

TOWN OF LAFAYETTE
REQUIREMENTS FOR DRIVEWAY CONSTRUCTION
ORDINANCE 9 – 02

The Town Board of the Town of LaFayette, Walworth County, Wisconsin, does hereby ordain as follows:

SECTION 1.0 PURPOSE

The purpose of this ordinance is to promote and protect the comfort, health, safety, welfare, aesthetics, and general prosperity of the citizens of the Town of LaFayette.

SECTION 2.0 AUTHORITY

The authority of this ordinance is set forth in § 82.03, WI Statutes.

SECTION 3.0 DRIVEWAY CONSTRUCTION

- A. Approval required. No person shall construct, alter or maintain any driveway leading into a public highway or Town road without first obtaining a driveway permit from the Town Board and paying the fee set by Resolution. An individual shall obtain the application from the Town and file it with the Town Clerk-Treasurer with the fee. The Town Road Supervisor will review the permit application and approve or deny the application. If the application is denied, the Road Supervisor shall inform the applicant of the denial and the reasons therefore. The applicant may change the application to conform to the Town's requirements or request a reconsideration of the application by the Town Board at the next regular meeting. The Town Road Supervisor shall have the right to enforce the provisions of this ordinance by requiring the removal of any driveway that does not comply with this ordinance.
- B. Specifications for Driveway Construction
1. Width. No driveway shall exceed twenty-four feet (24') in width at the road or edge, measured at right angles to the centerline of the driveway except as increased by permissible radii, unless otherwise approved by the Town Board.
 - a) Exception – Field entrances may exceed twenty-four (24') in width depending on specific location and use upon recommendation of the Town Road Supervisor to the Town Board for final approval.
 2. No return radius projected between the edge of highway pavement and the driveway shall be greater than thirty feet (30').
 3. Interference with Intersections Prohibited. At road intersections, a driveway shall not provide direct ingress or egress to or from the road intersection area and shall not occupy areas of the roadway deemed necessary by the Town Board for effective traffic control or for highway signs or signals.
 4. Interference with Roadway. No driveway shall extend out into the road further than the roadway, and under no circumstances shall such driveway apron extend into the surface area. All driveway entrances shall be so constructed that they do not interfere with the drainage of roads, side ditches, or roadside areas, or any existing structure on the right-of-way. At a distance of twelve feet (12') from the adjacent roadway, the finished grade of a driveway shall be four inches (4") below the grade of the adjacent roadway. When required by the Town Board to provide for adequate surface water drainage along the road, the property owner shall provide any necessary culvert pipe at his own expense. Specifications of the culvert shall be determined by the Town Road Supervisor with final approval by the Town Board.
 5. Number of Access Points Limited. The permittee shall be limited to one (1) access point as designated by the Town Board after inspection of site and written approval of said site location and limitation of

size, construction, and maintenance. The driveway shall be as near as possible at a right angle to the roadway and shall be so located that there is a minimum of four hundred feet (400') of level, unobstructed sight distance along the road in each direction unless otherwise approved by the Town Board. Said four-hundred feet (400') shall not include any hills, valleys, rises, dips, moraines, or other unlevel portions of the roadway and shall be measured from a height of fifty-four inches (54") from the level surface of the driveway. The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway entrances. Side ditches and roadside areas shall be restored in a neat, workmanlike manner. Driveway surfaces shall connect with the road pavement in a neat, workmanlike manner. The failure of a permittee to obtain a permit or to allow inspection as outlined above shall be deemed a violation of this ordinance and the Town Road Supervisor may force removal of said driveway for said violation.

6. All driveways shall be in place before any type of new construction begins. The driveway shall provide the only means of ingress and egress from the construction site. All damage to the Town road right-of-way, including the road surface, resulting from the installation, maintenance repair, replacement and/or removal of any driveway shall be repaired at the property owner's expense and in accordance with the Town's Road Ordinance. When applicable, all repairs must be completed before any occupancy permit will be issued.
7. Culverts. Culverts may be required for adequate surface water drainage along the roadway to protect the integrity of the ditch and roadway. Property owners shall provide and maintain culverts at their own expense.
 - a) When a culvert is required, proper culvert diameter and pitch shall be installed per requirements to be determined by the Town Road Supervisor for each location.
 - b) Culvert pipes must be steel corrugated culvert pipe or double wall corrugated culvert pipe. Metal end walls must be used. (Plastic drain tile or PVC pipe are not permitted.)
8. Concrete, Pavers. Any driveway, new or existing, shall not have concrete or pavers within 6 feet of the roadway.
 - a) Any preexisting concrete or paver driveway will be allowed until either the town repaves, resurfaces, or reconstructs the town road or the existing culvert is replaced.
 - b) If the town road is repaved, resurfaced, or reconstructed, the town will remove the portion of driveway that is within the road right of way and will replace said portion with asphalt.

This ordinance shall be effective after its adoption by the Town Board of Supervisors and posting as provided by law.

This Ordinance adopted by the Town Board of the Town of LaFayette on this 19th day of July, 2023.


Derek Steffen, Chair


Cairie L. Virrueta, Clerk-Treasurer

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Update 2022.05.18
Update 2023.07.19