by law. Adoption of this Ordinance by the Liberty Grove Town Board does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. Issuance of a citation hereunder shall not preclude the Town Board or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, citation or order.

Adopted at a regular meeting of the Town Board of the Town of Liberty Grove, Door County, Wisconsin, this 5th day of April, 2006.

I, Walter L. Kalms, Clerk/Administrator of the Town of Liberty Grove, Door County, Wisconsin do hereby certify that the above is a true and correct copy of an ordinance that was adopted on the 5th day of April, 2006 by the Liberty Grove Town Board.

Dated this 5th day of April, 2006.

Walter L. Kalms, Clerk/Administrator