CHAPTER 4

TOWN ROAD ORDINANCE

4.01 DEFINITIONS

In this Ordinance, the following words and phrases shall have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

(0.5) Abandonment Date - August 1, 2012, means that the town agrees to pay 100% of the vacating charges of SPR by willing land owners.

(1) Board The Town Board of the Town of Springfield

(2) Certified Survey Map A map of land division, not a subdivision, prepared in accordance with Section 236.34 of the Wisconsin Statutes and in full compliance with the applicable provision of this chapter. A certified survey map has the same legal force and effect as a subdivision map.

(3) Clerk-Treasurer The Town of Springfield Clerk-Treasurer.

(4) Town Engineer A firm or individual designated by the Town Board to advise the Town Board on a particular project; if the Town Board does not designate an engineer, the term shall be defined to mean the Town Board.

(5) Land(s) Any real estate or interest in real estate.

(6) Plan Commission The Town of Springfield Plan Commission

(7) Lot A land area of thirty-five acres or less.

(8) Parcel Contiguous lands under the control of a subdivider or subdividers not separated by streets, highway or railroad rights-of-way.

(9) Plan A map or sketch of a proposed road prepared in conformity to the requirements of Chs. 80-86, Wis. Stats.

(10) Public Way Any public road, street, highway, walkway, drainage way, or part thereof.

(10.3) Road Maintenance Agreement A written agreement between the Town and the owner of a property served by a Single Purpose Road which defines the obligations of the Town to repair, plow snow and otherwise maintain a Single Purpose Road.

(10.5) Single Purpose Road A street, road or highway which is not a thoroughfare and a limited number of residence, commercial building, or institutional use.

(11) Street, Road, Highway A public way for pedestrian and vehicular traffic whether designated as a street, highway, road, land, way, avenue or however otherwise designated.

(a) Arterial Streets and Highways Those streets which provide rapid movement of concentrated volumes of traffic over relatively long distances. They provide principally for movement of persons and goods between high activity area.

1. Principal Arterials Those streets serving the major interstate corridors and corridors which connect major cities and regions. These routes provide the highest level of mobility and form a continuous system with constant operating conditions under a high degree of access control.

2. Primary Arterials Those streets serving long trips between important cities and the major intra community corridors within the metropolitan area. These routes provide for a high degree of mobility under a high degree of access control.

3. Standard Arterials Streets which more commonly provide for intermediate length trips, thus serving through traffic movement in trade areas, or feeding traffic to the primary and principal arterials from lower activity area not served by such routes.

(b) Collector Streets Those streets which provide moderate speed movement of persons and goods within large areas. They are basically local streets which usually, because of more directness of routing and higher capacity than other local streets, receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.

1. Connector Streets Those streets which perform a semi-arterial function as well as serving as distribution and land access streets.

2. Distributor Streets Those streets which perform the function of gathering and distributing traffic from and to the local streets and adjacent lands.

(c) Local Streets Those streets which are designed for low speeds and volumes and are to provide access from low-generation land activities to the collector and arterial systems.

(d) Marginal Access Streets Those streets which are parallel and adjacent to arterial streets and highway and which provide access to abutting properties and protection from through traffic.

(e) Alleys Streets which provide secondary means of access for vehicular services to the back or side of property otherwise abutting a street.

(f) Cul-de-sac Streets closed at one end with turnarounds.

(g) Dead-end streets Streets closed at one end without turnarounds.

(12) Subdivision A division of a parcel of land where the act of division creates either:

(a) Five or more lots, parcels or building sites of 35 acres each or less in area; or

(b) Five or more lots, parcels or building sites of 35 acres each or less in area by successive divisions within a period of five years.

(13) Town The Town of Springfield, Dane County, Wisconsin

4.02 STREETS AND ROADS REGULATED; PENALTIES

No person, firm, corporation, partnership, or legal entity of any kind shall construct, establish or maintain any street, highway or road, nor shall such be laid out or improvements made to land without compliance with all requirements of this ordinance and with all of the following:

(1) The provisions of Chapter 79 of the Dane County Ordinances regarding County highway access.

(2) The rules of the Wisconsin Department of Transportation and the Dane County Department of Transportation relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the Builder abuts on a state or county trunk highway, respectively, or a connecting street, including, but not limited to, minimum width regulations.

(3) All applicable Town land use plans, as adopted under sec. 60.61 of the Wisconsin Statutes, zoning ordinances, official maps, and any other ordinances and regulations.

4.03 APPLICATION FOR APPROVAL OF ROAD OR STREET.

(1) Every person or party proposing to construct a road or street shall submit a written application for approval of the same to the Town. No separate application shall be required if the road or street is proposed as part of a proposed plat or certified survey map, but the roads and streets in plats or certified survey maps shall conform to the requirements of the Land Division ordinance and this ordinance.

(2) The application shall be accompanied by a scale map prepared by a surveyor which shows the location and design of the proposed road or street. The application shall also specify the proposed name of the road or street, the parties responsible for construction of the road or street, and the anticipated schedule of construction of the road.

(3) Before any proposed road or street is approved, the applicant shall enter into a development agreement with the Town wherein the applicant agrees to construct the road or street eighteen (18) months of the date that the application is approved. All required improvements in the plat shall be completed prior to occupancy of any structure served by the road. The Town Board may allow phased construction of streets or roads.

(4) The Town Board shall review the proposed street or road, the plans therefor, the proposed security for the improvements, and the development agreement. The town may require

the applicant to provide additional information necessary, in the judgment of the Town, to property review the application.

(5) The Town Board may approve, reject or modify the application, and shall give the applicant due notice of its action.

4.04 SECURITY FOR COMPLETION OF CONSTRUCTION.

(1) At the time the development agreement is executed, the Builder shall file a bond, certificate of deposit, irrevocable letter of credit, or certified check, in such form as is acceptable to the Board and approved by the Town Attorney, with the Town in an amount equal to one hundred twenty five percent (125%) of the estimated cost of the required improvements as determined by the Town Engineer. Such deposit shall guarantee that such improvements will be completed according to Town Specifications by the Builder or its contractors not later than eighteen (18) months from the date that the application is approved or, where staging is permitted, that each stage will be completed by the date specified in the installation and completion schedule. Such security shall be held by the Town and either released or used in the manner specified in this ordinance. The provision of security by the applicant shall not release the applicant from its obligations under the development agreement nor prejudice the right of the Town to recover the full cost of completion of the improvements if the applicant fails to complete the same.

(2) The State of Wisconsin, Dane County and a City, Village or Town of Dane County may, in lieu of the bond or security provisions of this ordinance, may file a resolution duly adopted by such governmental unit agreeing to comply with the provisions of this section.

4.05 CONSTRUCTION IN PHASES. The applicant may elect, with the approval of the Town board, to install the improvements in phases, provided that:

(1) The phases are specified in the development agreement for the road or street.

(2) Improvements constructed during the first, and each subsequent, stage, of construction shall not be accepted nor shall any occupancy permits be issued within the completed area of the subdivision or development until the security required for the next stage of construction has been posted with the Town.

(3) The applicant shall record deed restrictions reviewed by the Town (or its designated representative) which specify that the lots included in future construction phases shall not be conveyed, transferred or sold unless the Town's approval is obtained.

(4) Erosion control plans and measures submitted and approved shall address the erosion problems posed by the construction of the project in phases.

4.06 RESERVATION AND DEDICATION OF LAND.

(1) All or any part of a street, an arterial street, drainage way or other public way which has been approved by the Town shall be dedicated to the public by the applicant in the

locations and dimensions indicated on the plan or map approved by the Town. The Town hereby finds that dedication of the land underlying streets or roads is a reasonable and necessary condition for the Town's agreement, by accepting said road or street, to maintain the same for the welfare of the public.

(2) All roads in the Town of Springfield shall be four (4) rods in width of right-of-way. Any road which was originally constructed with less than four rods of right-of-way shall be widened to four rods during any complete reconstruction of the road.

(3) Every developer shall, as a condition of the Town's acceptance of a road, warrant the road to be in suitable condition, good repair and free of defects, excluding ordinary wear, for a period of one (1) year from the date it is accepted for dedication. The security provided by the developer pursuant to section 4.04 of this Code shall remain in effect until the expiration of the warranty period at which time the Town Board would authorize the release of the letter of credit, certificate of deposit or other security.

4.07 STREET ARRANGEMENT.

(1) The street layout shall conform to the arrangement, width and location indicated on any official map, land use plan or component neighborhood development plan of the Town. In areas for which plans have not been completed, the street layout shall recognize the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, and to the most advantageous development of adjoining areas.
(a) Arterial Streets shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of major streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they connect.
(b) Collector Streets shall be arranged so as to provide ready collection of traffic from residential areas and conveyance of this traffic to the major street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches, shopping centers and other concentrations of population, and to the major streets into which they feed.
(c) Local Streets shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
(d) Proposed Streets shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless, in the opinion of the Town Board, such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts. Temporary turnarounds shall be required where the street ends at the boundary of the subdivision. The road right of way shall continue to the adjacent lands and connect to

roads constructed on such lands if approved by the Town Board.
(e) Arterial and Highway Protection. Whenever the proposed subdivision contains or is adjacent to a major highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage, with screen plantings contained in a non-access reservation along the rear property line, or by the use of frontage streets.
(f) Reserve Strips controlling access to roads or highways are prohibited except where control of such strips is placed with the Town under conditions approved by the Town Board.

4.08 STREET NAMES AND NUMBERING

(1) Street names and building numbers shall be assigned in accordance with the provisions of Chapter 76 of the Dane County Ordinances.

(2) The following designations shall be used only in the situations indicated:
a. Lane - a street, one block long, not ending in a cul-de-sac.
b. Circle - a cul-de-sac of nine lots or more.
c. Court - a cul-de-sac of eight lots or less.

4.09 STREET DESIGN STANDARDS

(1) Minimum Right of Way. The minimum right-of-way for all proposed streets and roads shall be 66 feet or such other width as is specified by the Town land use plan, official map or neighborhood development study; or if no width is specified therein, the minimum widths shall be 66 feet.

(2) Cul-de-Sac Streets. All cul-de-sac streets shall conform to the following standards:
(a) Streets designed to have one end permanently closed shall not exceed 1,600 feet in length.
(b) Except as provided in Section 6.08 (4)(2)3, streets which are designed to have one end permanently closed shall terminate in a circular turnaround having a minimum right of way diameter of 150 feet, and a minimum paved diameter of 100 feet. The reverse curve on a cul-de-sac shall have a 100 foot minimum radius when the bulb is centered on the street and 100 foot minimum radius when the bulb is offset.
(c) In areas zoned B-1, B-2, C-1, C-2, Industrial or other commercial zone, all streets which are designed to have one end permanently closed, shall terminate in a circular turnaround having a minimum right-of-way of 175 feet, and a minimum paved diameter of 120 feet.
(d) The land surrounding the cul-de-sac bulb ends shall be divided into a minimum of four lots. The land surrounding the bulb shall be defined as the land which fronts on the curved portion of the bulb to and including a line drawn perpendicular from the point where the curve of the bulb begins.

(2.5) Single Purpose Road Standards. The Town Board may establish a different set of standards applicable to Single Purpose Roads. The standards which are in effect at the time a property

owner enters into a Road Maintenance Agreement shall apply to that road during the term of the Agreement. The Town shall adopt its Single Purpose Road standards by resolution and post them on the Town's web site.

(3) Street Grades and Radii of Curvature. Unless necessitated by exceptional topography and subject to the approval of the Town, the street grades and radii of curvature shall conform to the Design Standard in the Dane County Subdivision Ordinance and the Town Road Ordinance. In the event of a conflict between the County and Town standards, the Town shall determine which standard shall be applied, on the basis of which standard is best suited to the estimated traffic load of the proposed road.

(4) Ditches shall be constructed whenever storm sewers are not required by the Town Board. (a) Roadside ditches shall not exceed 10% of grade nor have less than a 1% grade. The maximum ditch capacity for a 5-year intensity storm shall be not more than the values tabulated as follows:

Ditch Grade %	Q (c.f.s.)[1]
1	2.34
2	3.78
3	4.14
4	4.86
5	5.22
6	5.76
7	6.30
8	6.84
9	7.20
10	7.74

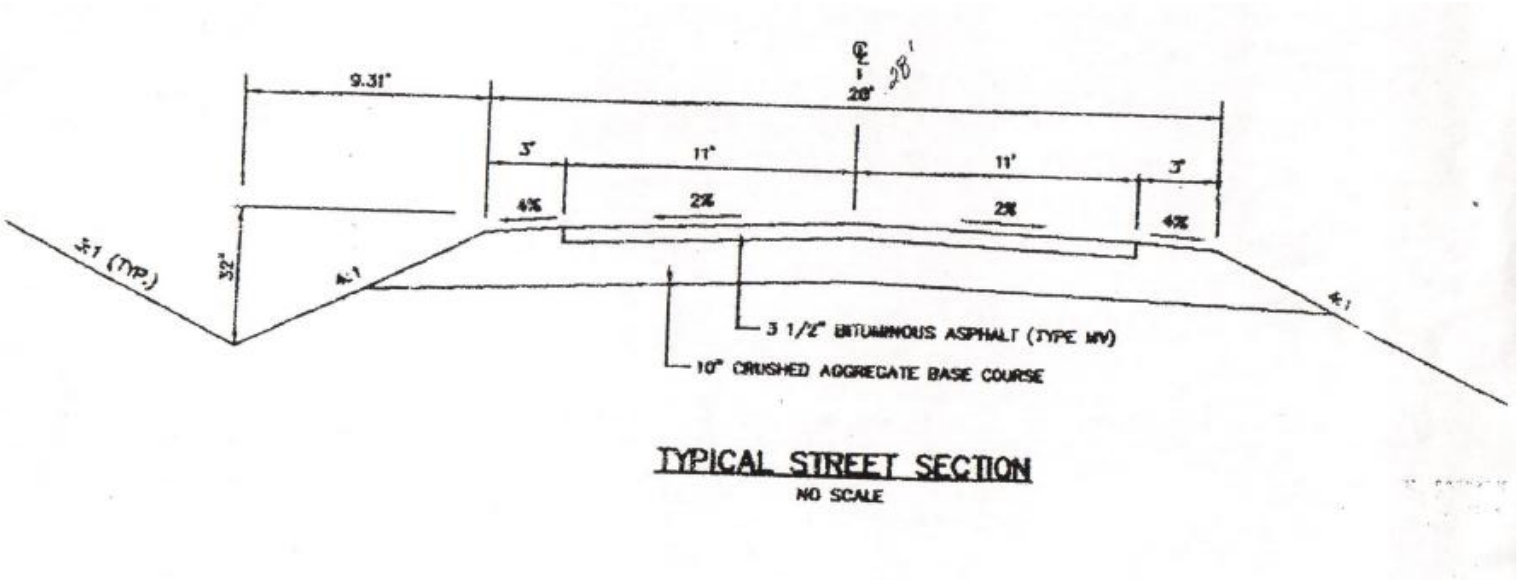
(b) Ditches shall be restored with 4" topsoil, fertilizing, seeding and mulching in accordance with the current Standard Specifications for Road and Bridge Construction, State of Wisconsin Department of Transportation.

[1] Quantity (cubic feet per second).

(c) Where ditches are required, streets shall be constructed as indicated in Figure 1.

(5) All roads in the Town of Springfield shall be constructed according to the specifications stated in this section, as depicted in figure 2.

FIGURE 2. TYPICAL ROAD



TYPICAL STREET SECTION
NO SCALE

(6) (a) All roads shall have a bituminous paved surface.
(b) The paved surface shall be at least 22 feet wide with 3-foot wide aggregate shoulders and roadside ditches with a minimum of two feet in depth. The road shall have a gravel base at least ~~10~~ 12 inches in depth. The pavement shall be laid in a binder course of asphalt which is at least 2 inches in thickness.
(c) The final course of a street serving residential property shall be at least 2 inches thick with TAC coat to the road base. In a commercial zone, the final course shall be two inches thick. The final course shall be applied within ninety (90) days of the occupancy of the sale of the last lot served by the road. A lot shall be deemed to have "occupancy" when a structure on the lot may lawfully be sold and inhabited, regardless of whether or not that lot is sold or construction is commenced. Prior to laying of the TAC coat on surface course, the builder shall cause any cracks or other defects in the binder base course to be filled and/or patched.
(d) All areas which are disturbed in the course of construction shall be fertilized, seeded and mulched. The Town may require sodding of surfaces which have a slope of more that 2:1 or are otherwise susceptible to erosion.

(7) The work for road construction shall be inspected by the Town as described in this paragraph. The Town shall inspect the road when subgrade is prepared; after the aggregate base course is installed but before the binder course is laid; after the binder course has been laid; before top course is laid, and, after completion of the entire road. The road's builder shall reimburse the Town for all fees incurred by the Town to perform these inspections.

(8) Upon approval by the Town of the completed road, the builder shall dedicate, by appropriate deed, a 66-foot side strip of real estate whose central line is the newly constructed road.

4.10 STREET/ROAD SIGNS COSTS.
The Builder shall be responsible for the initial cost of the street/road signs for new roads. The Town will order and install the signs after construction of the subdivision roads. The

Builder will be billed for the cost and installation. The Builder will also be responsible for payment of any signing fees imposed on the Town by the County or other authority. Payment will be required prior to issuing any building permits.

4.11 WAIVER

Where, in the judgment of the Town Board, it would be inappropriate to apply the provisions of this Ordinance to a proposed street or road because extraordinary or undue hardship resulting from the characteristics of the land would result, the Town Board may waive or modify any requirement of this ordinance, but only to the extent a waiver is found to be just and proper. The Town Board shall grant such relief only where it will not be detrimental to the public good, impair the intent and purpose of this ordinance, or impair the desirable general development of the community in accordance with the land use plan. Any applicant who requests a waiver of a provisions of this ordinance shall make a written application for a waiver and file the application with the Town Clerk-Treasurer. The Town Board shall hold a public hearing on the application not less than 10 days nor more than 45 days after the date on which the request is filed. The Town Clerk-Treasurer shall mail a notice of the hearing to all adjacent landowners and to the County Highway Department. The waiver application shall state the basis for the application and the specific hardship which is claimed to exist. Any waiver, exception, or variance which is granted pursuant to this section shall be made in writing, shall state the reasons which justified it, and shall be filed with the Town Clerk-Treasurer.

4.12 REQUIRED IMPROVEMENTS PROCEDURE

(1) PLANS AND CONSTRUCTION SPECIFICATIONS. Prior to commencing construction of any required improvement, the applicant shall prepare construction plans and specifications and submit them to the Town Engineer or designee for review and approval. The Town Engineer may require the submission of the following plans and accompanying construction specifications before authorizing construction or installation of the improvements:
(a) Street plans and profiles showing existing and proposed grades, elevations and cross sections of required improvements.
(b) Storm water and surface water drainage plans.
(c) Such additional plans or information as may be required by the Town Engineer.
(d) Plans and specification for all utilities and underground facilities.

(2) PRIVATE CONTRACTS. The Builder shall engage one general contractor whose qualifications have been approved by the Board for each major phase of construction (grading, utilities, streets) or one general contractor for a contract which includes more than one phase of construction.

(3) SCHEDULING. All scheduling of the contemplated improvements shall be approved by the Town Engineer. Construction may not be commenced on any phase of construction until all approvals and conditional requirements are satisfied and a copy of the private contract has been filed with and approved by the Board. Construction shall not proceed until all State of Wisconsin approvals are granted.

(4) STREET GRADING

(a) The Builder shall furnish standard drawings which indicate the existing and proposed grades of streets shown on the plan, and after review of design engineering work on the streets by the Town Engineer and approval of street grades by the Board, the applicant shall grade or cause to be graded the full width of the right of way of the streets proposed to be dedicated, including the vision clearance triangle on corner lots. In those cases where existing street right of way is made a part of the applicant's plan or abuts the area included in the plan, he/she shall grade or cause to be graded that portion of the right of way between the existing pavement and the property line. The bed for the roadways in the street right of way shall be graded to sub-grade elevation. The Town Engineer shall inspect the proposed street before grading and approve all grading within right of way. The street grading shall extend for a sufficient distance beyond the right of way to insure that the established grade will be preserved. The grading of rights of way for principal and primary arterials shall only be required where necessary to provide access to the streets or lots in the plan. Lots which abut principal and primary arterials shall be graded to proposed street grade or to a grade approved by the Town Engineer prior to the sale of affected properties.

(b) The Builder shall engage a licensed professional engineer to set sub-base grade in accordance with approved centerline grade and cross section; and to set grades necessary to comply with other grading requirements, including vision clearance on corner lots, centerline and lot line grades for green ways, terrace grading for abutting streets and other required grades. The grading program shall consist of the following elements:

1. The stripping and removal of all topsoil, debris and vegetation within the street right of way.
2. Grading of full street right of way to a tolerance of 0 to 0.2 feet below proposed centerline grade. Fill sections shall be constructed of approved materials, which do not include topsoil, debris, vegetation, etc.
3. Grading beyond right of way to insure that the established grade will be preserved.
4. Grading of vision clearance triangle on corner lots (Maximum embankment of three (3) free above curb elevation within a triangle formed by two intersection street line or their projections and a line joining points on such street lines located 25 feet from the street intersection).
5. Where the public green way is included in the project the Builder is responsible for an acceptable continuous drainage way in the green way as determined by the Town Engineer.
6. All additional grading, where applicable of lots abutting green ways, terraces of streets abutting plat, public easements for sanitary sewer and sidewalk, and other requirements of ordinances and special conditions of plat approval. There shall be a plan for disposal of any surplus soil or earth.
7. Where a natural drainage way exists which has acceptable hydraulic capacities including alignment and grade as determined by the Town Engineer, construction will not be required and the existing natural growth shall be preserved. When such natural growth is not preserved by action of the applicant or his/her agent, he/she shall be responsible for repairing the disturbed areas by sodding. However, in certain locations, as determined by the Town Engineer, where the hydraulic capacities including alignment and grade are not acceptable, then such alignment, grade and slopes shall be improved by the applicant to the interim

minimum requirements of a ten-foot wide ditch bottom with four to one side slopes, all to be seeded.

(c) The applicant shall install permanent pipes or culverts at a grade designated by the Town Engineer under all streets crossing a green way or drainage way. Said installation shall be in accordance with the Standard Specifications for Road and Bridge Construction of the Department of Transportation of the State of Wisconsin. All costs of the installation shall be the responsibility of the applicant. The permanent pipe or culvert shall not be installed prior to the installation of a street crossing a green way unless done pursuant to written agreement between the Engineer and the applicant. Culverts required across intersections for temporary street drainage, shall be furnished and installed by the Builder at his expense. All temporary culverts installed by the Builder shall be completely removed when the streets are constructed to standards and the area restored to as near to original condition as possible as determined by the Town Engineer.

(d) All ditching and culvert installation shall be done in strict accordance with grades approved by the Engineer. The applicant's engineer shall be responsible for setting all required grades in the field for construction purposes.

(5) STREET CONSTRUCTION. After completion of the underground utilities and approval thereof, the streets shall be constructed.

(6) CHANGE ORDERS. When extra work not specified in the contract is required to complete the project, the Town will notify the Builder or his/her engineering representative. No extra work shall proceed until the Builder or his/her representative has entered into a written agreement for the additional work.

(7) EROSION CONTROL. The applicant shall take all steps necessary to prevent the erosion, siltation, sedimentation, washing and blowing of dirt and debris caused by grading, excavations open cuts, side slopes, and other activities by the applicant or his/her contractors. Reasonable methods of control shall include, but not be limited to, seeding and mulching, sodding, berm construction, pond construction, and watering. In such cases where the method of control has failed, the builder shall clean up the materials which have been displaced prior to construction of additional improvements. Plans for erosion control shall be submitted to the Town Engineer for review and approval before any land surface disturbances are made. The Engineer's decision may be appealed to the Board.

(8) FLOOD PLAIN/SHORE LAND. All provisions of Dane County Ordinances relating to flood plain and SHORE LAND zoning are incorporated herein and adopted by reference.

(9) INSPECTION. Prior to commencing any work within the subdivision, the applicant shall make arrangements with the Town Engineer to provide for adequate inspection. The Town Engineer shall inspect and approve all completed work prior to acceptance of the road or any release of the securities deposited pursuant to this Ordinance.

4.13 ACCEPTANCE OF IMPROVEMENTS

(1) After the applicant has installed all required improvements, he/she shall notify the Town Engineer in writing that the work is complete and ready for final inspection. The Town

Engineer shall inspect the improvements and forward a letter to the applicant indicating his/her approval or disapproval. When the improvements have been approved by the Town Engineer, the Clerk-Treasurer will prepare a final billing for engineering, inspection and legal fees and submit it to the applicant for payment. In addition, the applicant and all general contractors shall file lien waivers or affidavits, in a form acceptable to the Town and approved by the Town Attorney, evidencing that there are no claims, actions or demands for damages, based upon contract or tort arising out of or in any way related to the project and that no monies are owed to any surveyor, mechanic, sub-contractor, material man or laborer.

(2) Resolution When the engineering, inspection, and legal fees have been paid and when the necessary lien waivers and affidavits have been filed, a resolution accepting the project will be prepared and presented to the Town Board.

(3) Security Release The security furnished pursuant to Section 4.04(1) shall remain in full force for a period of one year after the completion of the project and acceptance by the Board unless partially released as hereinafter provided. The security shall be held to guarantee the work performed pursuant to private contracts against defects in workmanship and materials. If any defect appears during the period of the guarantee, the applicant or its contractor shall, at its expense, install replacements or perform acceptable repairs. In the event that the applicant fails to install the replacement or perform the repairs, the Town may do so and deduct the cost thereof from the security deposit. Unless defects have appeared and have not been repaired, the Town shall release the security to the applicant upon expiration of the one year guarantee period.

(4) ENGINEERING, INSPECTION AND ATTORNEY FEES

(a) The applicant shall pay all engineering, inspection, consulting and legal fees incurred by the Town for services performed by or on behalf of the Town in conjunction with the design, inspection and review of any application for approval of a road, with the drafting of legal documents, and with such inspections as the Town Engineer deems necessary to assure that the construction of the required improvements is in compliance with the plans, specifications and ordinances of the Town or any other governmental authority. Consulting, engineering, inspection and legal fees shall be the actual costs to the Town on the basis of submitted invoices plus twice (2x) the actual payroll costs for time spent by any employees of the Town. Such fees may be billed monthly, or upon completion of the project as determined by the Board.

(b) To guarantee payment of the engineering, inspection and attorneys fees, the applicant shall deposit the sum of $1,000.00 plus $100.00 for each lot or parcel served by the road with the Town Clerk-Treasurer at the time that the application for approval is first filed. If such fees are paid timely, the deposit will be refunded at the time that the road is accepted by the Town. In the event that the applicant fails to pay such fees within fourteen (14) days of the time when the Town submits its bill therefore, the Town may deduct the amount of such fees from the security deposit.

4.14 OFFENSES AND PENALTIES.

(1) No residential lot served by the road may be occupied until the binder course provided for in this Ordinance has been installed and approved by the Town. The Town shall not issue any building permit for any structure served by the road until the road binder course

has been completed and approved.

(2) No person may deposit, place or leave any materials, or plant vegetation, on a Town road, within the right-of-way of the road, or in the ditches of a town road, which materials obstruct the use of the road, render the surface slippery or hazardous, or which may damage persons or property. This prohibition shall include, but not be limited to: glass, garbage, gravel, stones, machinery, cans, or other material, but shall not include salt, sand, calcium chloride or other materials used in maintenance of Town roads.

(3) No person may plant, maintain or permit vegetation or plants on any private premises adjacent to a highway which obstructs the view of the operator of a motor vehicle approaching an intersection, or which obscures or conceals any traffic sign on a Town road. Every person shall endeavor to reasonable trim, cut and otherwise prevent vegetation or plants from obstructing visibility at intersections or of signs.

(4) No person may build or reconstruct a fence or any other structure within the thirty three feet (33') of right-of-way of a Town road, measured from the centerline of said road. Any fence which existed prior to the construction of the road may be maintained, but may not be replaced.

(5) No person may cultivate, crop, or otherwise work any land located within the right-of-way of a Town road, including the planting of trees.

(6) No person may, by operation of a motor vehicle, spillage of chemicals, operation of machinery or other action, damage a Town road.

(7) Any person, firm, or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not less than One Hundred Dollars ($100) nor more than One Thousand Dollars ($1,000) plus all applicable assessments and the costs of prosecution of each violation. Each day a violation exists or continues shall constitute a separate offense.

(8) Every violation of this ordinance is declared to be a public nuisance. In addition to the penalties provided in this ordinance, the Town may abate such a nuisance. The Town shall give written notice to the landowner or person who is in violation of the ordinance giving the person a reasonable time to correct the violation. In the event the violation is not corrected, the Town may take such action within its right-of-way as is necessary to abate the nuisance, including removal of any material which is encroaching upon or obstructing the right-of-way, or trimming of vegetation which is intruding on the right-of-way. The Town may charge the responsible party for the cost of abating the nuisance, and if said charges are unpaid, assess them against the violator's property as a special charge.

(9) In addition to the other remedies herein, the Town may commence an action for injunctive relief against an alleged violator seeking to compel the violator to cease and desist from violating this Ordinance.

(10) Charges for removal of obstructions, litter, debris or material from highway. The Town's

highway patrol employee may order the person or persons responsible for placing obstructions, litter, material or debris on a Town highway to remove the same. If the person responsible fails to remove the obstructions, litter, material or debris within twenty four (24) hours, the Town may remove the same. The Town may charge the responsible person or persons for the cost of the removal by sending an invoice to the last-known address of the responsible person or persons. If the responsible person or persons do not pay the charges before the 15th day of September, the unpaid charges shall be levied against the real property of the responsible person or persons as a special charge pursuant to sec. 66.60 (16), Wis. Stats., and shall be a lien against said real property pursuant to sec. 66.60 (15), Wis. Stats.

4.15 SPEED LIMITS ON TOWN ROADS.

(1) Enactment. Pursuant to sec. 349.11(3), Stats., the Town finds, on the basis of a traffic study performed by the Dane County Transportation Department, that the following speed limits, varying from the presumptive limits in the statutes, should be adopted.

(2) **Twenty five MPH.** The speed limit on the following described portions of town roads in the Town of Springfield, Dane County shall be twenty-five miles per hour for all vehicles:

Bittersweet Court - From its intersection with Sunrise Ridge Trail northerly to its end.

Blue Spruce Court - From its intersection with Pine Cone Circle southerly to its end.

Church Road - From its intersection with County Trunk Highway AK@ southerly to a point 0.12 of a mile south of its intersection with County Trunk Highway AK@.

Clover Hill Dr - From its north intersection with Hickory Run to its south intersection with Hickory Run.

Dahmen Drive - From its north intersection with Hickory Run to its south intersection with Clover Hill Drive.

Foxfire Trail - From its intersection with Greenbriar Road southerly to its end.

Harvest Hill Court - From its intersection with Harvest Hill Road northerly to its end.

Harvest Hill Road - From its intersection with Wipperfurth Road to its intersection with Harvest Hill Court.

Hickory Run - From its intersection with Kick-a-boo Road to its west intersection with Clover Hill Drive.

Hickory Trail - From its intersection with Enchanted Valley Road southerly and westerly to its end.

Oak Circle Drive - From its north intersection with Scenic Ridge Trail southerly and easterly to its end.

Overlook Court - From its intersection with Scenic Ridge Trail easterly to its end.

Pine Cone Circle - From its intersection from Enchanted Valley Road southerly and westerly to its intersection with Hickory Trail.

Poelma Drive - From its intersection with State Trunk Highway 19 northerly to its end.

Rusty Lane - From its intersection with Wipperfurth Road easterly to its end.

Sagebrush Trail - From its intersection with Hickory Trail southerly to the Town of Springfield south town line.

Scenic Court - From its intersection with Scenic Ridge Trail westerly to its end.

Scenic Ridge Trail - From its intersection with County Trunk Highway K northerly to its north intersection with Oak Circle Drive.

Shamrock Glen Circle - From its intersection with High Road westerly to its end.

Springfield Circle - From its intersection with Lodi-Springfield Road easterly to its end.

Springhelt Drive, along it entire length.

Sunrise Ridge Trail - From its intersection with Enchanted Valley Road to its intersection with Schneider Road.

Sutzfey Circle, along its entire length.

Town & Country Lane - From its intersection with U.S. Highway 12 westerly to its end.

Wildrose Court - From its intersection with Foxfire Trail easterly to its end.

(3) **Thirty MPH.** The speed limit on the following described portions of town roads in the Town of Springfield, Dane County shall be thirty miles per hour for all vehicles:

Martinsville Road - From its intersection with County Trunk Highway P westerly to a point 0.79 of a mile west of its intersection with County Trunk Highway P.

(4) **Thirty five MPH.** The speed limit on the following described portions of town roads in the Town of Springfield, Dane County shall be thirty-five miles per hour for all vehicles:

Enchanted Valley Road - From a point 0.16 of a mile east of the Town of Springfield west town line easterly, southerly and westerly to the Town of Springfield south town line.

Schneider Road - From its intersection with Vosen Road westerly to its intersection with Enchanted Valley Road and for the .35 mile portion of the road to the East of Enchanted

Valley Road.

(5) **Forty MPH.** The speed limit on the following described portions of town roads in the Town of Springfield, Dane County shall be forty miles per hour for all vehicles:

Capital View Road - From its intersection with Schneider Road southerly to the Town of Springfield south town line.

Greenbriar Road - From its intersection with U.S. Highway 12 easterly to its intersection with High Road.

High Road - From its intersection with Balzer Road southerly to its intersection with Greenbriar Road.

Schneider Road - From the point which is .2 miles west of the intersection with Capitol View Road to the point which is .15 miles East of the intersection with Capitol View Road.

Woodland Drive - From a point 1.00 miles west of its intersection with Lodi-Springfield Road to a point 1.60 miles west of its intersection with Lodi-Springfield Road.

(6) **Forty-Five MPH.** The speed limit on the following described portions of town roads in the Town of Springfield, Dane County shall be forty-five miles per hour for all vehicles:

Koch Road - From its intersection with Vosen Road easterly to its intersection with Bronner Road.

Vosen Road - From its intersection with Schneider Road southerly to Koch Road.

Pheasant Branch Road - from Middleton City limits to County Highway K

Balzer Road - from High Road to the Town of Westport limits.

(7) Future speed limit changes. The Town Board may adopt changes to speed limits using the following procedure:
(a) The Town Board shall adopt a motion requesting that the Dane County Highway and Transportation Department conduct a study of the traffic on the road in question. The Board may engage an engineering firm if the County cannot provide timely service.
(b) After the report of the County has been received, the Town Board shall place on the regular meeting agenda the issue of revising the speed limit on the road in question. The Board may accept comments from the public.
(c) The Board may, after consideration of the report of the County and other information, adopt the recommended speed limit. The speed limit shall be added to this Ordinance by the Clerk-Treasurer.

4.16 PARKING ON PAVED ROAD SURFACE PROHIBITED.

(1) Pursuant to sec. 349.13 Wis. Stats., no motor vehicle may park, stop or stand on the

paved portion of any Town road within the Town of Springfield.

(2) Exceptions. The prohibition of subsection (1) does not apply to:
(a) The temporary stopping or leaving of a motor vehicle where the motor vehicle has become disabled while on the highway to such an extent that it is impossible to move the motor vehicle.
(b) The stopping of a motor vehicle to avoid conflict with other traffic or to comply with traffic signs, signals or the directive of a law enforcement officer.
(c) The stopping of a vehicle of a public utility, telephone or electric cooperative where necessary to maintain, install, repair, construct or inspect service, provided that appropriate warning signs or signals are placed near the stopped vehicle.

(3) The parking restrictions adopted by the Town shall be communicated to the public by means of signs which comply with the Manual on Uniform Traffic Control Devices.

(4) Any vehicle owner or operator who violates the restrictions in subsection (1) shall forfeit the sum of five dollars ($5.00) per violation, which shall be assessed by issuance of a citation.

(5) The Town may cause the removal of a vehicle parked in violation of a restriction enacted pursuant to subsec. (1), and may charge the operator or owner for the costs of the removal and storage.

4.17 MAILBOX.

(1) Commencing on the effective date of this ordinance, no person, corporation, partnership, proprietorship or other legal entity may install any mailbox on or adjacent to a Town road of the Town of Springfield, unless the mailbox meets the standards contained in this ordinance. Existing mailboxes shall not be required to conform to these standards, but any repair or replacement of the mailbox shall result in the mailbox being reconstructed so as to comply with the standards herein. As used in this section, the term “repair” or “maintenance” does not include painting or remounting of a mailbox.

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(2) Standards.
(a) No mailbox may be constructed so that the posts or any portion of the mailbox infringes upon the shoulder or road surface of the Town. An infringement shall include an encroachment of the air space above the Town’s right-of-way.
(b) Every mailbox shall be installed such that the support post is set back a minimum of 24 inches from the edge of the shoulder of the Town road.
(c) The mailbox itself shall be mounted so as to be at least 46 inches above the surface of the shoulder of the road.
(d) The front edge of the mailbox shall be aligned with the outside edge of the road’s shoulder.
(e) The mailbox itself shall be constructed of appropriate material and should be of a kind which has been approved by the Postmaster General of the United States.
(f) The Town shall make a pamphlet available to property owners explaining these standards. However, the pamphlet shall not be construed as part of this ordinance.

(3) The Town of Springfield shall not be responsible for the cost of replacing any mailbox which is constructed in violation of the requirements of this section, regardless of whether or not the box was constructed prior to the effective date of this ordinance.

(4) Any person who constructs or installs a new mailbox in the Town of Springfield shall comply fully with the requirements of this ordinance. In the event that an existing mailbox is repaired or maintained [other than as defined in subset 4.17 (1)], the mailbox shall, at that time, be made a conforming mailbox.

(5) Every pre-existing mailbox in the Town of Springfield shall be required to meet the standards contained in this ordinance ten (10) years after the effective date of this ordinance.

4.18 DRIVEWAYS

The following regulations apply to construction or modification of private driveways located on lands in the Town of Springfield, which private driveways provide access to buildings originally constructed or substantially modified after the effective date of this ordinance. Existing driveways are not required to meet the standards herein, but shall be brought into compliance with these standards at such time as the driveway is resurfaced, regraded, or a new driveway culvert is installed.

(1) Approval Required

a. In this ordinance, the term driveway is defined as private driveway, road, field road, or other traveled way giving access from a public highway to one or more buildings located or to be constructed on adjacent lands.
b. No person shall establish, construct, resurface, improve or rework a driveway connected to a road right of way without first obtaining a Driveway Permit from the Town Board of Supervisors, or designee. Re-graveling of previously constructed driveways does not require a permit. Application forms and information should be obtained from the Town Clerk. Prior to consideration of the application by the Town Board or designee, the applicant shall submit to the Town Clerk a driveway construction plan which shall accurately describe the location of the proposed driveway and the specifications required by Section (3) of this ordinance for the driveway's construction.
c. Erosion control measures/permit may be necessary; subject to decision of the Town Board or its' designee.
d. All driveway permit applications must include an informal site drawing. Those over 100 feet in length may be subject to review by the town engineer and may have to provide a professional site plan; all at the applicant's expense. This shall be decided by the Town Board or its' designee.
e. No building permit for new residential construction will be issued until the driveway is constructed according to the specifications of this ordinance. The only exception will be the final application of gravel which may occur after heavy equipment needed for building activities will no longer be using the driveway.
f. With approval of the Town Board or designee, the driveway permit may be issued to allow for the excavation of the site to provide for site preparation

and to provide fill for the proposed driveway.

g. A non-refundable fee in the amount noted on the current Springfield Fee Schedule must be submitted with each driveway application.
h. The permit is valid for a period of three years and to the original owner only.

2. GENERAL PROVISIONS, FIELD ROADS

Culverts are required for all field roads accessing Town roads, unless waived by the Town Board or designee, and all costs involved are the responsibility of the property owner. A driveway permit is required from the Town Board or its' designee for all field roads. Field roads are not required to meet the other standards established for driveways by this section.

Landowners may install or use only the defined points of access to the right-of-way in each field. If a field road access is discontinued or abandoned for more than two (2) years, the field road access shall be lost and may not be used unless a new field road access permit is granted by the Town.

Field road access points shall be at least 15 feet from the extended street line at all intersections. A field road access allows access to a Town road solely for agricultural purposes and may not be converted to residential or other uses unless the Town issues a driveway permit authorizing the modification.

GENERAL PROVISIONS, CULVERTS

a. Culverts are required for all residential driveways, unless waived by the Town Board or designee, and all costs involved are the responsibility of the property owner.
b. Culverts accessing agricultural lands from town roads require a permit from the Town Board unless waived by the Town Board or designee prior to installation and all costs shall be the responsibility of the property owner.

GENERAL PROVISIONS, OTHER

a. No poured concrete, stone, brick, wood or other types of end-walls/head walls shall be constructed on the highway right of way. The highway right of way for town highways is 33 feet from the centerline of the highway.
b. Permits to cross the County or State right of way are to be obtained from those respective highway departments and the actual driveway permit from the right of way to the building site must be obtained from the Town. The cost of this town permit will be $150.00
c. There are non-refundable fees that must be submitted with each residential driveway application and culvert permits. See the established fee listing.

3) SPECIFICATIONS FOR THE CONSTRUCTION, MODIFICATION IMPROVEMENTS, OR RELOCATION OF DRIVEWAYS:

a. No land with a grade of more than 25 percent shall be disturbed for the construction, establishment, reworking or improvement of a driveway, if the driveway is 100 feet or greater in length

b. An engineer's plan showing adequate erosion control measures is required for any segment of the proposed driveway which disturbs land with a grade of more than 20 percent and less than or equal to 25 percent.
c. The driveway shall be constructed with a minimum roadway of 12 feet in width and minimum shoulder of 1 foot on each side having a slope of 1 foot of vertical rise for 6 feet of horizontal distance. Please refer to the Typical Driveway Section shown on the attached Exhibit A for further information.
d. Each driveway shall have a culvert at the ditch line where the driveway meets the public road, unless a special permission is obtained from the Town Board or designee. The culvert shall be at least 18 inches in diameter and 30 feet in length, constructed of "corrugated metal pipe" with approved metal end walls. HDPE culverts and end walls could be approved by the town board or designee.

Gauge minimums are:

Pipe Diameter	Gauge
15 to 24 inches	16
30 to 36 inches	14
42 to 54 inches	12
60 to 72 inches	10
78 to 84 inches	8

e. Backfill Material
Material used for backfill shall be of a quality acceptable to the Town Board or designee and shall be free from frozen lumps, wood, or other extraneous or perishable materials. The minimum cover, measured from the top of the pipe to the top of the subgrade, shall be six (6) inches.
f. A driveway which is at least 24 feet in length shall have a maximum 5 percent grade at the point where the driveway enters onto a public road. A slight dip across the driveway shall be placed just before the culvert at the entrance to the public road to prevent debris from washing onto the public road. See Exhibit "B".
g. Curves in the driveway shall have an inside radius of not less than 36 feet.
h. Maximum grade of the entire driveway or any given segment of the driveway shall not exceed 12 percent.
i. Side banks shall be seeded promptly to control erosion.
j. Once the construction of the driveway has begun, all specified erosion control measures, including retaining walls, ditching, culverts, crowning, mulching and matting shall be completed within 180 days.
k. The driveway must have at least six (6) inches of four (4) inch rock on the roadbed, covered with two (2) inches of 3/4 inch gravel, within the road right of way.
l. All costs of construction of said driveway, including the cost of the culverts and engineer's plan, if required, shall be paid by the property owner requesting the permit.
m. An area twelve (12) feet each side of the centerline of the driveway and a height sufficient to permit the safe passage of emergency vehicles must be clear of obstructions. In cases where such clearing would be environmentally

damaging, the Town Board or designee may waive the restrictions. If the driveway is over 100 feet, bump outs will be required every 400 feet or wherever a line of site is obstructed (hills or corners) a traffic pass needs to be incorporated.

n. Concrete pavement may only come to the right of way and not to the road edge, unless a written, signed waiver has been approved by the Town Board and filed with the Clerk Treasurer. The Town will not be responsible for replacement of concrete pavement when it is disturbed or removed in the course of reconstruction or repair of Town roads, or by snowplowing or other maintenance of the road by the Town.
o. Joint driveways will not be permitted without prior review and specific approval by the Town Board of the Joint Driveway Agreement establishing the proposed joint driveway and the manner of its construction, maintenance and use. Joint driveway agreements shall be recorded against all properties served by the joint driveway, through a formal document recorded in the office of the Dane County Register of Deeds.
p. The number of driveways to serve an individual residential or commercial property fronting on a street shall be one (1) , except where deemed necessary and feasible by the Town Board or designee for reasonable and adequate service to the property, considering the safety, convenience and utility of the street, and driveways may be approved for commercial and other use areas where deemed reasonable.
q. Any costs of relocating utilities shall be the responsibility of the property owner with approval of the Town Board or designee necessary before any utility may be relocated and the driveway installed.
r. Any of the above requirements may be varied by the Town Board in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
s. No driveway shall be closer than fifteen (15) feet to the extended street line at an intersection. At street intersection a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the road way deemed necessary by the Town for effective traffic control or for highway signs or signals.
t. The Town Board designee shall perform two inspection(s) on every driveway:
(1) once final grading is completed, prior to pouring
(2) after the surfacing or pouring has been completed.
***Twenty-four hour notice is required for inspections. Inspections are performed Monday thru Friday only.

4) SPECIAL REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DRIVEWAYS: The following regulations are applicable to driveways serving commercial or industrial establishments:

a. No part of a private driveway located within the dedicated area of a public road shall, except as hereinafter provided, have a width greater than thirty (30) feet measured at right angles to the centerline of said driveway, except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land

would require a driveway of greater width than herein specified, the Town Board in its discretion may permit a driveway of additional width.

b. The angle between the center line of the driveway and the curb line or road edge shall not be less than 70 degrees.

5) APPLICATION PROVISIONS:

The Town, notwithstanding the construction of such driveway, reserves the right to make any changes, additions, repairs or relocations with the dedicated portion of the Town Road at any time, including relocation, reconstruction, widening and maintaining the road without compensating the owner of such private driveway for the damages or destruction of such private roadway. If repairs are necessary due to the disruption of current surfaces that may include, but are not limited to concrete, colored or imprinted, and/or blacktop the town will reserve the right to replace such surfaces with a minimum of two (2) inches of blacktop or gravel.

6) REQUIREMENTS FOR AN ENGINEER'S PLAN

a. The Town Board or designee may require the applicant to obtain a plan prepared by a professional engineer licensed by the State of Wisconsin (hereinafter an engineer's plan) prior to the construction or the modification of any proposed driveway. An engineer's plan is required:

1. For a driveway or segment of a driveway whose construction requires the disturbance of the land with a slope of 20 percent or more and less than or equal to 25 percent;

2. For a driveway or segment of a driveway whose construction requires a retaining wall or other special erosion control measure as determined by the Town Board or its authorized designee; or

3. When the Town Board requests a plan for reasonable cause.

b. The engineer's plan will including the following;

1. The precise location of the driveway or segment(s) of the driveway which require(s) an engineer plan.

2. Grade of the driveway showing no segment exceeding12 percent.

3. Location and structure of any retaining walls.

4. Location and size of any culverts.

5. Cross section of the driveway.

6. Mulching, matting, or other erosion control measures.

7. Material and specifications plan.

c. When an engineer's plan is required, no construction of a driveway may commence until the engineer's plan is approved by the Town Board or designee, a Town Driveway Permit is issued and, when applicable, any necessary approvals are obtained from Dane County or the State of Wisconsin (Wis. Stats. Section 86.07)

d. The preparation of an engineer's plan does not guarantee the approval of a driveway permit application.

7) EXISTING DRIVEWAYS AND FIELD ROADS

When washing or other conditions created by existing driveway or field roads become a potential hazard to a public road, the Town Board or designee shall notify the owner(s) of the land through which the driveway passes of such condition(s). Any property owner failing to correct such condition(s) within 30 days after notice by the Town Board or designee shall be subject to the penalties of this ordinance and shall also be liable for any costs incurred by the Town to eliminate the hazard as provided in Wis. Stats. Section 66.60(16).

8) PENALTIES

a. Should a driveway be constructed or modified in a way which violated the provisions of this ordinance, the owner(s) of the land through which the driveway passed shall pay a fine equal to 3 times the fee chargeable for the permit application, whether or not that fee has been paid. The owner(s) of the land shall also make the corrections indicated by the Town Board within a reasonable period of time determined by the Town Board. The Town Board or designee may request the Clerk Treasurer to send a letter of notice to any property owner not adhering to this ordinance requesting compliance.

b. If the owner(s) of the land through which the driveway passes do(es) not make the required corrections within the time specified, the Town Board shall determine the cost of correcting violations of the provisions of this ordinance including when necessary the return of disturbed land to its original condition. That cost shall be paid to the Town by the owner(s) of the property through which the driveway passes, as provided in Wis Stats. Section 66.60(16).

4.19 REGULATING THE WEIGHT OF VEHICLES ON TOWN ROADS

The Town Board of the Town of Springfield, Dane County, do ordain as follows:

Section 1 - Statement of Purpose

In the interest of public safety on Town roads, the roads and streets, or portions thereof, of the Town of Springfield are hereby declared to have special weight limitations as set forth herein, because, in the absence of such special limitations, there is a likelihood that they would be seriously damaged or destroyed. Such limitations are adopted pursuant to Sec. 349.16, Wis. Stats., which is hereby adopted by reference and made a part of this Ordinance.

Section 2 - Weight Limitations
It shall be unlawful for any person to operate a vehicle which weighs more than ten (10) tons on Town roads, streets or portions thereof, except when necessary for the purpose of delivering and moving supplies or other necessary commodities to or from any farm, place of business or residence fronting on any such roads, and except when necessary for the purpose of leaving or returning to a terminal or place of garaging a vehicle; however, such operator shall leave such road and re-enter roads not prohibited by such weight limitation at the point closest to its immediate destination and shall take the most direct route to his destination. Town vehicles engaged in official duties, milk trucks, fuel trucks, school buses and emergency vehicles, shall be exempt from the general weight restrictions of this Section.

Section 3 - Notice; Signs
Appropriate weight limitation signs shall be erected on Town roads and/or streets. At all times a map showing the location of the signs shall be on file with the Town Clerk/Treasurer.

Section 4 - Seasonal Weight Limitations
In addition to the permanent weight restrictions on Town roads, the Town Chairperson may impose special seasonal weight limitations on any Town road or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations. When such seasonal weight limitations are in effect, the pick-up and delivery exceptions to Section 2 above shall not be applicable, except by written permission of the Town Board/designee.

Section 5 - Penalty for Violation
The penalty for violation of any provision of this Ordinance shall be a forfeiture as hereinafter provided, together with the costs of prosecution imposed and provided in Sections 345.20 to 345.53, Wis. Stats. The forfeiture for a first violation of any provision of this Ordinance shall not be less than Five Hundred ($500.00) Dollars. The forfeiture for second or subsequent offenses shall not be less than One Thousand ($1,000.00) Dollars. In addition, any person violating this ordinance shall pay the actual cost of repairing all damage caused by the overweight vehicle.

Section 6 - Enforcement
This Ordinance shall be enforced in accordance with the provisions of Sections 345.20 to 345.53, Chapter 800, and Section 66.12, Wis. Stats.

Section 7 - Severability
If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

Section 8 - Effective Date
This Ordinance shall take effect the day after its publication pursuant to law.

4.20 SINGLE PURPOSE ROADS

(1) It is declared to be the policy of the Town of Springfield that Single Purpose Roads impose a disproportionate expense and burden on the Town. Further, the Town finds that continued maintenance of these Single Purpose Roads at Town expense is inequitable, in that these roads are functionally equivalent to driveways, which the Town does not maintain.

(2) On or before the Abandonment Date [August 1, 2012], the Town of Springfield shall vacate and abandon all Single Purpose Roads unless the owner of the property served by the Single Purpose Road has entered into a Road Maintenance Agreement with the Town.

(3) In order to implement subsection (2), on or before June 30, 2012, the Town shall send a written notice to each owner of a Single Purpose Road ("Notice"). The Notice shall inform the owner that the Town intends to vacate the Single Purpose Road serving the Owner's property unless the Owner enters into a Road Maintenance Agreement with the Town.

(4) The Road Maintenance Agreement shall specify:
   a. The improvements to be made to the Single Purpose Road to bring it up to the standards established by the Town Board;
   b. The Owner's obligation to pay for any improvements above the Towns standards.
   c. Future road cost may be charged to the SPR owners in 2013 depending on future budget issues.
   d. The timeline for maintenance and improvements on SPR will be determined by the Town Board.
   e. Moneys for improvements above the Towns SPR standard will be secured by the Town from all parties before work proceeds.

(5) If the owner of a Single Purpose Road does not enter into a Road Maintenance Agreement with the Town within six months of the date of the Notice provided for in subsection (2) above, the Town shall commence proceedings to vacate the Single Purpose Road.

4.21 ATV ROUTES AND REGULATIONS

SECTION I – INTENT

The Town of Springfield, Dane County, adopts the all-terrain route listed in Section III for the operation of all-terrain vehicles. In designating the route, the Town has exercised its discretion to weight the recreational value of particular routes against possible dangers, public health, liability aspects, terrain involved, traffic density and automobile traffic. This route has been designated in the Town's discretion. Designation of the route does not constitute an endorsement of activity authorized by this ordinance nor any assurance that the route is safe. The Town expressly finds that all ATV/UTV operation is at the risk of the operator.

SECTION II – STATUTORY AUTHORITY

The Town Board of the Town of Springfield, Dane County, Wisconsin has authority to adopt this ATV/UTV Route Ordinance under Wisconsin Statute 23.33(8)(b) and 23.33(11).

SECTION III – ROUTES

The following roads are designated as routes:

A. All Springfield town roads, excluding Greenbriar Road; Pheasant Branch Road, south of

Highway K; High Road; and Balzer Road, as well as the dead-end streets in the area: Foxfire Trail, Shamrock Glen Circle, Greenbriar Lane, and Wild Rose Court.

SECTION IV – CONDITIONS

As a condition for use of this route, the following conditions shall apply to all operators and passengers.

A. No person shall operate an ATV or UTV on a town road unless the town road has been designated as an ATV/UTV route by the Town of Springfield Town Board, except for operation that is allowed under state or county statute.
B. No person shall operate an ATV or UTV on a town road designated as an ATV/UTV route if the town road is closed for any reason.
C. Operators of ATV or UTV vehicles shall abide by all traffic laws, including the rules and operation and equipment requirements contained in Wisconsin Statute 23.33 and Dane County Ordinance Chapter 79, unless further restricted by this ordinance.
D. ATV and UTV vehicles may only operate on an approved ATV/UTV route between the hours of 5:00 a.m. and 10:00 p.m.
E. ATV and UTV vehicles shall operate at a safe and prudent speed, not to exceed 35 miles per hour, or at such lesser speed limit as is otherwise adopted by this ordinance, by law or roadway conditions.
F. All ATV/UTV operators shall slow to a safe and prudent speed when there are pedestrians, cyclists or animals on or near the roadway.
G. All ATV/UTV vehicles must operate with fully functional headlights, taillights and brake lights.
H. All ATV or UTV operators shall ride in single file on the extreme right-hand side of the paved portion of the road. Operation on the gravel shoulders, grassy in-slope, ditches or other road right-of-way is prohibited. Left turns may be made from any part of the road when it is safe given prevailing conditions.
I. Crossing should be made only at a place where no obstruction prevents a quick and safe crossing. Obstruction includes, but is not limited to, impairment of view and potentially hazardous roadway conditions.
J. No person under the age of 16 may operate an ATV or UTV on any segment of a town road, whether or not it is designated as an ATV/UTV route.
K. Every person who operates an ATV or UTV on any segment of a town road which is designated as an ATV/UTV route shall have in his or her immediate possession a valid motor vehicle operator's license, and shall display the license document upon demand from any enforcement officer, state patrol officer, inspector under State Statute 110.07(1), conservation warden or municipal peace officer.
L. All ATV and UTV equipment is required to have applicable liability insurance and proof of insurance with them when on a town road designated as an ATV/UTV route.
M. Routes must be signed in accordance with NR 64.12 and NR 64.12(7)c. All required designated route signs and posts, and their installation and maintenance shall be paid for and provided by the ATV/UTV Club, with the approval of the Town of Springfield. Repair of any damaged or vandalized signs shall be completed and paid for by the ATV/UTV Club. No ATV/UTV designated route will be open for use until proper signage has been erected.
N. The Town of Springfield Chairperson shall have the authority to temporarily close or terminate any ATV/UTV route enacted by the ordinance for a period of 30 days or less due to an emergency situation or condition, as designated by the Chairperson. Closures

for duration of greater than 30 days shall be reviewed by the Town Board.

SECTION V – ENFORCEMENT
This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the State of Wisconsin. Pursuant to Wisconsin Statute 23.33(1)(b), if a town adopts an ordinance regulating all-terrain vehicles, utility terrain vehicles, or both, its clerk shall immediately send a copy of the ordinance to the Department of Natural Resources, the State Patrol and to the office of any law enforcement agency having jurisdiction over any of the roads or highways to which the ordinance applies

SECTION VI – PENALTIES
Wisconsin State All-Terrain Vehicle penalties as found in Wisconsin Statute 23.33(13)(a) are adopted by reference.

SECTION VII – SEVERABILITY AND INTERPRETATION
The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Springfield would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons' circumstances shall not be deemed affected. This ordinance shall be interpreted in a manner which strictly conforms to Wisconsin state statutes and administrative rules related to ATV/UTV operation.

SECTION VIII – EFFECTIVE DATE
This ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

Dated July 1, 2003 TOWN BOARD, TOWN OF SPRINGFIELD

James Ripp, Chair

Mary Hellenbrand, Supervisor I

James Pulvermacher, Supervisor II

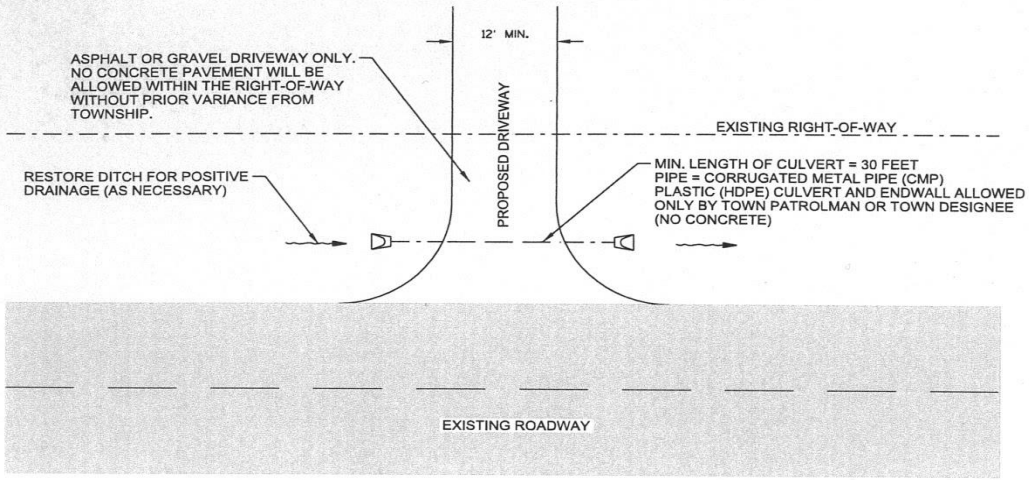
Don Hoffman, Supervisor III

Rene' Ripp, Supervisor, IV

I, Sherri Endres, the Clerk of the Town of Springfield, hereby certify that the Town Board of Springfield duly adopted the above ordinance, which ordinance was on file for inspection for at least two weeks prior to its adoption, and which is a codification of previous ordinances pursuant to sec. 66.035, Stats., was posted in three places within the Town on May 29, 2003.

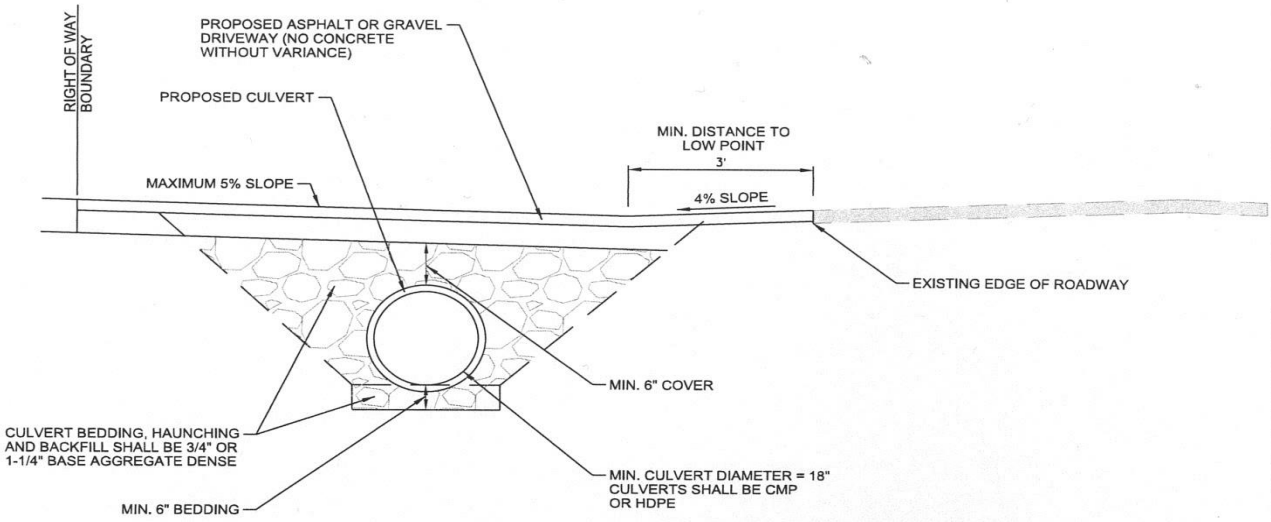
Sherri Endres, Clerk-Treasurer

EXHIBIT A



TYPICAL DRIVEWAY APPROACH PLAN VIEW

SCALE: NONE



TYPICAL DRIVEWAY APPROACH CROSS SECTION

NOTES:

1. DRIVEWAY MUST BE INSPECTED BY TOWNSHIP AT INSTALLATION AND AT TIME PRIOR TO FINAL ASPHALT OR GRAVEL SURFACNG. ANY VARIATION FROM TYPICAL PLAN MUST BE APPROVED IN WRITING BY THE TOWN BOARD
2. MINIMUM LENGTH OF CULVERT = 30 FT. CULVERT PIPE SHALL BE CORRUGATED METAL PIPE(CMP) WITH AN 18" MINIMUM DIAMETER. PLASTIC (HDPE) CULVERT AND ENDWALL ALLOWED ONLY BY TOWN PATROLMAN OR DESIGNEE. CONCRETE PIPE WILL NOT BE ALLOWED.

SHEET FILE NO. 00388021	DRIVEWAY APPROACH STANDARD TOWN OF SPRINGFIELD DANE COUNTY, WISCONSIN	PROJECT NO.: 00388021	F.B.:	MSA PROFESSIONAL SERVICES
		PLOT DATE: 10/21/2013	DRAWN BY: ES	
		SCALE: AS SHOWN	CHECKED BY:	

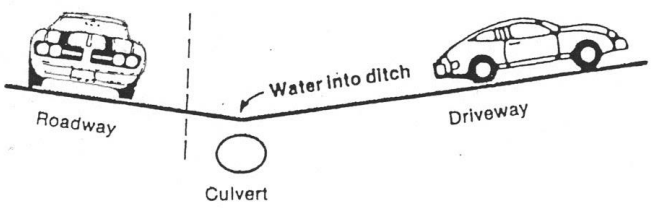
TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL
2901 International Lane Madison, WI 53704
608-242-7779 1-800-446-0679 Fax: 608-242-5664
Web Address: www.msa-ps.com
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EXHIBIT B

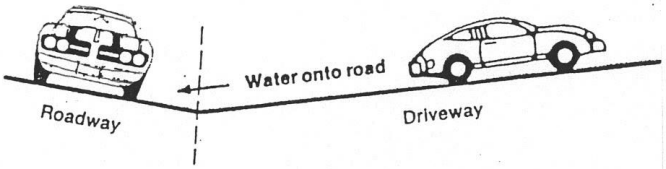
Driveways

Driveways can block drainage and cause flooding. Culverts should be required to maintain normal ditch drainage. A minimum 18" diameter is recommended.

Driveways should be built so that they either slope away from the road or are graded with the low point over the culvert. This prevents water from washing onto the road from driveways.



Proper Driveway



Improper Driveway