

TOWN OF NEW HOLSTEIN
CALUMET COUNTY, WISCONSIN

ORDINANCE NO. 1998- 1

HIGHWAY CONSTRUCTION STANDARDS

WHEREAS, it is in the public interest for the Town of New Holstein, Calumet County, Wisconsin, to establish minimum highway construction standards for highways being constructed in the Town to accommodate anticipated traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road maintenance equipment;

NOW, THEREFORE, it is hereby ordained by the Town Board of Supervisors of the Town of New Holstein, Calumet County, Wisconsin, pursuant to its authority under Section 81.01, Wis. Stats., as follows:

SECTION 1. DEFINITIONS. The following terms used in this ordinance shall have the following definitions:

- 1.1 Base Course. The supporting base material of the roadway, including the shoulder.
- 1.2 Hard Surface Area. The top of the roadway or traveled surface, which does not include the shoulder area.
- 1.3 Highway. The road or way over which the public has a right to pass which includes the total right-of-way.
- 1.4 Road Bed. The whole material laid in place and ready for travel.
- 1.5 Roadway. The traveled portion of the highway, which includes the shoulder area.
- 1.6 Town. Town of New Holstein, Calumet County, Wisconsin.

SECTION 2. APPLICABILITY.

2.1 This ordinance shall be applicable to all highways laid out by the Town Board after adoption of this ordinance, including any highways dedicated in plats for proposed subdivisions submitted for review pursuant to Chapter 236, Wis. Stat., any private highways being donated to the Town, and any other highways being accepted by the Town as public highways in the Town.

2.2 To the extent applicable, the terms of this ordinance are intended to establish local street specifications to supplement the Calumet County Subdivision Regulations regarding street design standards applicable in the Town.

SECTION 3. MINIMUM SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

The following minimum specifications shall apply under this ordinance:

3.1 The highway shall have a width of 4 rods (66 feet).

3.2 The roadway shall have a width of 34 feet unless ground or other conditions render that width impractical. In that case, the roadway shall be as close to 34 feet in width as practical. The hard surface area shall have a width of 22 feet. Each shoulder shall have a width of 6 feet.

3.3 The road bed shall be constructed with a base layer of 6 inches of heavy, coarse stone (2 inch to 4 inch crushed rock), a base cover of 6 inches of road gravel (3/4 inch crushed rock or gravel), and a top layer of 2½ inches of hard surface (hot mix blacktop or cold mix blacktop) after compaction. The shoulder shall be gravel.

3.4 Cross drains shall have a minimum size of 24 inches. The actual size shall be calculated and placed in such a manner so as not to obstruct the natural flow of water.

3.5 The culvert for driveway access shall be a minimum of 26 feet long and 18 inches in diameter.

3.6 Top soil and other organic material, such as stumps and brush, shall be removed from the road bed in order to eliminate future soft spots and settling. Stumps, brush and large stones shall not be buried in the highway.

3.7 Undercut areas shall be filled with clay or pitrun and compacted to a 90% density.

3.8 Road bed subgrade shall be graded with a 3 inch pitch from the centerline to the outside edge.

3.9 Side ditches shall be cut to a minimum depth of 1 foot and maintain at least a 5% pitch for proper drainage, seeded, and maintained in good growing condition. The back slope on the ditches shall be no greater than a 3 to 1 slope.

3.10 A cul-de-sac shall have a right-of-way diameter of 120 feet and a pavement diameter of 90 feet.

SECTION 4. INSPECTION AND VERIFICATION.

4.1 All highways shall be subject to inspection by the Town Road Superintendent or designated agent of the Town at reasonable times, including, as a minimum, upon completion of the base layer and ditching, completion of the base cover, and completion of the hard surface and shoulder. The right or undertaking of any inspection shall be for Town use and information only and shall not impose any liability or responsibility on the Town.

4.2 Each person constructing a road shall provide verification to the Town Board of the amounts and types of materials used in construction, including copies of invoices and purchase orders.

SECTION 5. FINAL INSPECTION AND CONVEYANCE.

5.1 Upon completion of the construction of the highway up to but not including the application of the surface course, and subject to the provisions of Section 5.2 following, the Town Board will proceed to make final inspection accepting or rejecting the highway, as the case may be, in the discretion of the Town Board. If the highway is rejected before another final inspection is completed, corrections shall be made as stated by the Town Board. If the Town Board accepts the highway, the owner thereof shall deliver to the Town in recordable form a warranty deed conveying the highway to the Town, free and clear of all encumbrances. The transfer may also be accomplished by legal dedication to the Town on a final plat recorded according to Chapter 236, Wis. Stats.

5.2 Prior to the time of final inspection described in Section 5.1, the person constructing the road shall deposit with the Town Board, to be held in escrow, an amount sufficient to pay for the completion of the surface course of the highway, which amount shall be determined by the Town Board after proper and reasonable investigation. The amount so deposited shall be held in escrow to be used solely for the purpose of payment for the completion of the surface course of the highway. In the event the amount held in escrow exceeds the amount necessary to pay for the completion of the highway, the remainder thereof shall be refunded to the person constructing the highway. In the event the amount is not sufficient to pay such costs, the person constructing the highway shall pay the remainder thereof to the Town within thirty (30) days of written notification. The Town shall arrange for the contracting for the completion of the surface course.

SECTION 6. AUTHORITY FOR HIGHER STANDARDS. The Town Board shall have the discretion to impose higher construction standards where, in the discretion of the Town Board, local conditions or anticipated traffic in quantity or quality require higher standards.

SECTION 7. EXCAVATION. No person shall make any excavation or fill or install any culverts or make any alterations in a Town highway without the express permission of the Town Board or its designee.

SECTION 8. ENFORCEMENT. The Town Board shall enforce the provisions of this ordinance by injunction or other available remedy.

SECTION 9. SEVERABILITY. The terms of this ordinance are severable. If any portion of this ordinance is found to be unenforceable or void by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this ordinance and the application thereof shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE. This ordinance shall be effective from and after passage and proper posting as required by law.

ATTEST:

TOWN OF NEW HOLSTEIN

By: S/
Mary Stein, Clerk

By: S/
George Engel, Chairperson

S/
Ralph Steiner

S/
William Hau

Adopted: November 11, 1998.

Published: _____, 1998.

Town of New Holstein

LEGAL NOTICE

The Town Board of the Town of New Holstein has amended the following minimum specification to the Town of New Holstein Highway Construction Standards Ordinance.

That the following minimum specification shall apply under this ordinance.

Section 3.5 The culvert for driveway access shall be a minimum of 30 feet long and 18 inches in diameter.

Dated this 9th day of July, 2003.

Marlene Thede - Clerk
Gerald Lorenz - Chairperson
Michael Walsdorf - Supervisor
Kenneth Irwin - Supervisor