

RULES FOR ESTABLISHING TOWN ROADS

1. **CREATION:** All town highways shall be established by the Town Board in accordance with the laws of the State of Wisconsin, including Chapters 236 and 80 of the Wisconsin Statutes and any other laws applicable thereto.

The Town Board in reviewing a town highway issue shall consider the location, alignment, grade, public safety and all other accepted standard engineering principles for highway design and if these are not to the satisfaction of the Town Board then the proposed town highway shall not be accepted by it as a public highway. Prior to acceptance and construction of a new project, the person approaching the Town Board must submit the construction plan with dimensions showing: highway width, alignment, improved roadway width, vertical and horizontal. Any person considering establishing a town highway, whether or not in an area to be platted, shall inform the Town Board before any construction commences so that approval of this criteria can be obtained.

2. **SPECIFICATIONS:** All roads to be considered for town highways shall be laid out with the following specifications by and at the expense of the owner or owners, or persons desiring such town highway as a public road. All materials used must meet the specifications of the Wisconsin Road and Bridge Construction Manual.
 - a. Minimum right-of-way width to be 66 feet,
 - b. Minimum finished crushed stone surface width shall be 28 feet, with 18 inches using all 1 ¼ inch compacted quarry stone, installed in equal 9-inch lifts with compaction between lifts,
 - c. A test hole shall be placed every 250 feet or more to determine compliance with these standards,
 - d. Paving of the surface/upper layer will be required if there are at least 3 homes built along the designated roadway. The asphalt paving of the roadway needs to occur prior to the road being turned over to the town. Paving shall consist of 1 ½ inch binder coat/lower layer and 1 ½ inch of finish coat/upper layer for a total of 3 inches of compacted asphalt, binder coat/lower layer to be a 3LT mix and finish coat/upper layer to be a 4 LT mix in accordance with Wisconsin Standard Specifications,
 - e. Maximum permitted grade shall be 11%, cross slope of the road to be 2% normal crown and maximum superelevation on curves to be 6%,
 - f. All turn-arounds and dead-end roads shall have a 60-foot radius, or an equivalent squared area at the termination thereof,
 - g. Cut and/or fill to bring the road to sub-grade elevation which shall be 18” below finished grade at the designed grade. No organic material such as black dirt, muck, peat, or materials of like kind will be permitted for the sub-base. Organic material in subgrade should have an excavation below subgrade (EBS) a minimum of 12 inches and be backfilled with 3-inch breaker run material as directed by engineer,
 - h. Clear the 66-foot right-of-way of all trees, brush, stumps, etc.,

- i. Provide for ditch slopes and finished roadway,
 - j. Provide ditches at a minimum depth of 20” below finished grade and the ditch in slopes to be graded at a 3 to 1 ratio minimum, with some grading variation to be considered at any water crossing,
 - k. Provide a bridge as directed by the Town Board or its designee and meeting inspection standards,
 - l. Provide all necessary culverts adequately sized to ensure unrestricted flow of surface run-off water. Culverts that are installed across the highway shall have a minimum of 18” cover between the top of the pipe and the finished road center line elevation. A culvert shall be a minimum of 15 inches in diameter or as directed by engineer, and be galvanized or Class 3 high-density polyethylene,
 - m. The developer will be responsible for any road damage, for a one-year period beginning at the Town’s final acceptance of the completed road,
 - n. The Town Board reserves the right to change or add to any of the above provisions.
3. **HARDSHIP CASES:** The Town Board, by unanimous vote of all its members may in specific cases authorize such variance from the terms of this Ordinance as will not be contrary to the public interest, where, owing to very special conditions of literal enforcement will result in unnecessary hardship. It is intended that the spirit and purpose of this Ordinance shall always be observed, and the public safety, welfare, and justice always secured. The burden of proof for the unnecessary hardship shall rest entirely upon the proponent. Terrian and surface may be conditions that justify hardship in compliance with this ordinance.
- In every case where variance is to be granted the minutes of the Board shall affirmatively show in what particular and specific respect an unnecessary hardship is created. Where a private road is considered for inclusion into the town highway system, its present condition and feasibility of upgrading to these standards shall be considered, along with options as to financing, including from adjoining landowners under Wisconsin Statute 60.51.
4. **SEVERABILITY OF PROVISIONS:** If any portion 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, sub-section, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, sub-sections, sentence, clauses, phrases or portions may be declared invalid or unconstitutional.
5. **EFFECTIVE DATE:** This ordinance shall take effect immediately upon passage and posting as provided by law.

Adopted this 14th day of October 2024