

Town of Sumpter, Sauk County, Wisconsin

DRIVEWAY ORDINANCE

ORDINANCE NO. 01-06

1.01 PURPOSE

The purpose of this ordinance is to regulate the establishment, construction, improvement, modification or reworking of a driveway to assure that the site, method of construction, and conservation practices used will promote the public health, safety, and general welfare of the community, and to enforce the goals and policies set forth in the Town of Sumpter Land Use Plan.

1.02 JURISDICTION

Jurisdiction of these regulations shall include all driveways on land within the Town of Sumpter. Except as provided in section 1.11, existing driveways that undergo repairs involving changes to the existing grade, re-routing or increased use (to serve an additional house, dwelling unit or material increase in business) are subject to the provisions of this ordinance. The provisions of this ordinance do not apply to field roads.

1.03 AUTHORITY

These regulations are adopted under the general police powers authority granted pursuant to section 60.10(2)(c), 60.22(3) and 61.34(1) of the Wisconsin Statutes, and under the controlled access highway power granted pursuant to section 83.027(10) and 84.25(10) of the Wisconsin Statutes.

1.04 DEFINITIONS

1. Agricultural Access Driveway. A private driveway, road or other avenue of travel that runs through any part of a private parcel of land that connects with any public roadway, that is used for the sole purpose of providing roadway access to agricultural buildings, fields or other agricultural areas.
2. Agricultural Land. Any land within the Town of Sumpter that has been, is or could be farmed, including cropland and pastureland, or land that is included in a government set-aside program or that is protected under the agriculture policies described in the Town of Sumpter Land Use Plan.
3. Bluffs. The bluff areas in the region, also known as the Baraboo Bluffs and Baraboo Hills, include all lands that are designated as protected on the Sauk County Baraboo Range Protection Program map as well as lands that are designated in the Town Land Use Plan and maps as Bluff Vista Conservation Area.

4. Driveway. A private driveway, road or other avenue of travel that runs through any part of a private parcel of land and connects with any public roadway, and will provide service to a residence or business, except agricultural access driveways.
5. Field Road. A road that does not connect with a public roadway and lies outside the right-of-way of a public roadway.
6. Grade. The change on elevation over a distance of a minimum of 50 feet.
7. Town Building Inspector/Engineer. The individual(s) and/or agent(s) hired by the Town Board to act in these capacities.

1.05 APPLICATION REQUIREMENTS AND PROCEDURES

1. Who Must Apply. Any person or entity wishing to establish, construct, improve, modify or re-route a driveway that changes the existing grade of the land or any driveway, or increases the use for access to an additional dwelling, dwelling unit or significant increase in business, must first obtain a Driveway Construction Permit from the Town Board.
2. Application Forms. The Town Board shall approve an application form for Driveway Construction Permits. This is available from the Town Building Inspector/Engineer and the Town Clerk.
3. Sketch Map. Applicants are encouraged to submit a rough sketch map of the conceptual idea of the project, approximate location and dimensions to the Plan Commission prior to preparing or submitting an application for the Plan Commission to provide initial comments. However, formal approval for a Driveway Construction Permit will not be granted without submitting a complete application and supporting documents package.
4. Application and Supporting Documents Package. The person or entity shall submit a completed Driveway Construction Permit Application with the appropriate fee and the following attachments to the Town Clerk at least 15 days prior to the next Plan Commission meeting. If no Plan Commission meeting is scheduled, the Town Clerk shall schedule a Plan Commission meeting to take place within the next 30 days.
 - (a) Site Map. Indicating the location and dimensions of the desired driveway and the parcels immediately adjacent to the applicant's property. The map shall be no smaller than 1 inch = 100 feet scale, 11 x 17 inches in total size or smaller and labeled with dimensions.
 - (b) Driveway Location Plan or Driveway Construction Plan as Required in 1.06. All applicants will need the Town Building Inspector/Engineer to view the driveway location to determine the grade and which plan is needed.
5. Application Review. The Town Clerk shall forward the application to the Town Building Inspector who shall conduct an investigation regarding the application in accordance with this ordinance. The Building Inspector shall prepare a written report summarizing his or her investigation to the Plan Commission along with a recommendation to the Plan Commission for approval, approval with conditions or