

**TOWN OF JORDAN  
ORDINANCE #2001-1  
DRIVEWAY PERMIT ORDINANCE**

1. Authority

This ordinance is adopted pursuant to the general policy granted under Sec. 60.22 (3) and 61.34 (1), Stats., and specific authority under Sec. 236.45, Stats.

2. Purpose

The purpose of this ordinance is to promote public health, safety and general welfare of the community. This ordinance applies to construction or modification of private driveways located in the Town of Jordan which provide access to buildings constructed or substantially modified after the effective date of this ordinance.

3. Definition

Driveway is defined as a private driveway, road, field road or other traveled way giving access from a roadway to one or more buildings located or to be constructed on adjacent lands.

4. General Provisions

A. No person shall construct, improve or rework a driveway which changes the existing topography of the land without first obtaining a driveway permit from the Town of Jordan Board. Re-graveling of previously constructed driveways does not constitute a change in the existing topography of the land. Prior to consideration of the application by the Town of Jordan Board, the applicant shall submit to the Town Clerk of Jordan an application and a driveway construction plan which shall accurately describe the location of the proposed driveway and the specifications required by Section (2) of this ordinance for the driveway's construction.

B. Any proposed driveway construction or modification shall be accompanied by an erosion control plan presented to the Town of Jordan Board prior to the issuance of a driveway permit. An erosion control plan shall include the driveway owner's intentions and timetable to re-seed, mulch, ditch, placement of culvert(s) and carry out other erosion control measures, all of which shall be completed within ninety (90) days after beginning driveway construction or modification. If an engineer's plan of the driveway is prepared according to the requirements of Section (3) of this ordinance, an erosion control plan shall specify only those measures that are not mentioned or required in the engineer's plan.

C. No building permit for new residential construction will be issued until the driveway is constructed according to the specification of this ordinance, unless waived by the Town of Jordan Board.

D. With the approval of the Town of Jordan Board, the driveway permit may be issued to allow for the excavation of the site to provide for site preparation and to provide fill for the proposed driveway.

E. A nonrefundable \$300.00 fee must be submitted with each driveway application.

F. A refundable \$500.00 fee must be submitted with each driveway application. This fee may be in the form of a personal check, surety bond, or cash bond. The fee, or part thereof, may not be refundable should there be damage to the Town road during any phase of driveway construction.

G. A minimum of 300 feet of site will be required, in both directions, entering on to the Town roads.

5. Driveways entering on to the State and County highway

The Town of Jordan will regulate all driveways with building permits from the point of State or County right of way to the site of home or building constructed.

6. Specifications for the Construction of Driveways

A. An engineer's plan showing adequate erosion control measured is required for any segment of the proposed driveway which disturbs land with a grade of more than twenty-five percent (25%), unless waived by the Town of Jordan Board.

B. The driveway shall be constructed with a minimum roadway of eighteen (18) feet in width and a minimum shoulder of three (3) feet on each side having a slope of one (1) foot of vertical rise for six (6) feet of horizontal distance.

C. Each driveway shall have a culvert at the ditch line where the driveway meets the public road, unless waived by the Town of Jordan Board. The culvert shall be at least eighteen (18) inches in diameter and the length and diameter to be determined by the Town of Jordan Board.

D. A driveway that is at least twenty-four (24) feet in length shall have a maximum five percent (5%) grade at the point where the driveway enters onto a public road. A slight dip across the roadway shall be placed just before the culvert at the entrance to the public road to prevent debris from washing onto the public road.

E. Ditches, roadway crowning and culverts that provide acceptable drainage are required along driveway and roadway frontage.

F. The driveway's side banks shall be graded to a slope of no more than one (1) foot of vertical rise in each three (3) feet of horizontal distance, except where retaining walls and/or other erosion control measures are installed as specified in an engineer's plan approved by the Town of Jordan Board.

G. Curves in the driveway shall have an inside radius of not less than thirty-six (36) feet.

H. The maximum grade of the entire driveway or any given segment of the driveway shall not exceed ten percent (10%).

I. The side banks shall be seeded promptly to control erosion.

J. Once the construction of the driveway has begun, all specified erosion control measures, including retaining wall, ditching, culverts, crowning, mulching and matting shall be completed within ninety (90) days.

K. The driveway must have at least eight (8) inches of two (2) inch rock on the roadbed and be covered with two (2) inches of three quarter (3/4) inch gravel unless the Town of Jordan Board considers otherwise.

L. All costs of the construction of said driveway, including the cost of the culverts and engineer's plan, if required, shall be paid by the property owner requesting the driveway permit.

M. An area twenty-four (24) feet in width and eighteen (18) feet in height shall be cleared along the driveway right-of-way in order to permit the safe passage of emergency vehicles. In cases where such clearing would be environmentally damaging, the Town of Jordan will determine if failure to clear will prevent or interfere with emergency services or create a safety hazard.

N. The driveway must have in-back-out with a radius of at least ninety (90) degrees or a fifty (50) foot turning radius.

O. The driveway must have a turning radius at the place where it intersects with a public road of at least twenty (20) feet and an unobstructed view at that place.

P. Joint driveways will not be permitted without prior review and specified approval by the Town of Jordan Board. Joint Driveway Agreement establishing the proposed joint driveway and the manner of its construction, maintenance and use must be provided.

#### 7. Requirements for an engineer's plan

A. The Town of Jordan Board may require the applicant to obtain a plan prepared by a professional engineer licensed by the State of Wisconsin prior to the construction or modification of any proposed driveway. An engineer's plan is required for:

1. A driveway or segment of a driveway whose construction requires the disturbance of land with a slope of twenty-five percent (25%), unless waived by the Town of Jordan Board.

2. A driveway or segment of a driveway whose construction requires a retaining wall or other special erosion control measures as determined by the Town of Jordan Board or its authorized representative; or

3. When the Town of Jordan requests a plan for a reasonable cause.

B. The engineer's plan will include the following:

1. The precise location of the driveway or segment(s) of the driveway which requires an engineer's plan.

2. Grade of the driveway showing no segment exceeding thirteen percent (13%).

3. Location and structure of any retaining walls.

4. Location and size of any culverts.

5. Cross-section of the driveway.

6. Mulching, matting or other erosion control measures.

C. When an engineer's plan is required, no construction of a driveway may commence until the engineer's plan is approved by the Town of Jordan Board and a driveway permit is issued, and when applicable, any necessary approvals are obtained from Green County or the State of Wisconsin per Wisconsin Statutes Section 86.07.

D. The preparation of an engineer's plan does not guarantee the approval of a driveway permit application.

8. Driveways three hundred (300) feet or more

A. Purpose: A section of driveway twenty two (22) feet wide and fifty (50) feet long every three hundred (300) feet or in-back-out with a radius of at least ninety (90) degrees or a fifty (50) foot turning radius every three hundred (300) feet.

B. Reason: To allow the safe passage of emergency vehicles in long driveways.

9. Existing driveways and field roads

When washing or other conditions created by existing driveways or field roads become a potential hazard to a public road, the Town of Jordan Board shall notify the owner(s) of the land through which the driveway passes of such condition(s). Any property owner failing to correct such condition(s) within thirty (30) days after notice by the Town of Jordan Board shall be subject to the penalties of this ordinance and shall also be liable for any costs incurred by the Town of Jordan to eliminate the hazard as provided in Wisconsin Statutes Section 66.60 (1, 2, and 6).

10. Penalties

A. Should a driveway be constructed or modified in a way which violates the provisions of this ordinance, the owner(s) of the land through which the driveway passed shall pay a fine equal to three (3) times the fee chargeable for the permit.

B. If the owner(s) of the land through which the driveway passed do not make the required corrections within the time specified, the Town of Jordan Board shall determine the cost of correcting violations of the provisions of this ordinance including, when necessary, the return of disturbed land to its original condition. That cost shall be paid to the Town of Jordan by the owner(s) of the property through which the driveway passed, as provided in Wisconsin Statutes Section 66.60 (16).

11. Effective Date

This ordinance shall take effect and be in force the day after its passage by the Town of Jordan Board, publication and posting as required by law.

Dated this 14<sup>th</sup> day of March, 2001. Signed: Chairman: David Stephens  
Supervisor: M. Gene Christensen  
Supervisor: Harold Lelle

12. Amended this 9<sup>th</sup> day of March, 2006.

Chairman \_\_\_\_\_ (Gene Abraham)

Supervisor \_\_\_\_\_ (Gene Christensen)

Supervisor \_\_\_\_\_ (Lauren Meinert)