ARTICLE XXIV MORRISON TOWNSHIP CULVERT AND DRIVEWAY ACCESS ORDINANCE
Revised Sept 2003, Revised April 2015

1.0 Purpose: The purpose of this ordinance is to assure a uniform and proper type, size, installation and fill material for culvert and driveway access installations within the Town of Morrison on township public roads.

2.0 Abrogation and Greater Restrictions: It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

3.0 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 shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wis. Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and Chapter NR 544 standards in effect on this date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

4.0 Severability: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

5.0 Application: The requirements of this ordinance apply to all persons living and or owning property in the Town of Morrison.

6.0 Administration: The provisions of this ordinance shall be administered by the Morrison Town Board unless a committee, or person is appointed by said Board, to administer the provisions herein.

7.0 Effective Date: The provisions of this ordinance shall take effect upon publication. This ordinance shall apply to all new installations after February 5, 2002 and also shall apply to all replacement installations after that time.

8.0 Culvert Permit Required: Sale or conversion of any land wherein road access connecting to any public roadway is or may be required; said access may require installation and maintenance of a culvert of proper type, size, installation method and fill matter

8.01 No person shall construct or maintain any driveway across any ditch, sidewalk or curb or enter any road without first obtaining a culvert permit from the Town of Morrison.

8.02 There shall be a one time fee for any new access/culvert permit issued pursuant to the terms of this ordinance. The fee shall be set by the Town Board at the execution of this ordinance and reviewed yearly.

8.03 No building permit shall be issued or excavation begun until a driveway access and culvert permit for a proper size and type of culvert (if culvert needed) first be obtained from the proper town authority. (Sept 2003)

9.0 Type and Size of Culvert: The Town of Morrison in an effort to make uniform the size and type of culvert to be installed, hereby restricts culverts to the following:

9.01 Only new galvanized steel culverts shall be allowed for installation in the Town of Morrison.

9.02 Only factory manufactured culverts and splices of proper size shall be allowed for installation.

9.03 The minimum diameter of any culvert, regardless of placement location, shall be eighteen (18) inches or arched (oval) equivalent.

9.04 The minimum length of any culvert, excluding endwalls and regardless of placement location, shall be thirty (30)feet10.0 Method of Installation and Procedure: Culvert installation must be performed in the Town of Morrison road right-of-way and designated easements, and therefore, in all cases and regardless of who is paying for the installation of the culvert, the installation of the culvert must be inspected and approved by the Town of Morrison Supervisors or duly appointed Representative to assure proper and uniform installation.

The property owner may elect to have the culvert installed by a contractor of their choice or may contact a member of the Town of Morrison for referrals. All contractors performing culvert installations within the township must provide proof of Workman's Compensation insurance and liability insurance prior to beginning any form of excavation or culvert installation.

10.1 Upon proper application and receiving of a culvert permit, the property owner must notify the authorized Town of Morrison representative that the installation of a culvert is requested

10.2 The property owner shall place two markers 30-feet apart and within the ditchline, at the location where they wish the culvert to be installed.

10.3 The Town authorized representative shall visit the site in order to determine the proper length culvert, if a culvert is required, and to determine if excavation of material is required for installation.

10.4 The selected contractor shall install the proper size culvert and at least one load of stone. Additional stone may be required to bring the entrance up to grade and the cover must be 3/4 inch crusher run stone.

10.5 All culverts and endwalls must be set at time of installation by the contractor. If excavation of the ditch is necessary to ensure proper installation, the cost of the ditching is the responsible of the property owner.

The use of any decorative material is discouraged. If decorative material is used, the Town is not responsible for any damages that may occur, such as road and culvert repairs or if someone runs into it and causes damage to a vehicle.

10.6 The culvert must be set at least three (3) feet from the property line and only 3/4 inch crusher run stone may be used to cover the culvert or driveway within the road right-of-way. The driveway grade shall not be at a higher grade than the road at its meeting point.

10.7 A minimum of eight (8) inches of ¾ inch crushed stone shall be placed on top of the culvert. In the event that the eight (8) inches of cover makes the grade too high, the installation of an arch (oval) culvert may be required by the Town Board or approving authority representing the Town.

10.8 Proper bedding and filling must be placed around and beneath the culvert to set it properly. The Town Board may approve alternate types of gravel or stone but in no event shall dirt, clay or material other than gravel be used.

10.9 Installation of any culvert without first obtaining a permit therefore as required herein, private installation or replacement of a culvert in any manner inconsistent with the methods listed herein or if the property owner does not follow the guidelines set forth in this ordinance and has the culvert set by persons not authorized by the Town Board shall constitute a violation of this ordinance. The Town Board may order that the culvert be removed at the expense of the property owner.

10.10 It shall be the responsibility of the contractor to have all buried facilities located by a proper licensed agent of said facilities.

11.0 Construction and Maintenance of Driveway in Road Right-of-Way: No driveway constructed within any road right-of-way shall be surfaced with any material other than blacktop or gravel. At Town Board discretion, blacktopped driveways may be required to end before merging with the existing town road. It shall be the obligation of the owner of abutting and property benefited by such driveway so installed to maintain the same in a safe manner as to not interfere with safe travel upon the roadway.

11.0 Cont. The Town shall not be liable for any damage or for restoration of any driveway damaged during operations to maintain the roadway, culvert or ditch.

Whenever concrete exists over a culvert in the town right-of-way, that services the adjacent property owner, that property owner shall bear all expenses to remove the concrete and resurface. This shall apply to all existing future concrete installations.

In addition to penalties otherwise provided by this Ordinance, any driveway installed or maintained contrary to the provisions hereof may be removed pursuant to Wis. Stats. Sec. 86.04 as constituting an unauthorized structure or object encroaching upon a highway.

12.0 Except where a penalty is provided elsewhere in this ordinance; any person who shall violate any of the provisions of this ordinance shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

12.01 First Offense- Any person who shall violate any provision of this ordinance shall upon conviction thereof, forfeit not less than fifty ($50) nor more than One Thousand Dollars ($1000) together with the cost of prosecution.

12.02 Continued Violations: Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance.

12.03 The Town shall have any and all remedies afforded by the Wis. Statutes in addition to the forfeitures and costs of prosecution above.

13. Driveways

All new residential driveways shall meet the following requirements:

a. Maximum width of twenty-four (24) feet at sidewalk line with maximum curb opening at thirty-four (34) feet.

b. Maximum radius or flare of five (5) feet or distance from sidewalk to curb, whichever is less.

c. Where more than one (1) driveway from a street is allowed, there shall be provided a safety curb between driveways not less than eight (8) inches high and six (6) inches in width, constructed of concrete and located at the curb line.

d. Driveways shall be not less than twenty-five (25) feet apart at the curb line.

e. In the case of a corner lot, access to the principal street shall be restricted to one (1) driveway, unless extraordinary circumstances are evident.

f. All driveways are means by which vehicles travel between the street and approved parking spaces and are not to be considered for approved parking space.

g. In no instance shall the total width of driveway openings serving the same parcel exceed one-half (1/2) of the total lot frontage.

h. The width of a private driveway should have a minimum of sixteen (16) feet of driving surface with a minimum depth of eight (8) inches of breaker run and a minimum surface of four (4) inches of gravel. (Revised Sept 2003)

i. Any private driveway three hundred (300) feet or more in length shall have an adequate area for turn-around for emergency vehicles and it shall be no closer than one hundred (100) feet from the dwelling.

j. Any private driveway eight hundred (800) feet or more in length shall also have one (1) meeting area with driving surface of twenty (20) feet wide and sixty (60) feet long for every eight hundred (800) increments.

k. Every new driveways should be a minimum of twelve (12) feet from the edge of driving surface to nearest lot line

The intent of paragraphs h, i, and j is to create an environment that emergency vehicles will have adequate accessibility.

Revisions adopted by Town of Morrison Town Board on 4/14/2015.

Kevin Collins, Chairman

Attest: Colleen Magley, Clerk