

TOWN OF GIBRALTAR ORDINANCE NUMBER 1998-2 DRIVEWAY ORDINANCE

Section 1: Title/Purpose

This ordinance is entitled the Town of Gibraltar Driveway Ordinance. The purpose of this ordinance is as follows:

Whereas, interest has been expressed to establish standards for driveways that will provide for better and safer provisions for adequate access from private development to a public right of way.

Section 2: Authority

The Town Board of the Town of Gibraltar has the specific authority, powers and duties pursuant to Chapter 60, Wis. Stats., pursuant to the specific statutory sections noted in this ordinance and/or by its adoption of village powers under Section 60.10, to regulate and control certain uses, activities and operations in the Town of Gibraltar.

The Town Board of the Town of Gibraltar has been granted village powers pursuant to Section 60.10 Wis. Stats.

Section 3: Adoption of Ordinance

The Town Board of the Town of Gibraltar has, by adoption of this ordinance, confirmed the statutory authority, powers and duties noted in the specific sections of this ordinance and has established by these sections and this ordinance the regulation and control of certain uses, activities and operations in the Town of Gibraltar.

Section 4: Minimum Requirements

All new driveways proposed to be installed or any driveway alleged to be existing and serving open land without improvements and proposed to be converted to a driveway to serve one or more structures shall be subject to an inspection fee as established by the Town Board, to be paid to the township prior to the start of any construction on a new driveway and prior to the issuance of a building permit.

This ordinance applies to private roads which service 1 to 4 lots. The Door County Land Division Ordinance must be met at all times. Any driveway over 350 feet must also meet Town Requirements.

The applicant, who may be the owner, agent, or contractor, shall submit a location construction plan showing specifications including grade, slope, width, and length of the driveway and erosion control procedures.

Authorization for a driveway is subject to the approval of the Town Board wherein located and when so approved the Town Board will notify the door County Planning Department. The evidence of an existing driveway is either the clear indication of a driveway being in place by survey or aerial photo or a statement from the Town that an approved driveway is in place. If there is a dispute on the adequacy of an alleged existing driveway the decision of the Town Board will be the deciding factor. If there is not clear evidence by the

applicant that the driveway has been used during the last 12 months, the Town Board review process is required.

The following specifications shall apply:

Minimum road surface width:

Residence or duplex	15 feet	max 24 feet
Business	20 feet	max 35 feet

Minimum width clearance 16 feet

Minimum height clearance free of trees, wires, etc. 14 feet

Maximum grade 10 percent

At least one segment of road surface 25 feet in length and 18 feet in width shall be provided for each 300 feet of driveway length to provide for the safe passage of meeting vehicles. The driveway within the area of the public right of way shall slope away from the public road at a minimum of 1% and a maximum of 5% to prevent erosion onto the public road. Any requirements for culverts shall be determined by the Town in considering an application for driveway approval. If culverts are required, the minimum diameter shall be 12 inches. At the dead end of all new driveways, a turn around of at least 40 feet radius or some other method to allow vehicles to turn around shall be provided as determined by the Town Board. Illegal culverts will be removed at landowner's expense.

Section 5: Definitions

Driveway access: any area where travel occurs from a public or private road over land not considered to be a part of the public road, whether by easement or ownership, for the purpose of gaining access to land improvements.

Section 6: Effective Date

This ordinance shall take effect one day after its passage and publication as provided by law.

Adopted by the Town Board the 17th day of June, 1998.

Filed in the Office of the Town Clerk this 17th day of June, 1998.

Wallis Parker, Town Clerk

Richard Skare, Town Chairman

Merrell P. Runquist, Town Supervisor

Myrvin Somerhalder, Town Supervisor

Michael J. Burda, Town Supervisor

Judith Kalb, Town Supervisor