

**Ordinance Regulating Driveways and Access to Town Roads
Township of Colfax
Dunn County, Wisconsin**

Under authority of Section 60.10(2)(c), Wisconsin Statutes (1997-98) and Sections 1.6(c), 1.6(d), and 5.9.03 of the Dunn County Comprehensive Zoning Ordinance, the Town of Colfax adopts the following driveway ordinance.

Section 1

The Town Board shall have the authority to order changes and improvements to existing driveways that, in the board's opinion, constitute a safety hazard, or may cause undue damage to Township roads, or that are not of adequate width and construction to support heavy equipment if it is likely that such equipment will be using the driveway. The costs of such changes shall be the responsibility of the land owner where the driveway is located.

Section 2

All new driveways require prior approval by the Town Board. The Board shall have authority to deny requests for driveways that are a safety hazard, that may cause excessive damage to Township roads, or that provide access to property which is out of compliance with zoning or other ordinances.

The Board shall have authority to specify the type of construction, including culverts, for all new driveways.

The Board shall have authority to remove unapproved driveways at the expense of the landowner.

Section 3

Access to Township roads from all lands in the Township shall be only on approved driveways unless other access is granted by the Board. Any damages caused by driving any equipment in ditches, shoulders, road surfaces, or road right of ways from any point other than an approved driveway shall be billed to the party causing the damages and/or to the landowner. In cases where access to a Town Road without using an approved driveway has caused road damages, the Board shall have authority to bill an amount equal to triple the resulting damage, plus any fines, to the responsible parties.

Section 4

It is a violation of this ordinance to operate any type of equipment on a Township road in a way that causes damage to the road, shoulders, or ditches. Any person causing such damages shall be responsible for paying the full cost of all repairs needed to restore the road. The Board shall have authority to bill an amount equal to triple the resulting damages to the responsible parties when damage is caused by willful violation of posted weight limits or other terms of this ordinance.

Section 5

The Town Board shall have the authority to levy the following penalties to enforce this ordinance: a fine of up to \$100 per day for driveways installed without permission after the date which the ordinance takes effect; a fine of up to \$500. per occurrence for gaining access to a Town Road without use of a driveway which results in damage to the road right of way; a fine of up to \$1000 per occurrence for conducting unauthorized logging operations within road right of ways. Each day that such an activity takes place shall be considered an occurrence, or each trip may be considered an occurrence. The Town Board shall have the power to collect full payment for all damages to roads as specified in the above Sections. The Board shall also have the power to assess payment for all necessary legal fees and other expenses entailed in the enforcement of this ordinance and interest costs at the rate of 1.5% per month for unpaid fines, damages, or legal expenses.

Section 6

Should any section of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining sections.

Section 7

With the enactment of this ordinance, the Town of Colfax is repealing any previous ordinances or resolutions which may be in conflict with the terms of this ordinance.

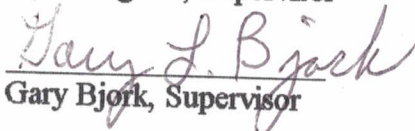
Section 8

This ordinance shall take effect on 6-20-2000 after its passage and posting as provided by law.

Adopted 6-14-2000 by the Town Board of the Town of Colfax, Dunn County, Wisconsin.


Gary Klukas, Chairman


Dean Logslett, Supervisor


Gary Bjork, Supervisor

Filed on 6-14-2000


Rebecca Kiesow, Clerk

Published 6-28-2000
Colfax Messenger