

ORDINANCE NO. 04-2014

AN ORDINANCE AMENDING SECTIONS 38-111 – 38-114 OF THE TOWN OF YORKVILLE CODE OF ORDINANCES REGARDING DRIVEWAYS AND CULVERTS

The Town Board of the Town of Yorkville, Racine County, Wisconsin, do ordain as follows:

1. That Sec. 38-111 to Sec. 38-114 of the Town of Yorkville Code of Ordinances regarding Driveways and Culverts be, and hereby is, amended to read as follows:

“Sec. 38-111. Permit required.

No person shall install or make any improvement of a private driveway extending into a public right-of-way without a permit from the town building inspector. The town building inspector shall issue the permit upon a complete application and the payment of a fee set by resolution of the town board from time-to-time, subject to the following terms and conditions:

- (1) The culvert shall be of such size as required for proper drainage along the right-of-way, but not less than 15 inches by 24 feet, and installed with end walls and animal guards.
- (2) The property owner or permittee will not construct any abutment above the existing road grade at the ends of the culvert underlying the driveway. At a distance of eight feet from the edge of the pavement, the finished grade of the driveway shall be at least four inches below the grade of the edge of the adjacent highway.
- (3) The cost of any and all repairs to driveways extending into public rights-of-way, including, but not limited to, the moving of existing culverts, maintenance and the covering with gravel, shall be borne by the property owner or permittee, unless such repairs were necessitated by the reconstruction of any portion of the public right-of-way by the town.
- (4) Any drainage ditch and public right-of-way affected by the construction of a driveway entrance shall be reconstructed to the original shape, grade and contour of such ditch and right-of-way at the expense of the property owner or permittee.

Sec. 38-112. Construction required.

No building permit shall be issued by the town building inspector unless a permanent driveway has been constructed from the right-of-way to and on the site upon which construction is to take place. Unless waived by the town board, no driveway shall be deemed permanent unless a culvert of required strength and dimension has been laid under such driveway and has been covered with sufficient gravel to bring it to the same grade as the public right-of-way adjacent thereto. The property owner or permittee shall

comply with all regulations relating to the construction or reconstruction of private driveways in section 38-111.

Sec. 38-113. Improperly installed culvert.

If a culvert is not properly installed by the property owner, his agent, employee or contractor, the town shall have the right to remove, reset or replace the culvert at the owner's cost. Prior to removal, resetting or replacement, the town shall notify the property owner in writing of any defect as to such culvert and shall order the owner to correct any defect within such period of time as the town board shall specify, but not less than 30 days. If the property owner requests a hearing before the town with respect to the order, the order shall be stayed until after such hearing. The town shall promptly bill the property owner for the costs of removal, resetting or replacement. If such bill is not paid, the bill shall be carried onto the tax rolls and collected like other taxes.

Sec. 38-114. Obstructions of ditches.

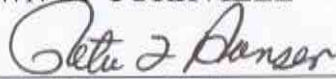
No person shall fill or obstruct any ditch or culvert alongside any town or public road or underneath any such road with any dirt or debris. No person shall cultivate, plow or remove soil from his land in such manner as to obstruct or fill any ditch along any town road or public highway.”

2. That this ordinance shall become effective upon adoption and publication as provided by law.

Adopted by the Town Board of the Town of Yorkville, Racine County, Wisconsin, this 9th day of June, 2014.

Ayes: 2
Nays: 0
Abstentions: 0

TOWN OF YORKVILLE

By: 
Peter L. Hansen, Chairperson

Attest: 
Michael McKinney, Clerk-Treasurer

Town of Yorkville
Notice of Newly Enacted Ordinances

Please take notice that on Monday, June 9, 2014, the Town Board of the Town of Yorkville enacted the following ordinances:

1. Ordinance No. 02-2014 amending Section 50-91(a) of the Town of Yorkville Code of Ordinances regarding Class B Highways designated. This ordinance exempts Grandview Parkway from the Town's Class B weight limits.
2. Ordinance No. 03-2014 amending Section 14-35(14) of the Town of Yorkville Code of Ordinances regarding Enumerated Businesses and Fees for Gaming Machines. This ordinance replaces a reference to "Gambling" with "Electronic Gaming."
3. Ordinance No. 04-2014 amending Sections 38-111 - 38-114 of the Town of Yorkville Code of Ordinances regarding Driveways and Culverts. This ordinance provides for the approval of driveway requests by the Town's Building Inspector.
4. Ordinance No. 05-2014 amending Article VIII entitled Fireworks within Chapter 14 - Businesses and amending Division 3 entitled Fireworks of Article II - Crimes Against Public Safety within Chapter 30 - Miscellaneous Offenses of the Town of Yorkville Code of Ordinances. This ordinance does the following: consolidates two existing ordinances; allows individuals to apply for fireworks permits; requires fireworks permit applicants to submit proof of a policy of liability insurance showing evidence of fireworks liability, in the amount of no less than \$1,000,000, with the Town of Yorkville named as an additional insured.
5. Ordinance No. 06-2014 amending Sections 1-14, 6-34, 6-81, 14-142, 14-175, 14-324, 14-681, 14-788, 14-985, 14-1002, 22-116, 30-131, 34-58, and 50-2 of the Town of Yorkville Code of Ordinances regarding changing references from Constable and Law Enforcement Officer to Code Enforcement Officer. This ordinance replaces all references to "Constable" and "Law Enforcement Officer" with "Code Enforcement Officer."
6. Ordinance No. 07-2014 amending the Title of Chapter 14 - Businesses to be Chapter 14 - Licenses for the Town of Yorkville Code of Ordinances. This ordinance changes the title of Chapter 14 from "Businesses" to "Licenses."

These ordinances take effect upon this publication. The full text of these ordinances may be obtained at the Town of Yorkville Clerk-Treasurer's Office, 925 15th Avenue, Union Grove, Wisconsin 53182. The phone number for the Town Clerk-Treasurer is (262) 878-2123.

Michael McKinney
Clerk-Treasurer
Town of Yorkville

Affidavit of Printing State of Wisconsin

County of Racine

City of Burlington

Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 1 time(s) for 1 consecutive week(s); That the first publication was on the 13th day of June, 2014; The last publication was on the 13th day of June, 2014.

Signed _____

By Pam Dwyer, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

12th day of June 2014.

Karen Whittington

Notary Public, State of Wisconsin

My commission expires 6/20/18

KAREN WHITTINGTON
Notary Public
State of Wisconsin

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