AN ORDINANCE TO ESTABLISH RULES, REGULATIONS, AND SPECIFICATIONS FOR THE CONSTRUCTION, UPGRADE, AND/OR ACCEPTANCE OF PRIVATE ROADS IN THE TOWN OF CLAYTON, CRAWFORD COUNTY, WISCONSIN

WHEREAS, the Town Board of the Town of Clayton anticipates growth of the township to the extent that this will require private roads, private driveways, and fields, logging and woodland roads to be added within the Town.

WHEREAS, the Town Board has determined that the general welfare, convenience and safety of the public demand that any proposed or existing private road, private driveway, or field, logging and woodland road meet certain minimum specifications before the Town can accept any proposed road or driveway.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF CLAYTON, CRAWFORD COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION 1: STATEMENT OF PURPOSE AND INTENT

(A) **Purpose.** The purpose of this Ordinance is to provide a uniform system and uniform standards by and under which a person or group of persons may build an access road which is regulated by this Ordinance, whether the intent is to keep the road private or turn it over to the Town for ownership and/or maintenance, and to provide a system by which the Town can evaluate the feasibility of taking over a heretofore private existing road for ownership and/or maintenance.

(B) **Intent**. It is the intent of the Town Board of Clayton that all new access roads that are regulated by this Ordinance, regardless of whether the road remains in private control or is a public road operated by the Town, shall meet certain minimal standards to:

(1) Allow access of emergency vehicles to the principal structures.
(2) Manage residential development.
(3) Control soil disturbance and erosion.
(4) Protect existing vegetation.
(5) Protect the aesthetic views of hillsides; and
(6) Protect both the Town and private property owners, and the public, present and future, against property loss due to poorly designed and maintained road access.

SECTION 2: DEFINITIONS

The definitions used in this Ordinance for "roads" and "drives" are for the purpose of this Ordinance only and are not related to the "road" and "lane" identifications given town roads for 911 emergency purposes. The following words used in this Ordinance shall have the following meanings.

Accessory Costs - All costs associated with the signage necessitated by construction or rehabilitation of a road, such as fire number identification signs at intersections, road identification signs, stop signs and other traffic safety signs on the subject road, as well as "road crossing" and other signage made necessary on an existing road as a result of construction of a new intersecting road.

ADT - Average daily traffic.

Angle of Entry - The angle at which the subject road enters onto the public road, using the public road as the base of the angle.

Approach - That portion of road extending 100 feet on each side of culvert or bridge.

Base Course - Coarse gravel laid as the first and supporting level of the roadbed.

DNR - The Wisconsin Department of Natural Resources.

Drainage - To make gradually dry, by trenches, channels, or other means.

Field, Logging or Woodland Road -Any privately owned or maintained road or drive for any purpose or any length that intersects with a public or private road and does not fit into the category of town road, private road or private driveway.

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

Improvement- any type of raised structure other than a residence or primary dwelling. Any trailer to be left over 60 consecutive days on a property will be considered an improvement and the road serving this improvement will be subject to private road and driveway standards. Fences are not to be considered an improvement under this definition.

Private driveway – any road, of any length, which has been built by private interests and which serves one (1) residential dwelling unit, a place of business intended to be open to the general public, such as a restaurant, retail store etc., any other improvement, or any private driveway of any length, serving at least one residence regardless of the continued private ownership and maintenance of the road, shall be subject to the terms of this ordinance.

Private road – any road, of any length, which has been built by private interests and which serves two (2) or more residential dwelling units, places of business intended to be open to the general public, such as a restaurant, retail store etc., any other improvements, or any private road of any length, serving at least two residences regardless of the continued private ownership and maintenance of the road, shall be subject to the terms of this ordinance.

Public road- any road which is owned and/or maintained by the Town of Clayton or other general-purpose unit of government, and is open to travel by members of the general public, regardless of length or how many residential dwellings, businesses or improvements are served by the road.

Residence - A residential dwelling unit or residence is considered a place where people do live or may live for at least part of the year. The factors that may be considered in determining the existence of the same include, but not limited, the following: on site mailing address, existence of drilled water well, the building being equipped with indoor plumbing, water heater, flush toilet and properly installed sanitary wastewater disposal system. The Town Board shall make the final determination on whether a building or mobile home is a residence, and such designation can refer to the building itself if not the current occupants.

Right-of-Way -The land width and length owned by, or dedicated by easement to, the Town for placement of public road, including the drainage facilities.

Roadbed -The whole material of the roadway, laid in place and ready for travel.

Roadway Width -The combined width of the traveled way and shoulders on each side.

Surface Course - The top of the roadway.

The Town - The Town of Clayton, Crawford County, Wisconsin.

The Town Board - The Board of Supervisors of the Town of Clayton, Crawford County, Wisconsin.

The Town Clerk - The Clerk of the Town of Clayton, Crawford County, Wisconsin.

Town Road- Any road which is a town road of the Town of Clayton under applicable law, regardless of length or how many residential dwellings, businesses or improvements are served by the road.

Traveled Way Width - The width of the actual portion of roadway which normally carries traffic exclusive of the shoulders.

Utilities - This includes various buried or overhead wiring and piping for electrical service, telephone, cable TV, piped gas service, water and sanitary wastewater disposal.

SECTION 3: PROCEDURE TO APPLY FOR PERMIT FOR LAYING PRIVATE ROADS, PRIVATE DRIVEWAYS, FIELD, AND WOODLAND AND LOGGING ROADS

(A) **Permit Required.** A permit shall be obtained from the Town Board prior to any commencement of any physical work to lay a private road, private driveway, or field, logging or woodland road. Permit applications shall be in a form prescribed by the Town Board. A completed written application for a permit may be delivered to any Town Board member or to the Town Clerk and shall be made at least thirty-five (35) days prior to approval by the Town Board. An inspection fee of one hundred dollars ($100.00) for private roads and private driveways and fifteen dollars ($15.00) for field, logging and woodland roads shall be submitted with applications. Approval of permits will take place at a regularly scheduled Town Board meeting. An emergency permit may be obtained prior to a regular meeting by paying an additional fee of One. Hundred Dollars ($100.00). The Town shall not issue permits until roads have final written approval by the Town Board. Issuance of a permit shall not obligate the Town Board to accept a road as a town road. The Town Board reserves the right to decline any proposed dedications at it sees fit under applicable law.

(B) **Inspection.** Upon receipt of the application, the Town Board shall examine the proposed route of the road. The individual or group making application may proceed to build the road, under the supervision of the Town Board, only after the Town Board has approved the plan for the proposed road and issued a permit. Private road or private driveway construction for new buildings/improvements shall be done prior to construction of new buildings/improvements and shall be inspected before any such construction begins to determine if additional base material is needed.

(C) **Naming of Private Roads.** All private roads shall be named by the individual or group making application with the approval of the Crawford County 911 coordinator to insure there are no duplicative road names in Crawford County, Wisconsin.

(D) **Reflectors.** Pursuant to Section 346.41(3) of the Wisconsin Statutes, no person shall place or maintain or allow to be displayed any red or amber reflector within the limits of town road boundaries at or near the entrance to a private road, private driveway, or field, logging or woodland road.

(E) **Obstruction/Excavation Beyond Lot Line or Within Town Road.** Section 66.045 of the Wisconsin Statutes shall be complied with to the extent that it is applicable.

(F) **Maintenance.** Maintenance of any private road, private driveway, or field, logging or woodland road shall remain the responsibility of the owners.

SECTION 4: PROCEDURE TO APPLY FOR PERMIT TO UPGRADE PRIVATE ROADS TO TOWN ROAD STATUS

(A) **Permit Required.** A permit shall be obtained from the Town Board prior to any commencement of any physical work to upgrade a private road for the purpose of supporting a petition to convert the same to a town road. Permit applications shall be in a form prescribed by the Town Board. A completed written application for a permit may be delivered to any Town Board member or to the Town Clerk and shall be made at least thirty-five (35) days prior to approval by the Town Board. An inspection fee of one hundred dollars ($100.00) for private roads shall be submitted with applications. Approval of permits will take place at a regularly scheduled Town Board meeting. An emergency permit may be obtained prior to a regular meeting by paying an additional fee of $100.00. The Town shall not issue permits until the roads have final written approval by the Town Board. Issuance of a permit shall not obligate the Town Board to accept a road as a

town road and the responsibility for maintenance of any private road shall remain with the owners until any such acceptance. The Town Board reserves the right to decline any proposed dedications at it sees fit under applicable law.

(B) **Inspection.** Upon receipt of the application, the Town Board shall examine the proposed upgrade of the road. The individual or group making application may proceed to upgrade the road, under the supervision of the Town Board only after the Town Board has approved the plan for the proposed upgrade of the road. Private road upgrade construction for new buildings/improvements shall be done prior to construction of new buildings/improvements and shall be inspected before any such construction begins to determine if additional base material is needed.

(C) **Obstruction/Excavation Beyond Lot Line or Within Town Road.** Section 66.045 of the Wisconsin Statutes shall be complied with to the extent that it is applicable.

SECTION 5: STANDARDS AND REQUIREMENTS

(A) **Applicability.** This Section establishes the minimum standards and requirements for the construction of any private road, private driveway, or field, logging or woodland road in the Town and for takeover by the Town of any existing private road.

(B) **Table.** The table entitled Road Standards for Clayton Township attached as Exhibit A and incorporated herein by reference illustrates some but not all the minimum standards and requirements required by this Section.

(C) **Accessory costs.** All accessory costs associated with private road, private driveway, and field, woodland or logging road construction will be borne by the private parties responsible for the road or driveway.

(D) **Angle of Entry.** The angle created by any town road, private road, private driveway, or field, logging and or woodland road subject to this Ordinance at its intersection with, or entry into, any other road subject to this ordinance, shall be no less than eighty (80) degrees for a horizontal distance of fifty (50) feet from the intersection or entry point, measured from the edge of the roadway except private driveway or field roads which are no less than eighty (80) degrees for a horizontal distance of thirty (30) feet from the intersection or entry point.

(E) **Base Course.** The base course of any town road, private road, or private driveway shall be six (6) inches of two (2) to three (3) inch breaker rock. The base course of field, logging or woodland roads shall be at the discretion of the owner.

(F) **Bridges.** The Town Board may make the determination that a bridge should be built, rather than a planned or existing culvert, prior to accepting a road as a town road. Costs of engineering and construction will be paid by the appropriate private interests. All required notices shall be given, and all required permits shall be obtained for bridge construction under applicable law. Bridges shall also conform to all requirements under applicable law.

(G) **Cul-de-sac.** Dead-end public roads shall have a cul-de-sac with a forty-five (45) foot radius. Private roads and private driveways will be provided with a cul-de-sac or a turning tee or stub to allow for the safe turnaround of emergency vehicles. The Town Board will evaluate each road to determine the appropriate length, without intersecting road access out of the closed system. Generally, roads with an ADT of 250 or greater should have a second access point to allow for free traffic flow if one road is blocked.

(H) **Culverts.** Culverts will be at least thirty (30) feet in length on town roads and private roads, and on private driveways and field, woodland or logging roads will extend at least two (2) feet on either side of the roadway edge. Culverts on town roads and private roads will be a minimum of fifteen (15) inches in diameter and made of steel. The Town Board shall determine the need for private roads, private driveway, and field, logging and woodland road culverts when it is considering the road's permit application.

(I) **Curvature.** The radius of curves will be determined by the Town Board, but a minimum of ninety (90) feet shall be required for town roads and private roads.

(J) **Ditch crossing.** Where there is any crossing of an existing drainage ditch by a public or private road, or any private driveway, field or woodland or logging road, regardless of length or number of residences served, the owner(s) will present the engineering specifications and the necessary DNR permits to the Town Board for review and approval before a decision to grant a permit is made. The Town Board may

make the determination to require the plans be prepared by a registered professional engineer.

(K) **Ditching.** All roadways must be complete and have proper elevation to provide for the removal of water.

Where it becomes necessary to make a lateral trench leading from the main ditch, the additional land necessary for the removal of accumulated water shall be dedicated to the Town; provided, however, that the Town Board shall have the powers specified in Section 81.06 of the Wisconsin Statutes, concerning entry on lands and road materials, in the absence of such dedication.

(L) **Grade at intersection.** The grade of a town road or private road approaching the intersection with any public or private road shall be no greater than two and one-half percent (2.5%) for a distance of at least fifty (50) feet from the edge of the intersection roadway and four and one-half percent (4.5%) for a distance of at least fifty (50) feet through at least one hundred (100) feet from the edge of the intersecting roadway. The grade of a private driveway or field, woodland or logging road shall be no greater than four and one-half percent (4.5%) from a distance of at least (thirty) 30 feet from the edge of the intersecting roadway. The private road, private driveway, or field, woodland or logging road within the area of the public right of way shall slope away from the public road at a minimum of one percent (1%) and a maximum of five percent (5%) to prevent erosion onto the public road.

(M) **Length.** The length of the proposed road or driveway is to be measured to the nearest tenth of a mile.

(N) **Overall Grade.** The grade on the common run of a town road, private road, or private driveway shall not exceed eleven percent (11%) at any point.

(O) **Right-of-Way Width.** The right-of-way width for any town road shall be a minimum of forty-nine and one-half (49.50) feet or three (3) rods or a minimum of sixty-six (66) feet or four (4) rods if no width is specified in the order of the Town Board or if the ADT is one hundred (100) or more and the appropriate width shall be evaluated and determined by the Town Board; provided, however, that the right-of-way widths for highways specified in Section 80.13 of the Wisconsin Statutes shall govern to the extent than are applicable under such statute. Private roads shall be laid to accommodate an appropriate right-of-way width to facilitate possible conversion to a town road.

(P) **Roads in the Floodplain.** Private roads and private driveways may be permitted in the floodplain provided proper permits have been obtained by the owner from the DNR, Corps of Engineers, and other regulatory agencies as appropriate. The Town will consider requests to take over such private roads and private driveways on an individual basis.

Q) **Roadway Clearance** – minimum height and width clearance free of trees and wires shall be 18 feet on private roads and private driveways.

(R) **Roadway Width.** The roadway width of town roads and private roads shall be twenty-four (24) feet and of private driveways shall be sixteen (16) feet. The roadway width of field, woodland and logging roads is at the discretion of the owner.

(S) **Slope.** The human altered road bank slope shall not exceed twenty percent (20%) until it blends into the natural lay of the land. All altered soil/slopes shall be seeded with an appropriate vegetative mixture and mulched before the road/driveway receives final approval.

(T) **Traveled Way Width.** The traveled way width of town roads and private roads shall be eighteen (18) feet and of private driveways shall be twelve (12) feet. The traveled way width of field, woodland and logging roads is at the discretion of the owner.

(U) **Surface course** – the surface course of a public road, subject to this ordinance shall be 6 inches of ¾ inch crushed gravel or at the option of the owner, or Town Board if the road is to be turned over to the Town, an asphalt paving material at least 3 inches thick may be laid over the aforesaid gravel base and top. Private roads and driveways shall have a surface course of at least 6 inches of the appropriate aggregate as determined by the owner/owners.

(V) **Utility apparatus.** Utility apparatus must be placed at least thirty (30) feet from the center of the roadway. Utility apparatus must be placed as far from the road on the right-of-way as possible and marked with an upright eight (8) foot fluorescent orange pole. Placement of the above and below ground portions of the utility will be determined by the Town Board if located within the right-of-way. Utility providers will provide maps to the Town Board showing the exact location and depth of all their lines, cables, pipes, tubes and other structures within the Town right-of-way.

(W) **County Board Powers.** This Section is not in derogation of the power of the county board to establish excess widths of streets and highways subject to the approval of the Town Board pursuant to Section 80.64 of the Wisconsin Statutes.

SECTION 6: DEDICATION OF PRIVATE ROADS TO TOWN ROAD STATUS

(A) **Notice of Completion.** The person or entity that was furnished a permit pursuant to Section 3 or Section 4 of this Ordinance shall on completion of the proposed road furnish the Town Board with a notice of completion of such road and may thereafter seek to have the road dedicated as a town road by an appropriate legal procedure specified in this Section. The Town Board shall after receipt of the notice of compliance personally examine such road and advise such person or entity whether the road is in compliance with the requirements of this Ordinance but shall reserve decision on dedication pending satisfaction of the requirements of an appropriate legal procedure specified in this Section. Proof that all construction costs have been paid shall be furnished to the Town Board no matter what legal procedure is adopted.

(B) **Section 80.02 Petition.** Six (6) or more resident freeholders in the Town who seek to have a road dedicated as a town road may submit a written petition to any Town Board member or to the Town Clerk. The petition shall fully comply with Section 80.02 of the Wisconsin Statutes and shall also contain all the information required by Sections 80.05, 80.07, and 840.11 of the Wisconsin Statutes. Among other things, the petition shall contain a description of the subject private road, its proposed or actual location, the name of each person who is requesting the action to make it a town road, a list of the names and addresses of all property owners and occupants of tracts of land through which the proposed town road passes, and a full and accurate property description and map showing the location of the tracts of land through which the proposed town road passes and all land affected by the proposed town road. A notice of pendency of the petition fully complying with Section 840.11 of the Wisconsin Statutes shall be recorded with the Register of Deeds for Crawford County, Wisconsin, by the petitioners at or prior to the time of filing of the petition with a Town Board member or to the Town Clerk. Following the filing of such petition, the recording of such notice, and the giving of notices fully complying with Section 80.05 of the Wisconsin Statutes, the Town Board shall hold a hearing pursuant to Section 80.06 of the Wisconsin Statutes, which hearing may be adjourned from time to time, but not exceeding in all thirty (30) days from the time of the first hearing, giving public notice of the time and place of such adjournment when made and by forthwith filing notice of such adjournment in the office of the Town Clerk. The Town Board may require a written release of all claims to damages signed by the owners of land upon whose land the highway passes pursuant to Section 80.09 of the Wisconsin Statutes. The Town Board shall grant or refuse the petition as it shall deem best for the public good pursuant to Section 80.06 of the Wisconsin Statutes. If the road is accepted by the Town Board, it shall follow the procedures specified in Sections 80.07, 86.302, and 840.11 of the Wisconsin Statutes.

(C) **Other Applicable Statutory Procedures.** The terms and provisions of the following Wisconsin Statutes shall govern dedication procedures where they apply by their terms and provisions instead of Sections 80.02, 80.05, 80.06, 80.07, and 80.09 of the Wisconsin Statutes: Section 80.01(5), concerning dedication through reservation or exception in a conveyance; Section 80.11, concerning highways on and across town lines; Section 80.12, concerning highways on and across town and municipal boundaries; Section 80.13, concerning land excluding from highway; Section 80.14, concerning highway from shut-off land through adjoining town; Section 80.39, concerning county board power to lay, alter, and discontinue town highways; Section 80.48, concerning highways and streets to cemeteries and fairgrounds; and Sections 236.29 and 236.34(1)(e), concerning dedications through subdivision procedures. Further, the validating, curative and other terms and provisions contained in Section 80.01 of the Wisconsin Statutes shall also apply to town roads in the Town to the extent they are applicable under such statute.

(D) **Common Law Dedication.** Dedication of town roads may be pursued through the common law of dedication and acceptance of roads as an alternative to statutory dedication procedures pursuant to *Poynter v. Johnson*, 114 Wis.2d 439, 338 N.W.2d 484 (1983) and *Galewski v. Noe*, 266 Wis. 7, 62 N.W.2d 703 (1954), the essential elements of which are an intention of all owners of land to dedicate that land for public road use and acceptance thereof by the proper public authorities or by public use for a considerable length of time pursuant to such case law. Though such case law does not require that dedications be in writing, the preferred

procedure to insure that subsequent purchasers will be put on notice is for an offer to dedicate to be submitted in writing to the Town Board executed by all owners of land sought to be dedicated in recordable form, including acknowledgments, a full and accurate legal description of the land affected, and a map showing the location of the proposed town road, and for the Town Board to accept such offer by resolution or order attaching the written offer and recording a certified copy of such resolution or order. If the offer to dedicate is in the form of a right-of-way conveyance, the conveyance shall be in recordable form, be recorded, and adequately describe the town road, and the better procedure is for the Town Board to accept such conveyance by resolution or order adequately describing the conveyance and record a certified copy thereof to manifest its acceptance of the conveyance. (E) **Road Status on Denial.** All private roads not taken as town roads by the Town Board will remain private roads.

(F) **Reservation.** The laying or upgrading of a private road, private driveway, or field, logging or woodland road to town standards described by this Ordinance shall not mean or imply that the road will be accepted by the Town Board for town road status.

(G) **Naming Town Roads.** Pursuant to Section 81.01(11) of the Wisconsin Statutes, the Town Board by ordinance shall assign a name to each town road under its jurisdiction with no road name being used on more than one (1) town road within such jurisdiction.

SECTION 7: PRIVATE ROAD STATEMENT OF UNDERSTANDING

If a road is to remain private, a "Private Road Statement of Understanding" shall be placed on the certified survey map signed by the owners/ developer and notarized. The following is a "Private Road Statement of Understanding" that shall appear on all certified survey maps when roads are to remain private, as well as recorded against each parcel which abuts the road, by the Crawford County Register of Deeds.

Private Road Statement of Understanding -The undersigned developer and /or owner hereby acknowledges that he/she has been advised and understands that those roads denominated as "Private" on this certified survey map or which abut this property, are subject to the following provisions pursuant to Section 64.23 (A)(3) of subdivision ordinances of Crawford County, Wisconsin:

(1) that the road is private, and that the County, Town or governing body is not responsible for construction or maintenance of such road.

(2) that the maintenance and care of the road is the responsibility of the owners/ subdivider or future owners of the land within the subdivision or to the abutting landowners if there is no recognized subdivision, and

(3) that if quality, accessibility, maintenance and care of the road is not provided, emergency vehicles.
and/or school bus service may be impeded or interrupted.

Dated_____

Developer/ Owners_____

SECTION 8: SEVERABILITY

If any section, subsection, sentence, clause or phase of this Ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phase or portion thereof.

SECTION 9: ENFORCEMENT

(A) **General Penalty.** Any natural person, corporation, limited liability company, partnership, or association who shall violate any provision of this Ordinance shall on conviction forfeit not less than Twenty-five Dollars ($25.00) nor more than Three Hundred Dollars ($300.00), together with the costs of prosecution and any and all applicable assessments, surcharges, and other costs, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.
(B) **Continued Violations.** Each violation and each day a violation continues or occurs shall constitute a separate offense.
(C) **Other Remedies.** The Town Board shall have any and all other remedies afforded by the Wisconsin Statutes or common law for violation of this Ordinance in addition to the above forfeiture provisions.

SECTION 10: CLERK TO PUBLISH

The Town Clerk shall publish this Ordinance as a Class 1 Notice pursuant to Chapter 985 of the Wisconsin Statutes.

SECTION 11: EFFECTIVE DATE Reviewed and Re-issued

This Ordinance shall take effect the day after its publication pursuant to Section 60.80(3) of the Wisconsin Statutes.

Dated the 16th day of April, 2024.

TOWN OF CLAYTON, CRAWFORD COUNTY

Attest:

Town Clerk Chanty Smith

Town Chairman William Olson

Town Supervisor Todd Sal

Town Supervisor Roger Olson

Date passed: April 16 2024

ROAD STANDARDS FOR CLAYTON TOWNSHIP

Road Characteristic	Town of Clayton Public Road	Town of Clayton Private Road	Town of Clayton Private Driveway	Town of Clayton Field, Logging or Woodland Road
Description of Road Classification	Any Town Road	Any privately maintained road with two or more residences or businesses	Any privately maintained road with one residence or businesses	Any road for any purpose not in another class, includes logging and woodland roads
ROW Width (ft) Roadway Width (ft) Travelway Shoulders Vertical Clearance	66 minimum 24 18 ft Incl. in roadway width 18 ft	66 minimum 24 18 ft Incl. in roadway width 18 ft	- 16 12 ft Incl. in roadway width 18 ft	- -
Grade- after first 100 ft	11% MAX	11% MAX	11% MAX	-
Grade and Length at intersection entry	2.5% 1st 50 ft 4.5% 2nd 50 ft	2.5% 1st 50 ft 4.5% 2nd 50 ft	4.5% 30 ft	4.5% 30 ft
Base Course Surface Course Pavement Curvature (right or left)	6" of 2-3" bkr 6" of ¾" gravel Optional 3" Not less than 90 ft radius	6" of 2-3" bkr 6" of ¾" gravel Appropriate aggregate Optional 3" Not less than 90 ft radius	6" of 2-3" bkr 3" of ¾" gravel Appropriate aggregate Optional 3" -	Discretion of owner -
Angle at Entry at intersection	No < 80 degrees	No < 80 degrees	No < 80 degrees	No < 80 degrees
Utilities	30 ft from Center Line	30 ft from Center Line	30 ft from Center Line	
Cul de Sac Radius Maximum length of run	At dead end 45 ft Variable (see 3 below)	At dead end 45 ft Variable (see 3 below)	At dead end Turning Tee Variable (see 3 below)	None required
CULVERTS	As needed throughout length	As needed throughout length	As needed throughout length	As needed throughout length
Minimum length (ft)	30	30	2 ft either side	2 ft either side
Minimum Diameter (in)	15 inches	15 inches		
Material of manufacture	Steel	Steel	Steel	Steel

*ADT= Average Daily Traffic

All classes of roads in Clayton are regulated at the point of entry onto another public or private road. This is intended to protect the physical integrity of the public road system, as well as the safety of the traveling public. All the standards developed and placed upon private roads by the Town are intended to protect the long term integrity of the road system which serves residents and travelers in the Town of Clayton, and to protect the town's interests in the event of the eventual takeover of a currently private road by the Town.

(1) The trend in DOT is to express all curves in radius. A radius of 90 to 130 feet is recommended for lower volume Town roads and roads in residential subdivisions, as this permits safe speeds of 20 mph. Curve radii of 350 to 450 feet are necessary for safe operation with heavier traffic in the 30-35 mph speed range.
(2) The recommendation of maximum 6-12.5-degree curvature becomes effective at an ADT over 250. This is equivalent to a radius of 955 to 438 feet.
(3) The maximum length of a cul de sac street is determined by the total number of properties that would be affected if the street were blocked. The suggested number is no more than 25 houses, or ADT 250.
(4) The minimum and maximum right-of –way widths set forth in Section 80.13 of the Wisconsin Statues shall govern the right-of-way widths of town roads to the extent they are applicable under each statute.

TOWN OF CLAYTON
PRIVATE ROAD, PRIVATE DRIVEWAY OR FIELD, WOODLAND, LOGGING ROAD APPLICATION AND PERMIT FOR CONSTRUCTION OR UPGRADE

Date of Application _____

Applicant Name/s Address/es and Phone Numbers

_____ _____ _____

_____ _____ _____

_____ _____ _____

Property Owner's Name/s Address/es and Phone Numbers:

_____ _____ _____

_____ _____ _____

_____ _____ _____

Specify Whether Construction or Upgrade by Checking: _____Construction _____Upgrade.

Address for Proposed Construction/Upgrade_____

Identify: Section_____Town_____Range_____Quarter/Quarter_____

Construction/Upgrade Will Provide/Provides Access to STH_____CTH_____Town Road_____

Proposed Land Use/Land Use of Property _____

Names of All Property Owners Whose Land Abuts Proposed Construction/Upgrade. _____

_____ _____ _____

Attach on a separate sheet, a sketch of proposed OR IMPROVED PRIVATE ROAD/PRIVATE DRIVEWAY OR FIELD, WOODLAND, LOGGING ROAD, including culverts, bridges, grade, slope, width and length of road, and the dead end turnaround IF NECESSARY. Specify erosion control procedures to be utilized.

Specify Road Base, Including Depth and Type of Material_____

Specify the Name, Address and Phone Numbers of Contractor(s) Who Will Build/Upgrade:

_____ _____ _____

_____ _____ _____

AN ORDINANCE TO ESTABLISH RULES, REGULATIONS, AND SPECIFICATIONS FOR THE CONSTRUCTION, UPGRADE, AND/OR ACCEPTANCE FOR PRIVATE ROADS IN THE TOWN OF CLAYTON, CRAWFORD COUNTY, WISCONSIN, SHOULD BE CONSULTED PRIOR TO SUBMITTING THIS APPLICATION SO THE APPLICANT(S) ARE APPRISED OF APPLICABLE LEGAL REQUIREMENTS.

Signature/s of Applicant/s_____

TO BE COMPLETED BY THE TOWN BOARD

The foregoing application for permit has been reviewed and the proposed construction/upgrade has been inspected by the Town of Clayton and the following determination has been made on whether the proposed construction/upgrade meets the minimum standards _____Meets such standards _____Does not meet such standards.

The permit, therefore, is: _____Allowed _____Denied.

A culvert, or culverts _____will _____ will not be required if the permit is approved.

If required a minimum diameter of _____ inches is mandated.

Additional requirements if permit approved are as follows:

_____

Town Board Approval on this _____day of _____, 20_____.

_____Chairman

_____Supervisor

_____Supervisor Attest:_____Town Clerk