

TOWN OF METOMEN
ACCESS CONTROL ORDINANCE

1. TITLE, PURPOSE, AND JURISDICTION

A. TITLE

This ordinance shall be known as, cited and referred to as The Town of Metomen Access Control Ordinance.

B. STATUTORY AUTHORIZATION

The Town Board of the Town of Metomen has the specific authority, powers and duties pursuant to sec. 60.61, 60.02 and 62.23 WI Statutes and, has been granted village powers pursuant to sec. 60.10, WI Statutes.

C. PURPOSE

The purpose of this ordinance is to regulate and control access on to Town roads in order to promote the public safety, convenience, general welfare, economic viability and to protect the public investment of existing and proposed roads and to provide for safe and efficient use of the Town of Metomen road system.

The design standards herein prescribed are to promote the orderly and safe movement in and out of private properties as to constitute a minimum of interference to through road traffic, and to control the use of drainage structures and appurtenances as may be necessary to preserve the physical structure of the road.

2. GENERAL

A. The present tense includes the future tense and the singular tense includes the plural.

B. The word "shall" is mandatory; the word "may" is permissive.

C. The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.

D. The word "person" includes any individual, firm, association, joint stock association, organization, partnership, limited trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.

E. All distances unless otherwise stated shall be measured in the horizontal direction.

3. DEFINITIONS

Access: Connection point for a private driveway or other public road to a town road.

Access Permit: A permit from the Town Board granting permission to connect for accesses purposes to a road.

DRIVEWAY: Any public access for motorized vehicles to one or two parcels.

FIELD ENTRANCE: An access point, the only use of which is as an entrance or exit to an agricultural parcel of land for field work purposes.

PARCEL: The area of land outside the public right-of-way, within the property lines of a given piece of property.

ROAD: Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass or other pathway intended for the public use of motorized vehicles to obtain access to more than two parcels.

RURAL ROAD: Any road with a 55-MPH speed limit in a largely rural or undeveloped area.

SEMI-URBAN ROAD: Any road outside the municipal boundaries of a city or village with a speed limit below 55-MPH.

URBAN Road: Any road within the municipal limits of a city or village.

VISION CORNER: A clear triangle of right-of-way to control sight restrictions at access points. (See diagrams)

4. REGULATIONS

A. EXISTING ACCESS

Any use of access to a town road (via driveway or road) prior to the effective date of this ordinance will be permitted, provided that any further improvements or alterations shall meet the terms of this ordinance.

B. ACCESS PROHIBITIONS

No person shall construct an access point within the meaning of this ordinance unless a valid permit has been obtained from the Town Board. Entrance to or exit from a town road shall be prohibited except at designated access points. No person shall alter in any way, existing appurtenances or features within the road right-of-way, including, but not limited to, ditches, drainage ways, culverts, bridges or pavement surfaces (including existing access points) until or unless a permit has been obtained from the Town Board.

C. SUBDIVISION OF LAND

Before any parcel of land is allowed to be subdivided, it must be proven that access can be provided to each proposed parcel in such a way that it will not violate any of the regulations of this ordinance.

5. ACCESS SPACING AND FREQUENCY

A. Only one access per parcel will be allowed for parcels zoned residential or agricultural unless provided for elsewhere in this ordinance.

B. Commercial and industrial zoned parcels may be allowed two (2) points of access, provided each access meets the criteria of this ordinance, the development requires more than 50 parking spaces, and or if two (2) access points would provide for safer movement of traffic.

C. When a property owner owns more than one parcel adjacent to another with the same zoning, all with frontage on the town road, the parcels shall be treated as a single parcel under this ordinance.

D. Access permits shall not be issued where the horizontal distance between access points would become less than 200 feet for an URBAN roads, 300 feet for SEMI-URBAN roads and 600 feet for RURAL roads (except for AGRICULTURALLY RELATED RESIDENCES), unless there is no other alternate to providing access to the existing parcel.

flashing lights and barricades will be used. All work zone safety equipment will be at the expense of the applicant.

F. MAINTENANCE OF ROAD DURING CONSTRUCTION

During construction of the access, the permittee shall be required to keep the road free of large accumulations of mud and debris. The road will be swept clean at the direction of the Inspector.

G. APPEALS

Any person aggrieved by a decision made in the administration of this ordinance may appeal to the Town Board. Appeals shall be filled within thirty (30) calendar days following the administrative decision and notification by the Inspector. The appeal shall specify the legal description of the parcel and access location in question, and the reason given for the appeal. The Town Board shall make a decision on the appeal within thirty (30) calendar days from the day the appeal was filed. The decision of the Town Board shall be made by the majority present. A written decision shall state the specific reasons and facts from which the final decision was made.

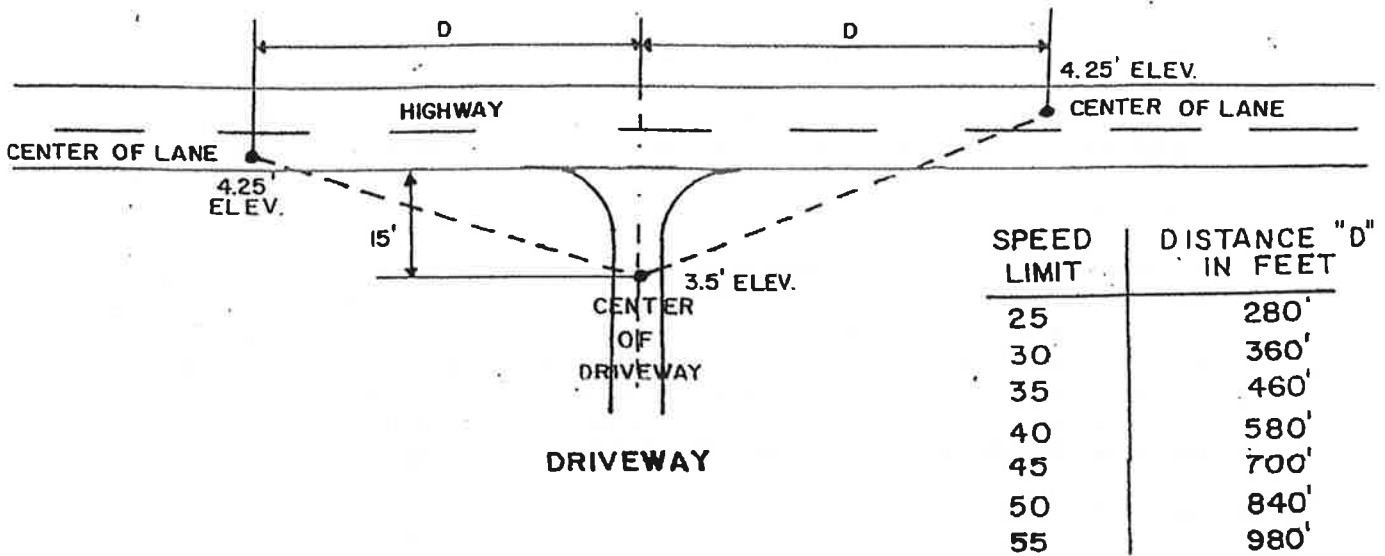
H. VIOLATIONS

In the case of any violation of this ordinance, the Town of Metomen may institute appropriate legal action. Each day in which a violation continues to exist shall constitute a separate offense. No person as defined by Section 2 (D) of this ordinance shall resist, obstruct or interfere in any way with the Town Board or his/her designee in the enforcement of this ordinance, or fail to obey the Town Chairman or designee's order.

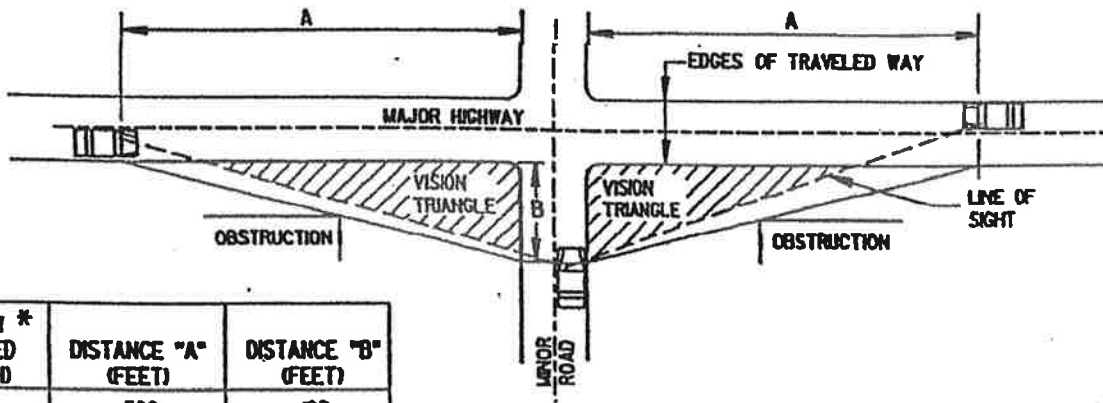
I. PENALTIES

Any individual, firm, corporation, association, organization or agency found guilty of violating any part(s) of this ordinance or who refuses to comply with any provision of this ordinance shall upon such finding by the court, forfeit not less than \$25.00 nor more than \$200.00 for each day for each offense, together with the cost of prosecution.

VISION CORNERS



GUIDE DIMENSIONS FOR VISION TRIANGLES STOP CONTROL ON MINOR ROAD



DESIGN * SPEED (MPH)	DISTANCE "A" (FEET)	DISTANCE "B" (FEET)
40	300	20
50	400	25
55	500	30
60	600	35

* USE THE DESIGN SPEED OF THE MINOR ROAD TO DETERMINE DISTANCE "B".

EXAMPLE: GIVEN: DESIGN SPEED IS 60 MPH ON THE MAJOR HIGHWAY AND 50 MPH ON THE MINOR HIGHWAY.

SOLUTION:

READING FROM THE DIMENSION TABLE, THE LEGS OF THE VISION TRIANGLE ARE "A" = 600 FEET AND "B" = 35 FEET.

DRIVEWAY PERMIT APPLICATION

TOWN OF METOMEN

Phone No. 920-748-9380

Permit Information

To be filled out by applicant

Name of Applicant: _____ Phone No: _____ Date _____

Present Mailing Address _____ City _____ State _____ Zip _____

Town Road Involved: _____ Number of driveways requested: _____

Type of driveway requested:

Residential _____ Commercial _____ Agricultural _____ Proposed Road _____ Other _____

Approximate location of driveway Distance and direction from the nearest road intersection and the name of the road
Intersection? _____

On what side of Road? _____

Has property been surveyed or subdivided? Yes _____ No _____ Certified Survey Map No. _____ Vol _____ Page _____

Driveway(s) to serve lots(s) No: _____ (If known)

Unusual features of driveway request: (i.e. Wider driveway for school bus, restrictive terrain,
Etc) _____

Does applicant own adjacent or abutting land? If yes, give approximate total acreage owned.

Does the adjacent or abutting land have frontage along a Town Road?

Frontage: _____

HAS THE APPLICANT PLACED STAKES IN DITCHLINE WHERE DRIVEWAY IS PROPOSED, SO THAT TOWN PERSONNEL CAN INSPECT LOCATION? _____

I, the undersigned applicant do hereby certify that I have requested this driveway permit and that I have read, understand, and agree to abide by all the applicable provisions and restrictions which are shown on the reverse side of this permit.

Please read owner's covenant on reverse side.

Owners Signature

\$50.00 fee required with application (\$100.00 for commercial)

(To be filled out by Town Personnel)

- Does property have any access restriction on it? Yes _____ No _____
- If yes what is the nature of the restriction? _____
- Is adequate clear vision available looking both ways from proposed driveway? Yes _____ No _____
- Is further subdivision of adjoining lands possible by owner? Yes _____ No _____
- Is driveway entrance within 100 feet of an intersection? Yes _____ No _____

OWNERS COVENANT

I have read, understand, and hereby agree to abide by the following special regulations and provisions of this permit:

- A. Any grading, special ditching, alteration of slopes, or any other disturbance of any portion of the road right-of-way, shall be restored by and at the expense of the applicant, to the condition existing prior to such disturbance and to the satisfaction of the Town of Metomen Board. If the restoration work or any damage caused to road right-of-way by the applicant cannot or will not be accomplished voluntarily, the Town authority may complete the required work at the applicant's expense.
- B. The entire cost of the driveway construction or installation shall be the obligation of the applicant.
- C. The applicant shall keep the driveway culvert free of debris and other obstructions in order to provide proper drainage along the road.
- D. At a distance of _____ feet from the edge of the road pavement, the finished grade of the driveway shall be at least _____ inches below the grade of the edge of the adjacent pavement. (Blank spaces to be filled in by Town Inspector)
- E. Maintenance and upkeep of driveways and culverts in Town Road right-of-way shall be the responsibility of the applicant.
- F. The driveway(s) authorized by this permit shall be installed within a period of one year from the date of issuance of said permit. The Town of Metomen reserves the right to require the applicant to reapply for said permit after the ninety-day period.
- G. The permittee, his successors, or assigns, agree to hold harmless the Town of Metomen and its duly appointed agents and employees against any actions for personal injury or property damage sustained by reasons of the issuance or exercise of this permit.
- H. No concrete driveways will be allowed within 10' of the road surface. Gravel or paved asphalt only!

To be completed by Town Personnel

Size and length of culvert pipe required under each driveway: _____

Permit approved by: _____ Date _____

TOWN OF METOMEN

Ordinance NO. 2-2001

The Board of the Town of Metomen, Fond du Lac County, Wisconsin, does hereby ordain as follows:

1. Pursuant to Town of Metomen Board action of June 11, 2001, **Town of Metomen Access Control Ordinance** is hereby adopted and shall become effective July 13, 2001.
 - A. At the time an application for culvert permit is files, the applicant shall pay the fees as set forth in this ordinance.
2. The notice of the ordinance shall be published and the full ordinance will be posted as required by law.

Dated this 13th day of June, 2001.

Town of Metomen

By Tom Soda
Tom Soda, Town Chairman

ATTESTED:

Lynn Rands
Lynn Rands, Town Clerk

