

**ORDINANCE NO. 2023-12**

**VILLAGE OF YORKVILLE  
RACINE COUNTY, WISCONSIN**

**AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 38 OF THE CODE OF  
ORDINANCES OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN,  
PERTAINING TO DRIVEWAYS AND CULVERTS**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,  
WISCONSIN, HEREBY DO ORDAIN AS FOLLOWS:**

1. That Article III of Chapter 38 of the Code of Ordinances for the Village of Yorkville be, and hereby is, amended to read as follows:

**“Article III. Driveways and Culverts**

**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 village building inspector. The village building inspector shall issue the permit upon a complete application and the payment of a fee set by resolution of the village 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.
- (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 village.
  - (a) In the instance of culvert reconstruction or movement caused by the reconstruction of any portion of the right-of-way by the Village, the Village shall reconstruct one (1) culvert per three hundred (300) feet of road frontage. The reconstruction of any additional culverts per three hundred (300) feet of frontage shall be the sole responsibility of the property owner or permittee.
- (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.

(Code 1982, § 8.07(1))

**Sec. 38-112. Construction required.**

No building permit shall be issued by the village 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 village 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 village shall have the right to remove, reset or replace the culvert at the owner's cost. Prior to removal, resetting or replacement, the village 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 village board shall specify, but not less than 30 days. If the property owner requests a hearing before the village with respect to the order, the order shall be stayed until after such hearing. The village 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 village 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 village road or public highway.

**Sec. 38-115. Number of driveway entrances and approaches limited.**

As of November 16, 2023, the effective date of this ordinance, no more than one driveway entrance and approach shall be constructed per three hundred (300) feet of lot frontage, except where a modification or waiver is approved by the Village Board pursuant to Sec. 2-404 of this Code of Ordinances.

**Secs. 38-116 - 38-140. Reserved.”**

2. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 13<sup>th</sup> day of November, 2023.

**VILLAGE OF YORKVILLE**

Ayes: 4

By: /s/ Douglas Nelson  
Douglas Nelson, President

Nays: 0

Attest: /s/ Michael McKinney  
Michael McKinney, Administrator/Clerk

Abstentions: 0

Absences: 1

**Village of Yorkville**  
**Notice of Newly Enacted Ordinances**

Please take notice that, on Monday, November 13, 2023, the Village Board of the Village of Yorkville adopted the following ordinances:

- Ordinance 2023-12, entitled "An Ordinance amending Article III of Chapter 38 of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, pertaining to driveways and culverts".
- Ordinance 2023-13, entitled "An Ordinance repealing and recreating Chapter 55, Article XI of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, pertaining to Wind Energy Facilities".
- Ordinance 2023-14, entitled "An Ordinance amending Exhibit A to Section 55-1(A) of the Village of Yorkville Zoning Ordinance by revising the title and division references of Article IX, creating Division 2 of Article IX entitled "Solar Energy Systems," and creating Section 20-1475 pertaining to Solar Energy Systems".
- Ordinance 2023-15, entitled "An Ordinance amending Chapter 56 of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, pertaining to floodplain regulations".

These ordinances take effect upon publication of this notice. The full text of these ordinances may be obtained from the Village of Yorkville Administrator/Clerk's office, 925 15<sup>th</sup> Avenue, Union Grove, Wisconsin 53182, or through the Village's website at [www.villageofyorkville.com](http://www.villageofyorkville.com). The phone number for the Administrator/Clerk is (262) 878-2123.

Michael McKinney  
*Administrator/Clerk*

# Affidavit of Printing State of Wisconsin

County of Racine

City/Village of Union Grove

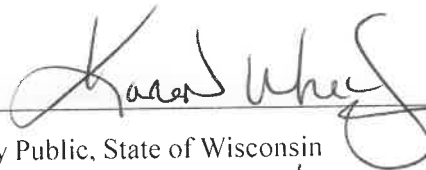
Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which 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 16<sup>th</sup> day of November, 2023; The last publication was on the 16<sup>th</sup> day of November, 2023.

Signed 

By Denelle Janssen, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

16 day of November 2023



Notary Public, State of Wisconsin

My commission expires 1/25/26



## NOTICE OF NEWLY ENACTED ORDINANCES Village of Yorkville

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Michael McKinney  
Administrator/Clerk

(Published in Westine Report  
Nov. 16, 2023  
WNAXLP - 447196)