

**TOWN OF HAZELHURST
ROAD ORDINANCE 03-05**

An ordinance establishing rules and regulations governing public or private highways in the Town of Hazelhurst.

The Town Board of the Town of Hazelhurst does ordain as follows:

Section A. Purpose

The Town Board of Supervisors of the Town of Hazelhurst, Oneida County, Wisconsin do hereby find, determine and ordain that in order to promote the public safety, general welfare and convenience of its residents, it is necessary that certain requirements be established in connection with the creation of new or improved public or private highways in the Town of Hazelhurst so that the public will not be materially affected by the action of the Town Board in accepting roads submitted for approval as public highways in the Town.

It is not intended by this Ordinance to repeal, abrogate, annul or interfere with any existing highway rules or regulations issued by any other governmental authority in regard to public highways.

Section B. Definitions

In order to clarify this ordinance, the following definitions apply:

Base Course – The layer or layers of specified material of designated thickness placed on a subbase or subgrade to support a surface course.

Grade - The rate of ascent or descent of a road.

Highway - A public way for the purpose of vehicular travel, including the entire area within the right of way.

Right of Way –Land or property acquired or used for or devoted to transportation purposes.

Roadbed - The graded portion of highway, within top slopes and side slopes, prepared as the foundation for the pavement structure and shoulders.

Roadway - That 40' wide portion of a highway within limits of construction.

Standard - State of Wisconsin Department of Transportation Standard Specifications Specifications for highway and Structure Construction, 2009 Editions.

Subbase - The layer or layers of specified or selected material of designated thickness placed on a subgrade to support a base course.

Subgrade - The top surface of a roadbed upon which the pavement structure and

shoulders are constructed.

Surface - One or more layers of a pavement structure, the top layer of which
Course resists skidding, traffic abrasion and disintegrating effects of climate.

Section C. Application for Approval

1. Town Roads. Applicants seeking permission to create or alter a town road shall make an Application in writing to the Board of Supervisors giving the location and description of the proposed highway including the amount and type of traffic expected. Said Application shall be delivered to any Supervisor or to the Town Clerk. The Application must include a drawing prepared by a licensed engineer in accordance with this ordinance. The Application must be delivered at least 10 days prior to the meeting at which it will be considered. Upon receipt of the Application, the Supervisors will proceed to examine the proposed route of the highway. If approval of the route is received, the applicant may proceed to build the highway in accordance with the approved design drawing. The construction project may proceed in phases provided that the Town's designated engineer inspects and approves each phase. All costs for engineering services incurred by the Town shall be paid by the applicant in advance. The phases shall be as follows:

1. Base inspection including subgrade
2. Subbase compaction inspections.
3. Base Course compaction inspections.
4. Asphalt base inspection and final review.

II. Private Access Road/Driveway. Applicants seeking to build a private access road or driveway connecting to an existing town road must have the road approved and obtain a permit. Applicants for such a driveway must submit a scale drawn map showing lot size, location of proposed access or improvement and the location of adjacent driveways and intersecting roads with the subject town road. Applicants must pay an inspection fee for an engineer hired by the Town to inspect the property and approve the location and plans for the private access road/driveway. No driveway is permitted to attach to or connect with an existing town road unless and until the driveway is approved in writing by the supervisors after confirming the location in order to promote public safety. All costs for engineering services incurred by the Town must be paid by the applicant in advance.

Section D. Town Road Standards

The following are the standards set up by the Board of Supervisors for the construction of the proposed highway in compliance with good practice, general construction and safety. The roadway shall conform to the attached Typical Cross Section (attached and incorporated herein is Exhibit A). The Board may grant a variance to roadway construction as set forth in the Typical Cross Section when it determines that traffic, public safety, anticipated development, existing geographical and physical conditions and other considerations do not compel strict compliance to the Typical Cross Section.

Highway Right of Way

1. The minimum width for any highway right of way shall not be less than 66’.
2. The minimum diameter for a cul-de-sac shall be 120’. The minimum length of any road connected to a cul-de-sac shall be 150’.
3. At all bend points in the road right of way where the tangent deflection angle is 45 degrees or larger, the tangent shall be connected with a curve having a minimum length of 300.00’ as measured along the centerline. This shall not apply to road intersections.

Roadway

1. Clearing and grubbing of all trees, stumps and brush shall be done at least 40’ from ditch to ditch and be extended five feet beyond the slope intercept of all cut and fill sections.
2. No trees, stumps, brush or large rocks shall be disposed of within the highway 40 foot roadway.
3. All disturbed areas outside the gravel shoulders shall be seeded and mulched to promote a growth of rooted grasses to reduce the possibility of erosion. Seeding shall be the mixture as specified in Section 630.2.1.5.1.1.2 of the Standard Specifications. The sowing rate shall be in accordance with Section 630.3 of the Standard Specifications.

Roadbed

1. All organic material including marsh, swamp, muck, peat and topsoil shall be removed from the area of the proposed roadway to provide a stable foundation for the subbase course.
2. All excavated organic materials shall be disposed of either by placing six inch maximum depths on the side slopes of all cut or fill sections, or by disposing off the highway roadway.
3. The subgrade shall be free of large rocks and organic material.
4. Prior to placement of subbase material, the exposed subgrade shall be proof rolled with a fully loaded tandem-axle dump truck. Any areas exhibiting excessive deflection shall be trimmed and removed. The Town Board shall be notified a minimum of 2 days prior to proof rolling operations so that an inspection can be scheduled.

Subbase Course

1. Subbase material shall consist of natural sand or a mixture of natural sand with gravel, crushed gravel, crushed stone as specified in Section 350.2 of the Standard Specifications. The roadbed must be centered over the subbase course the entire length of the road.
2. Subbase material shall be placed in lifts not exceeding 8 inches in loose thickness and compacted to a minimum of 93% of the maximum dry density as determined by ASTM D 1557. The top 5 feet of subbase material shall be compacted a minimum of 95% of maximum dry density. A sample of the proposed subbase material shall be delivered to the Town Board for approval and testing prior to backfilling operations. The Town Board shall be notified a minimum of 2 days prior to backfilling so that an inspection can be

scheduled.

3. Drainage structures of proper size shall be installed to provide for proper drainage and to prevent flooding of the roadbed or adjacent property.
4. The maximum grade on the proposed town road shall be 8-10%.

Base Course

1. Crushed aggregate for the base course shall be placed to a compacted depth of 6 inches. Where trucks comprise a significant portion of the expected traffic, the compacted base course depth shall be a minimum of 8 inches. Base aggregate density of 1 ¼ inches for the road base and base aggregate density of ¾ inch for shoulders. Gradations shall conform to requirements of Section 305.2.2.1 of the Standard Specifications.
2. The base course shall have a minimum width of 26 feet. Cul-de-sacs shall have a diameter of 60 feet.
3. The base course shall be compacted to a minimum of 95% of the maximum dry density as determined by ASTM D 1557. A sample of the proposed base course material shall be delivered to the Town Board for approval and testing prior to placement. The Town Board shall be notified a minimum of 2 days prior to placement so that an inspection can be scheduled.

Surface Course

1. Bituminous surface course shall be placed in two lifts to a compacted depth of 2.5 inches and shall conform to HMA Mixture Type E.O.3 in accordance with Section 460.2.7 of the Standard Specifications. Asphaltic materials used for bituminous surface course shall conform to Section 455.2 of the Standard Specifications. Where trucks comprise a significant portion of the expected traffic, the surface course shall be a minimum of 4 inches in compacted thickness.
2. Each lift of bituminous mixture shall be compacted to a minimum of 93% of the Maximum Theoretical Density as determined by ASTM D 2041. The Maximum Theoretical Density shall be obtained from the contractor's bituminous mix design. A copy of the proposed mix design shall be delivered to the Town Board prior to paving for review and approval. The Town Board shall be notified a minimum of 2 days prior to paving so that an inspection can be scheduled.
3. Paving shall not be performed between October 15th and May 15th without prior approval of the Town Board of their engineering representative.
4. Shoulders of the road shall be constructed level to the height of the paved surface to a minimum width of 3 feet on each side of the paved surface.
5. The surface course must be centered on the subbase course and must be a minimum of 20 feet wide. Cul-de-sacs shall have a surface course of 50 feet in diameter. Curbing may be required depending upon the terrain. If so, the Town Engineer will specify the design of such curbing.

Signs

1. Road signs are to conform with existing Town road and street signs. Signs

are to be complete with 2" x 10'6" galvanized posts and anchor plates. The cost and installation of identification signs shall be that of the plat owner.

Section E. Final Inspection by Board of Supervisors

Upon completion of a roadway to be accepted into the town roadway system, the Board of Supervisors shall make a final inspection of the highway. If, during the inspection, deficiencies are noted in the construction, such deficiencies must be corrected prior to the road being accepted by the township. When final acceptance is made, the owner or owners shall deed to the township, the right of way necessary for future maintenance of the roadway, including any wider right of way areas needed for cut and/or fill sections. Acceptance of the road by the township must be made within a 60 day period following construction.

Section F. Driveway/Access Road.

Whenever 2 or more new parcels or condominium units are created which do not have direct vehicular access to an existing town, county or state highway, said parcels shall be provided access over a road which meets all the specifications set forth in Sections A through E herein, whether such new road is intended to be a public or a private road.

For all parcels created by a land division which do not require approval by the Oneida County Planning and Zoning Committee, such parcels shall have a minimum frontage of 150 feet on the adjacent town, county or state road. Parcels with less than 150 feet of continuous frontage on an existing town, county or state road are deemed not to have direct vehicular access because of the narrow width of said parcels. Parcels created which front on a town road cul-de-sac shall be reviewed by the Town Board for consideration of granting a variance from the minimum (150 feet) road frontage requirement established herein. Factors to be determined by the Board in granting such a variance include the safety of the road, the density of the development, the physical terrain and the characteristics of all parcels involved.

Section G. Approval

When any land division, condominium project, mobile home park or travel trailer park is proposed which requires approval by the Oneida County Planning and Zoning Committee, said land division, condominium project, mobile park or travel trailer park must also be approved by the Hazelhurst Town Board of Supervisors before any of said parcels, units, spaces or sites are sold or rented. In the event that a developer requests final approval from the Town of Hazelhurst Town Board of Supervisors for any land division condominium project, mobile home park or travel trailer park, then the Town may require as a condition of said approval that the developer deposit funds in escrow to cover the bid costs to complete the work in accordance with the Town Ordinance based upon written bids submitted to the Town prior to the approval of the final project. Said sums will be held in escrow by the Town pending completion of the work. Any interest earned on the funds placed in escrow by the Town will be retained by the Town when the final work is completed and appropriate inspections have been conducted in accordance with the preceding paragraph. The Town will approve the work and pay the contractor

from the escrow. Any remaining funds in the escrow will be returned to the developer at that point in time.

Section H. Costs.

Should it become necessary for the Board of Supervisors to engage the services of an engineering firm to verify compliance with the road specifications herein before set forth, the developer will be responsible for the cost of those services, and payment will be due prior to the Board of Supervisors issuing a permit for the new road and/or land division involved.

Section I. Severability.

Where any section or part of this section of this ordinance is amended, voided or superseded, the remaining sections not so specifically amended or voided or superseded shall remain in effect. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section J. Performance Bond.

A performance bond is required at an amount to be determined by the Town Board.

Section K. Lien Waivers.

The applicant is required to provide lien waivers from contractors doing the work showing full payment for all services performed and materials provided in construction of the road prior to acceptance by the Town.

Section L. Effective Date.

This ordinance shall take effect upon passage by a majority vote of the Board of Supervisors of the Town of Hazelhurst and after posting as required by law.

Section M. Repeal of Prior Ordinance.

On the effective date the existing Hazelhurst Road Ordinance 97-1 shall be and is hereby repealed.

Amended this _____ day of September, 2009

Theodore Cushing, Chairman

ATTEST: Betty Cushing, Clerk

Gilbert Kettner, Jr., Supervisor

A. Woody Hagge, Supervisor