

**Chapter
125**

ROADS AND DRIVEWAYS

[HISTORY: Adopted by the Town Board of the Town of Troy as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Subdivision of land – See Ch. 135.

Utilities – See Ch. 149.

Vehicles and traffic – See Ch. 156.

[Adopted 10-11-1993 by Ord. No. 93-1; amended in its entirety 8-12-2002; amended when and where noted throughout on November 10, 2016]

ARTICLE I

§ 125-1. Definitions.

As used in this Chapter, the following terms have the following meanings:

A. Building: Single-family or other residential dwellings, public, commercial and industrial buildings. Agricultural buildings, residential garages and other accessory buildings that are not the first building built on a parcel already served by a driveway or field road are exempt from this definition for the purposes of this Chapter. Detached residential garages are only allowed to be the first building on a property with express, advance Plan Commission approval. Upon receiving such approval, detached residential garages become "buildings" under this Chapter.

B. Driveway: Any roadway providing a single, temporary or permanent point for vehicular access from a private or public Town road to a building located on public or private property. Driveways are not field roads.

C. Field Road: Any roadway providing a single, temporary or permanent point for vehicular access from a private or public road to non-residential land used solely for farm purposes, or to undeveloped, non-residential land. Field roads are not driveways.

D. New Driveways: Driveways installed after October 11, 1993, whether temporary or permanent.

E. Pre-existing Driveways: Driveways installed on and before October 11, 1993 and still serving existing building(s).

F. Shared Driveway: The shared portion of a driveway serving no more than two lots; also referred to as "joint driveways".

G. Road: A public or private way for vehicular traffic.

(1) Arterial roads provide for rapid movement of high volumes of traffic between areas. Arterial roads commonly do not provide private access, and operate to conduct traffic between communities and to connect communities to major state and interstate highways. Principal arterials have trip length and travel density characteristics of an interstate or interregional nature and include interstate highways, freeways, expressways, four-lane divided highways and two-lane highways. Minor arterials work in combination with principal arterials to serve communities and other major traffic generators providing intra-regional and inter-area travel, and may include four-lane divided highways, two-lane highways and county trunk highways.

(2) Collector roads provide for moderate-speed movement and medium volumes of traffic and distribute traffic from arterial roads. As the principal road within residential or commercial areas, collectors carry relatively high-traffic volumes and convey traffic from arterial roads to lower-order roads. Major collectors serve moderate-sized communities and other inter-area traffic generators and link those generators to larger population centers and higher function highways. Minor collectors provide service to smaller communities and link local traffic generators with the rural surrounding area. Minor collectors are spaced consistent with population density in order to collect traffic and bring all developed area within reasonable distance of a higher-order road.

(3) Subcollector roads convey traffic to major and minor collector roads from more local access roads. Subcollectors include all roads not identified as arterial, collector or access roads. Subcollector roads are relatively low-speed and low volume roads that carry some through traffic to access roads and also provide frontage and access for residential lots. Generally subcollectors are all Town roads in the original Town road grid system and Town roads shown as subcollectors or through roads in the Town's Comprehensive Plan or Transportation Plan.

(4) Access roads are Town roads that convey traffic from individual lots or parcels to higher order roads and provides for lower speeds and lower traffic volumes. As the lowest-order road in the classification hierarchy, access roads include short roads, cul-de-sacs and courts, and usually carry little through traffic. Access roads include Town roads inside subdivisions, cul-de-sacs and roads of this type in the Lower St. Croix Riverway Zoning District that serve homes on or near the St. Croix River.

(5) Dead-end roads are closed at one end.

(6) Cul-de-sacs are dead-end roads with a circular turnaround area as specified herein.

ARTICLE II

Driveways

§ 125-2. Title; Findings.

This Article is titled the "Town of Troy Driveway Ordinance." The Town Board of Supervisors of the Town of Troy, St. Croix County, Wisconsin, does hereby find, determine and ordain that, in order to promote the safety and general welfare of all who use private or public Town roads in the Town of Troy, it is necessary to regulate the location, design and construction of all driveways and field roads that cross

and/or are located in Town road rights of way or that intersect with and/or take access to a private road in the Town of Troy, St. Croix County, Wisconsin.

§ 125-3. Driveway Access Required.

All buildings built in or moved into the Town shall have driveway access to said building from a private or public Town road over a driveway that meets the specifications and requirements of this Article. Field roads shall meet all specifications and requirements of this Article made expressly applicable to them.

§ 125-4. Driveway Permit Required.

A driveway permit shall be applied for and issued by the Town before commencement of construction of any field road or driveway that crosses the right-of-way area of or intersects with any private or public Town road. No driveway permit shall be issued until a completed application that meets all requirements of this Article has been submitted, reviewed and approved by the Town. Driveways that take access directly onto county or state roads need county or state access permit approval.

§ 125-5. Driveway Permit Fee and Administration.

Driveway permit application shall be made on forms provided by the Town. Applicants shall provide all information requested thereon. The driveway permit fee shall be paid at time of application, in the amount set forth on the Town fee schedule in effect when the application is received.

§ 125-6. Specifications.

A. Width: All driveways serving single-family residences and all field roads shall have a minimum side-to-side width clearance of 12 feet, a minimum road base of 12 feet and shall be built and maintained to allow for emergency vehicle access. The maximum road base width for driveways serving single-family residences is 18 feet. All other driveways have a maximum road base width of up to 30 feet.

B. Road Bed Materials: All driveways and field roads shall have a minimum five-inch compacted bed of crushed limestone or such other materials as approved by the Town. The subbase shall be a stable base consisting of compacted sand or other granular materials as approved by the Town, by St. Croix County and/or State of Wisconsin specifications.

C. Culverts:

(1) Culverts shall be installed in all driveways, and in field roads when deemed advisable by the Town Engineer to protect the right of way. Culverts shall be adequate for surface water drainage and have a minimum fifteen-inch diameter pipe. Culverts serving permanent driveways shall have end walls. Only new galvanized corrugated steel pipe or reinforced concrete pipe shall be used for culverts in permanent driveways or field roads. In all driveways, and in field roads when required, culverts shall be covered with at least one foot of fill, excluding blacktop.

(2) All driveways and field roads over bridges or culverts shall be constructed and

maintained to comply with engineering specifications sufficient to sustain and carry not less than 25 tons and shall have the ability to withstand water from a twenty-five-year flood. St. Croix County Highway Department and United States NIRC standards shall govern in determining if the twenty-five-year flood requirement has been met:

- (a) Bridges and culverts with a diameter greater than 30 inches shall be inspected at least every five years, beginning on a date five years from the initial permit issue date, and after any twenty- five-year or greater flood. Such inspection shall be undertaken and documented by the Town, or by an inspector retained by the Town.
- (b) The cost of inspection shall be paid by the subdivision homeowner's association when such bridge or culvert is located inside the plat of a major subdivision for which a homeowner's association exists and, in the absence of a homeowner's association, by the owner(s).
- (c) if the cost of such inspection is not timely paid, it shall be added as a pro-rata special charge on the tax roll against the tax parcel(s) that use (or have available for use) the subject bridge or culvert being inspected.

(3) The owner(s) of every premises served by a permanent driveway or field road traversing a bridge or culvert with a diameter greater than 30 inches shall execute an agreement with the Town, suitable for recording in the office of the St. Croix County Register of Deeds, and containing all of the following terms:

- (a) That the owner(s) agrees for himself, his heirs and assigns, to be responsible for repairs and maintenance to the bridge and/or culvert in accordance with this Article;
- (b) Agreeing that, in the event of owner failure to properly maintain said bridge and/or culvert the Town may repair or maintain same, and include the cost thereof as a special charge on the tax roll against the property served by the said driveway or field road as authorized by Wis. Stats. § 66.0627;
- (c) Specifically waiving any notice, hearing or proceeding that might otherwise be required before fixing the amount of the special charge or entering it into the tax roll; and
- (d) All on the condition that the Town shall first give the affected owner(s) thirty days notice, directing said owner(s) to repair or maintain their bridge and/or culvert before the Town performs the specified repairs.

(4) When more than one lot, parcel or property is served by a single bridge and/or culvert, the special charge shall be divided into equal shares, one for each tax parcel using or that has the subject bridge or culvert available for access to a private or public Town road.

(5) Temporary driveways are subject to the inspection, notice, repair and special charge requirements, except that a recorded agreement is not required.

D. Overhead Clearance: All driveways and field roads shall have a minimum overhead clearance of 14 feet over the entire width of the roadbed, said clearance to be maintained at all times by trimming vegetation.

E. Line of Sight: All driveways and field roads shall be located in such a manner that vehicles approaching or using them will have five-hundred-foot sight lines in both directions at the point of access to a private or public Town road.

F. Angle of intersection: The center line of all driveways and field roads where they connect to the private road or public Town road right-of-way shall be at approximate right angles to the said right-of-way or the center line of the private road.

G. Entrance Grade. The elevation of the center line of all driveways shall be no more than one foot above or below the private or public Town road elevation at road center for the first fifty feet of driveway from the near edge of the paved or gravel driving surface of the private or public Town road with which it intersects, in order to prevent or best avoid surface water drainage from the driveway onto the road.

H. Driveways Longer than 300 Feet: Driveways longer than 300 feet shall be designed and built to provide continuous fourteen-foot height clearance and either a turnaround with a minimum ninety-foot diameter or shall be otherwise of sufficient area and design to accommodate the turning around of a 40 foot long, tandem-axle truck. Bypasses or turnouts may be substituted for turnarounds only with the advance approval of the Plan Commission. Preexisting driveways are exempt from this requirement.

I. Number of Driveways: Residential lots in CSMs or major subdivisions and parcels shall have no more than one driveway. Commercial lots and parcels greater than 20 acres in size may receive additional driveway permit(s) upon demonstration of need and by showing that the flow of traffic and public safety on any additional roads for which permits are sought will be improved and not adversely affected thereby.

J. Field Road Location: Field roads are required to meet the specifications of this Article made applicable to them only in that portion of the field road located in the defined right of way area of a public Town road, or in the area 33 feet from the centerline of any private road or Town road easement when measured perpendicularly. The distance between field roads and specific field road location shall be determined at an on-site conference between the permit applicant and the Town Chair or designee, and shall take into account factors such as existing, useable field access, terrain, available and practical alternative access, lines of vision/sight lines and volume of traffic on the road to which access is sought. Field roads shall not be located closer together than residential driveways.

K. Shared Driveways: When the Plan Commission determines, in response to a request for such determination during the CSM or preliminary plat review process, that there is no reasonable likelihood that a proposed shared driveway will be the location of a future extension of a public or private through road, then the full width of the shared portion of the driveway base can be reduced to 16 feet, with 12 feet of pavement, 2 foot shoulders and built in conformity with all other driveway construction requirements in this Article.

§ 125-7. Inspection and Approval.

Application, payment of the permit fee, plan and site inspection and approval of proposed driveway or field road plans and location all are prerequisites to the issuance of a driveway permit. Any driveway or field road constructed without a permit or in a manner not in compliance with the approved plans concerning it or with term of this Chapter shall be corrected or removed by the owner or by the Town at the owner's expense. Before removing such a driveway or field road, the Town shall provide the property owner with 30 days written notice of the violation and the Town's intention, to allow the property owner an opportunity to correct or remove the violation.

§ 125-8. Driveway Permit Required Prior to Issuance of Building Permit.

No building permit shall be issued for the construction of any building on any private property until a driveway permit has been issued pursuant to this Article.

§ 125-9. Time for Completion of Driveway.

A permanent driveway for which a permit has been issued under this Article shall be completely constructed, except for paving, prior to occupancy of any building on the property served by the driveway. The first 50 feet of driveway shall be completed prior to commencement of building construction, under either a temporary or a permanent driveway access permit.

§ 125-10. Expiration of Driveway Permits.

A temporary driveway permit expires one year after issuance or, if sooner, 30 days after the determination of the Town Chair or designee, communicated to the owner verbally or in writing, that the building on site is substantially complete to the point where the temporary driveway should be removed and the permanent driveway used exclusively. All temporary driveways shall be removed and their area restored to its original condition on or before the date on which temporary driveway permit expires.

§ 125-11. Exception to Design Standards

Where because of practical necessity or impossibility it appears that a property owner cannot build a driveway or field road in compliance with the loc a t i o n o r c o n s t r u c t i o n specifications and requirements this A rticle, the Town Board may, upon the Plan Commission recommendation and upon finding of hardship, grant an exception to the design standards in this Article to allow for a driveway or field road to be designed and built with specific modifications, so long as nothing about them will compromise the health, safety and welfare of the residents of the Town and traveling public using any affected private or public Town road.

§ 125-12. Violation and Penalty.

No person, corporation or organization shall construct or install any driveway or field road in violation of any provision of this Article. Any person, corporation or organization violating any portion of this Article or knowingly aiding or abetting another in the violation thereof shall, upon conviction, pay a forfeiture in the amount set by the Town Board in its Citation Ordinance, plus the Town's actual costs of prosecution. Each day a violation exists or continues shall constitute a separate offense. The Town

may also commence proceedings to enjoin any violation of this Article or to require any person, corporation or organization to comply with this Article. The Town may remove any driveway or field road constructed without a permit or in a manner not in compliance with approved plans concerning it or any term of this Article. Before removing such a driveway or field road, the Town shall provide the property owner with 30 days written notice of the violation and the Town's intention, to allow the property owner an opportunity to correct or remove the violation.

Article II amended on April 10, 2008

ARTICLE III

Road Standards

[Adopted 9-9-2002 by Ord. No. 02-01;comprehensively amended 9-14-2014]

§ 125-13. Title; Findings.

This Article III is titled the "Town of Troy Road Standards Ordinance." The Town Board of the Town of Troy, St. Croix County, Wisconsin, does hereby determine and ordain that in order to promote and protect the public health, safety and welfare of residents of the Town of Troy and all who use Town roads, it is necessary to regulate the design and construction standards, naming, road inspection and acceptance procedures in place for all Town roads proposed to be constructed in or dedicated to the Town of Troy after the effective date of this Article.

§ 125-14. Road Construction Design and Standards.

A. Town roads shall be designed by a registered professional engineer, licensed in the State of Wisconsin, to meet the following objectives: to permit the safe, efficient and orderly movement of traffic; to meet the needs of the present and future population with a simple and logical pattern; to respect natural features and topography; and to present an attractive appearance. All road plans and construction shall be submitted with the preliminary plat or certified survey map and reviewed and approved by the Town Engineer. The Town Board shall determine whether a storm sewer system and culverts shall be required and the type and size thereof.

B. The Town Board shall designate roads as arterial, collector, subcollector, access or private roads, prior to final subdivision approval. This decision shall be based upon Town road plans, including any approved long-range Town Transportation Plan.

C. Roads located at or near the perimeter of a subdivision shall be extended to the subdivision boundary. Narrow strips of land between the road and the subdivision boundary (spite strips) shall not be permitted unless conditions under which the adjacent parcel can be connected to the road are established.

D. The Town Board may require special setbacks, screening and other buffers as part of road design and may limit access along Town roads.

E. Town roads shall be centered in the road right of way.

F. Road jogs with center-line offsets of less than 150 feet are prohibited.

G. The number of intersections along arterial and other roads shall be held at a level that best balances use and safety. Absent undue hardship, the distance between public road intersections shall not be less than 1,000 feet. Absent undue hardship, the distance between driveways on subcollector and access roads shall not be less than 200 feet. The Town may require shared driveways to achieve this end.

H. For all Town roads:

- {1) The intersection angle of a driveway with a road and of a road with a road shall not be less than 75°.
- {2) The Town Board may require intersection vision clearances as set forth in Appendix A to this Article.
- (3) The elevation of the road center line shall not be more than one foot above or below the road elevation of the first 50 feet of an intersecting driveway.
- (4) Not more than two roads shall intersect at one point.

I. Roads shall be designed and constructed in accordance with Wis. Stats. § 82.50. Materials and construction methods used shall conform to the provisions set forth in Standard Specifications for Highway and Structure Construction, Wisconsin Department of Transportation, most current revision.

J. Subcollector and access road and private roads which provide access to three or more lots shall be designed to meet the following requirements (see Appendix B for detailed drawings):

- (1) Sixty-six-foot minimum right-of-way. Clearing and grubbing for construction of Town roads shall be completed over the entire width of the right-of-way.
- {2) Three-foot to five-foot vertical difference from center-line pavement to ditch bottom.
- {3) Forty-two-foot minimum road width before subbase (sand) course.
- (4) Thirty-four-foot minimum road width after subbase course.
- (5) Thirty-foot minimum road width after base (lime-rock) course.
- (6) Twenty-two-foot blacktop surface, excluding shoulders. Roads with curb and gutter must have a twenty-six-foot blacktop surface.
- (7) Three-foot shoulders on roads and uncurbed culs-de-sac.
- (8) For all culs-de-sac (see Appendix C for details):
 - (a) Minimum paved road width in curbed cul-de-sac is 26 feet.

- (b) Minimum paved road width in shouldered cul-de-sac is 26 feet.
- (c) Minimum outside diameter of paved surface of cul-de-sac is 120 feet.
- (d) Maximum diameter of raised (over six inches) island inside of cul-de-sac bulb is 24 feet less than the inside diameter of the paved surface.
- (9) Final grade of shoulder slopes must meet 4:1 grade or 3:1 grade maximum with Town Board approval.
- (10) Fill slopes must meet 4:1 grade or 3:1 grade maximum with Town Board approval.
- (11) Backslopes must meet 4:1 grade or up to 3:1 with Town Board approval.
- (12) Four inches of topsoil, mulch and seeding shall be required on all ditches and disturbed areas.
- (13) Width, radius and grade. See table below:

Width, Radius and Grade

	Arterial, Collector and Subcollector Roads	Access Road or Private Driveway or Road Serving More Than 1 Lot	Driveway Serving Just 1 Lot
Minimum right-of-way width (feet)	80	66	66
Minimum radius of curvature from center line for deflections of 7° or more (feet)	300	200	100
Maximum grade	8%	10%	12%
Maximum grade within 50 feet of "T" intersections	2%	2%	2%

- (14) All Roads with curb and gutter and associated storm sewers shall comply with St. Croix County standards, with the stormwater detention, retention and runoff control requirements of Chapter 135, Article I, Subdivision Regulations, of this Code and with any other applicable governmental regulation.
- (15) Roads shown on a subdivision plat or certified survey map shall connect to an existing public road.
- (16) The vertical alignment of the center line shall be based on the minimum safe stopping sight distance in accordance with the design standards of the American Association of State Highway and Transportation Officials (AASHTO).

(17) The planning, location and designation of roads shall not allow the continuation of traffic from residential developments directly into commercial or industrial developments or vice versa.

(18) Decomposable material shall not be used in any road construction in the Town of Troy.

(19) Exceptions to Design Standards. The Town Board may grant an exception to the design standards during the design, review and approval stages upon a showing that the subdivider will suffer undue hardship if strict compliance with the standards is required. The granting of an exception to design standards shall not violate the spirit or intent of this article.

K. Roads which provide access to three or more lots, parcels or driveways shall be constructed and compacted in conformity with the following requirements. The Town reserves the right to increase quantity requirements of road construction materials called for herein when the Town Engineer concludes that soil conditions and/or traffic volume warrants an increase.

(1) Subgrade. All roadways shall be constructed with suitable subgrade material compacted and uniformly graded prior to placement of sand subbase. The Town Board may require areas to be subcut and suitable granular fill placed in areas of unsuitable soils. Subgrade shall be determined suitable by the Town's engineering firm.

(2) Subbase. Twelve inches of sand, measured after being compacted, shall be provided. Sand shall meet a minimum state specification, as determined by the Town Engineer, prior to being applied. In order to determine if sand is suitable, the developer will submit 50 pounds of product that represents the grade of material to be used and identify the location of the material source to the Town Engineer for testing purposes. No sand shall be laid and the Town Board will accept no work until such test shows that material meets acceptable state specifications. The Town Engineer will then notify the developer that work can begin. The developer shall pay for all costs associated with this testing. The Town Board shall require individual truck weight slip verification of total sand tonnage on individual roadways.

(3) Base. Eight inches of crushed limestone or seven inches gradation number two base course, measured after being compacted, shall be provided. Limestone shall meet a minimum state specification to be determined by the Town Engineer prior to being applied. In order to determine if limestone is suitable, the developer will submit 50 pounds of product that represents the grade of material to be used and identify the location of the material source to the Town Engineer for testing purposes. No limestone shall be laid and the Town Board will accept no work until such test shows that material meets acceptable state specifications. The Town Engineer will then notify the developer that work can begin. The developer shall pay for all costs associated with this testing. The Town Board shall require individual truck weight slip verification of total limestone tonnage on individual roadways.

(4) Surface.

(a) Three-inch minimum thickness of hot-mix asphalt measured after being compacted per Section 401, Standard Specifications for Highway and Structure Construction, State of Wisconsin Department of Transportation, 1996 and most current revision, shall be provided. Minimum asphalt thickness is three inches on the entire road surface. Averages will not be used. The asphalt requirement does not apply to private roads serving one dwelling unit or to that portion of a private road or shared driveway serving two dwelling units after it splits. The shared portion must be paved.

(b) The asphalt mix shall consist of Wisconsin Department of Transportation state-approved Type E-1 binder and surface course, as outlined in Table 407.5.1.5 (Table of Minimum Required Density). The Town Board shall require individual truck weight slip verification of total paving tonnage on individual roadways. The three inches of asphalt shall be placed in two separate lifts of 1 1/2 inches each, with a tack coat to be spread at 0.05 gallon per square yard between lifts.

(c) The surface blacktop construction shall not occur between October 15 of the year of road construction and May 1 of the following year without the written advance approval from the Town Engineer.

(5) Shoulders.

(a) Shoulders shall be constructed using crushed limestone. Limestone shall meet a minimum state specification to be determined by the Town Engineer prior to being applied. In order to determine if limestone is suitable, the developer will submit 50 pounds of product that represents the grade of material to be used and identify the location of material source to the Town Engineer for testing purposes. No limestone shall be laid and the Town Board will accept no work until such test shows that material meets acceptable state specifications. The Town Engineer will notify the developer that work can begin. The developer shall pay for all costs associated with this testing. The Town Board shall require individual truck weight slip verification of total limestone tonnage on individual roadways.

(b) Shoulders should be constructed using additional material. The grading of the existing base course to meet the asphalt surface will not be acceptable.

{6} Compaction. Compaction of the subgrade, subbase, base and surface should be carried out following the Standard Specifications for Highway and Structure Construction, Wisconsin Department of Transportation {1996 and must meet current revisions).

(7) Where required, eighteen-inch culverts at minimum or as otherwise specified, with a minimum cover of one foot between the culvert and the bottom of the pavement, shall be provided. All culverts shall be new galvanized corrugated steel pipe, pipe arch, plate or reinforced concrete pipe in conformity with Standard Specifications for Highway and Structure Construction, Wisconsin Department of Transportation, 1996 and most current revision.

(8) Erosion control. Erosion control shall conform to Town and St. Croix County requirements and to all applicable requirements of Wis. Admin. Code Ch. 6 NR 151 and the DNR's Stormwater Post-Construction Technical Standards.

L. Dead-End Roads and Culs-de-Sac.

(1) Collector, subcollector and access roads shall be built to the boundary of the subdivision.

(2) A dead-end road serving three or more lots shall have a cul-de-sac turnaround with a minimum right-of-way radius of 80 feet. The paved portion of the cul-de-sac shall provide a minimum outside radius of 60 feet. Appropriate arrangements shall be made before final plat or CSM approval by the entity originally responsible for creating the temporary cul-de-sac for those areas of the cul-de-sac outside of the future straightened road right-of-way to revert to the abutting lot owners

at such time as the road shall be extended, and for abutting lot owners to be notified on the plat, certified survey map or other recorded document, approved prior to recording by the Town Attorney of all such planned future road extensions. Where a cul-de-sac is provided, the right-of-way line connecting the road right-of-way with the eighty-foot cul-de-sac bulb shall provide a return radius of 80 feet. Exceptions shall be allowed with Town Board approval. Refer to the subcollector and access road specifications diagrams attached to this Article as Appendix B.

(3) Roads that will connect to adjacent property must extend to the boundary of that property and terminate in a temporary cul-de-sac.

M. Roads That are Paved After Initial Road Construction.

(1) When lots being created will abut a preexisting private road and the creation of those lots will make it necessary for that road to become a public road under this Article, said road shall be brought into compliance with all provisions of this Article, including blacktopping, at the expense of the subdivider of the lots being newly created. The subdivider shall furnish the Town with the legal descriptions of all lots and/or property abutting the private road that is to become public and the names of fee owners thereof, together with their addresses, at the time of application for Town approval of the proposed subdivision of land. The Town may also initiate action to have a private road become public where the Town Board determines that action is necessary to bring it into compliance with this Article.

(2) All portions of the private road on which said newly created lots abut shall also be brought into compliance with all provisions of this Article, including blacktopping, but the Town Board shall determine the method and time frame to bring the road into compliance. Special assessments may be utilized by the Town against the properties abutting the remaining private road. The developer may be required to fund the road improvements or they may become the expense of the Town; provided, however, that the developer and other abutting property owners shall pay their fair and equitable share of the road upgrade.

(3) The plat or certified survey map, showing roads or portions of roads that can remain unpaved in compliance with this Article, shall contain language of notification that at such time as future development occurs that will cause the private road to become public under this Article, the road shall be dedicated to the Town and that upgrades of the road, including blacktopping, to meet Town standards may be specially assessed against abutting properties.

§ 125-15. Road Inspection and Acceptance.

A. Roads designated as public on a subdivision plat or certified survey map shall be completed and offered to the Town for dedication to public use at the time for certified survey map or final plat, or plat phase, approval by the Town. Notwithstanding any such dedication as shown on a final plat or CSM, the Town Board shall assume responsibility only for those roads shown as being dedicated to the public that also meet all requirements of this Article and have been accepted by action of the Town Board that is separate and apart from final plat, plat phase or CSM approval. Acceptance of Town roads shall be accomplished pursuant to the provisions of Wis. Stats. §§ 236.10, 236.13 and 236.29, this Article and any applicable developer's agreement. Until officially and separately accepted the Town shall have no responsibility for repair, maintenance, grading, snow removal or any other duty with respect to said roads until they have been completely built and blacktopped, inspected, found to

be in conformity with all Town requirements and formally accepted by the Town in a written document, signed by the Town Chairperson and ratified by the Town Board at a regular meeting. Until that time, said roads shall be repaired, maintained, and plowed by the developers. See Appendix D.

B. At the time of application to the Town Board for CSM approval or for preliminary approval of a subdivision plat containing a public road, the applicant shall submit a schedule for the required road construction and surfacing, identifying for each road when the required construction will occur. The developer's proposed schedule of road construction shall be reviewed by the Town Board after receiving the recommendation of the Town Engineer and approved as submitted, approved with modifications or rejected during the CSM or preliminary plat approval process. The schedule of construction, once approved, is a binding and enforceable condition of the Town's approval of the subdivision of the land.

C. Performance and Maintenance Guarantees.

(1) The developer shall file a performance and maintenance guarantee with the Town Clerk/Treasurer before CSM or preliminary plat approval in favor of the Town and in an amount sufficient to fund and guarantee the performance of the developer's obligations for the public infrastructure, roads and related improvements shown on the said preliminary plat or initial phase thereof or CSM, to make payment for any and all work to be performed by the developer, and to serve as a maintenance guarantee, at a reduced level, after such public improvements have been accepted by the Town. When the Town approves phased construction of platted area, the performance and maintenance guarantees shall be provided for each phase before any site work commences in the area of that phase, and in an amount sufficient to fund and guarantee the performance of the developer's obligations with reference to the permanent and temporary public infrastructure, roads and related improvements that will be built as part of that phase.

(2) The developer shall remain financially responsible for all repairs to and maintenance of the said public improvements including snow removal for a reasonable time following their acceptance by the Town, through one winter, and not to exceed 14 months after the Town determines that the said improvements have been substantially completed. Public improvements are substantially complete when the binder has been installed on roads proposed to be dedicated to the Town in a manner acceptable to the Town Engineer or, if the public improvements do not involve proposed public roads, then when 90% of the public improvements by cost have been determined by the Town to be completed. The maintenance guarantee shall be held and be available during that time for repairs and maintenance to the accepted public improvements and for such other purposes as may be set forth in the developer's agreement.

(3) Performance and maintenance guarantees may be in the form of an irrevocable letter of credit or a performance bond, either of which shall meet all requirements of the Town's Subdivision Ordinance (Chapter 135), be provided to the Town in a format approved by the Town Attorney and in an initial amount estimated by the Town Engineer to be 120% of the total cost of completing the public facilities and improvements being required and/or inspected by the Town in the CSM, preliminary plat or phase of preliminary plat for which approval is being sought, including all improvements for which the Town will have future responsibility for maintenance or repair.

(4) In multi-phase developments, the 120% performance and maintenance guarantee required for each phase shall include the cost of construction of stormwater management required for that specific phase when not held by St Croix County and shall include the cost of construction of all interior roads in that phase including the roads in that phase that will connect to future phases and/or adjacent developments.

{5) When the said public improvements called for and shown in the CSM, plat or in a specific plat phase have been determined by the Town to be substantially complete, the performance and maintenance guarantee for the CSM, plat or phase may be reduced to an amount determined by the Town Engineer to be equal to the total cost of completion of any uncompleted public improvements, plus 10% of the total cost of the completed public improvements.

D. All public improvements shall be completed, offered for dedication and accepted by the Town at or before the time of final plat, final plat phase or CSM approval unless otherwise agreed upon in a developer's agreement. Roads may be only accepted by separate action of the Town Board, after the Town Engineer has completed a full inspection of the road or other public improvements, certified said improvements to have been completed and built in substantial compliance with approved plans and applicable ordinances, and recommended said public improvements for acceptance by the Town. See Appendices E and F.

E. Road Inspections.

(1) Town inspection of proposed Town roads shall be performed during the following designated phases of construction:

- (a) At start;
- (b) During subgrade construction and installation of storm sewer pipe and culverts;
- (c) During subbase construction and after final subbase phase;
- (d) During base construction and after final base phase;
- (e) During blacktop and after shouldering;
- (f) During soil restoration; and
- (g) At a final walk-through when the developer requests acceptance.

(2) Inspections are required for each of the above phases and shall be done by or under the direction of the Town Engineer. Town engineering and inspection costs related to a particular road shall be paid by the developer. The Town Board shall not accept any completed road or other proposed public improvement without first having received written approval from its Engineer, following the inspections as called for herein.

(3) Certification by Engineer; Deviation From Approved Plans.

- (a) Prior to the Town accepting a constructed road as a public road, the Town Engineer shall

supply the Town with a stamped and signed certification that the road has been fully inspected by the Town Engineer as called for herein and that it has been constructed in substantial compliance with the approved plans and Town ordinances. See Appendix E.

(b) Any substantial deviations from the approved plans shall be cause for the Town not to accept the roadway or to require reconstruction to achieve substantial compliance at the whole cost of the developer.

F. Private Roads. Roads not required to be offered or refused for dedication to the Town shall be identified on the face of the subdivision document or certified survey map as private roads. Such a plat or certified survey map shall contain a statement notifying lot purchasers that Town obligations as to road maintenance do not extend to such nondedicated, private roads. All such maintenance costs shall be borne by a road association created by restrictive covenants encumbering the individual affected lots. The developer shall create said covenants, which shall be subject to Town Board review and approval as a condition of CSM, final plat or plat phase approval.

§ 125-16. Road Names.

A. The Town Board must approve the naming and/or numbering of roads. Existing County or Town programs for naming and/or numbering shall be used.

B. Where a road maintains the same general direction (except for curvilinear changes for short distances), the same name shall be used for the entire length of the road.

C. A road which is not presently a through road due to intervening land over which a road extension is planned shall use the same name for existing and planned sections.

D. The name of the projection of a road shall use the same prefix as the road even if the projection terminates in a cul-de-sac.

E. Approval of road names on a preliminary plat or certified survey map will not reserve the road name, nor shall it be mandatory for the Town Board to accept it at the time of final subdivision approval.

F. All roads names shall be consistent with Town and County land use regulations.

§ 125-17. Remedies.

A. No building permits for lots in a major or minor (CSM) subdivision shall be issued by the Town of Troy until the construction of the road base phase has been completed in compliance with the standards set forth herein, the developer has entered into a developer's agreement concerning the completion schedule of the surface and shoulders of the road and the developer has posted all required financial guaranties.

B. The Town Board maintains the right to have the developer redo any work that does not meet the specifications in this Article.

C. The Town Board will not accept any roads or work that has not complied with the inspection schedule in this Article.

D. Any activity that fails to meet all requirements of this Article shall be a violation of this Article regardless of knowledge or intent to violate and shall subject the property owner and party or parties responsible to an action for or injunction requiring that the condition constituting the violation be ceased or cured and that remedial actions to achieve compliance be undertaken and/or a forfeiture in an amount set by the Town Board, plus actual costs of prosecution. The amount of the forfeiture shall be as set forth in Chapter 39, Citations, of this Code. Each day during which a violation exists is a separate offense.

E. The remedies set forth herein are cumulative.

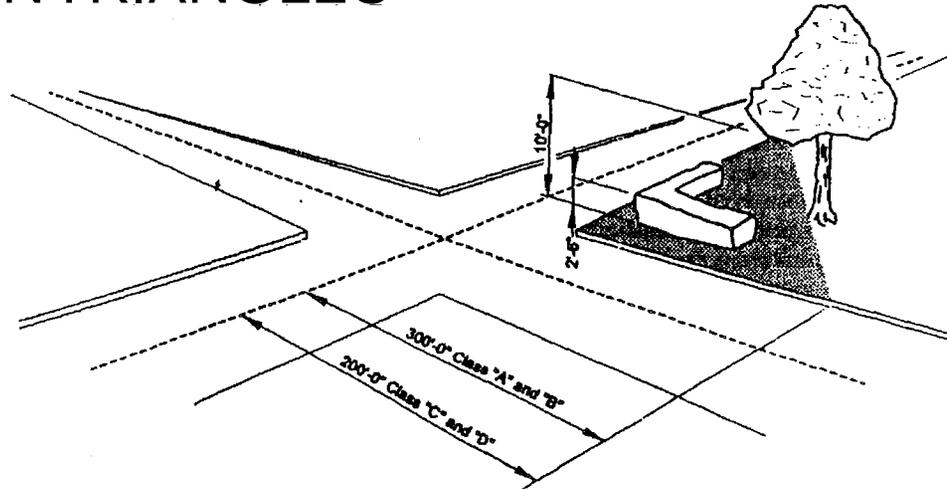
ARTICLE IV. Severability. [Added by Amendment on 9-11-2014]

If any Article, Section, Subsection, clause or provision of this Chapter 125 is adjudged unconstitutional or invalid by a court of competent jurisdiction, the validity of the remainder of this Chapter shall not be affected thereby.

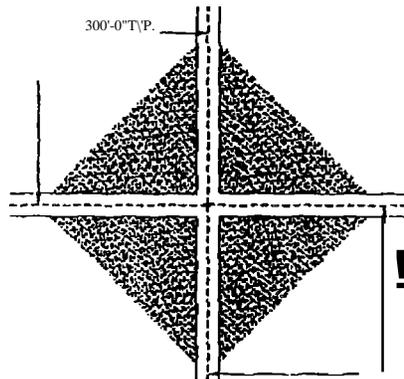
ROADS AND DRIVEWAYS

APPENDIX A

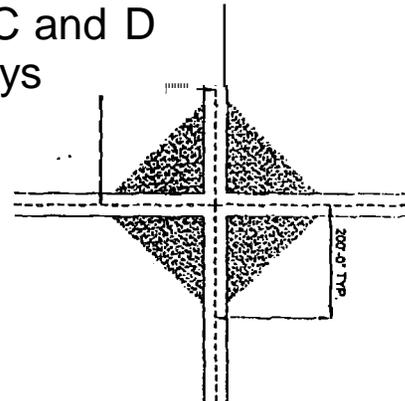
VISION TRIANGLES



Class A and B
Highways



Class C and D
Highways

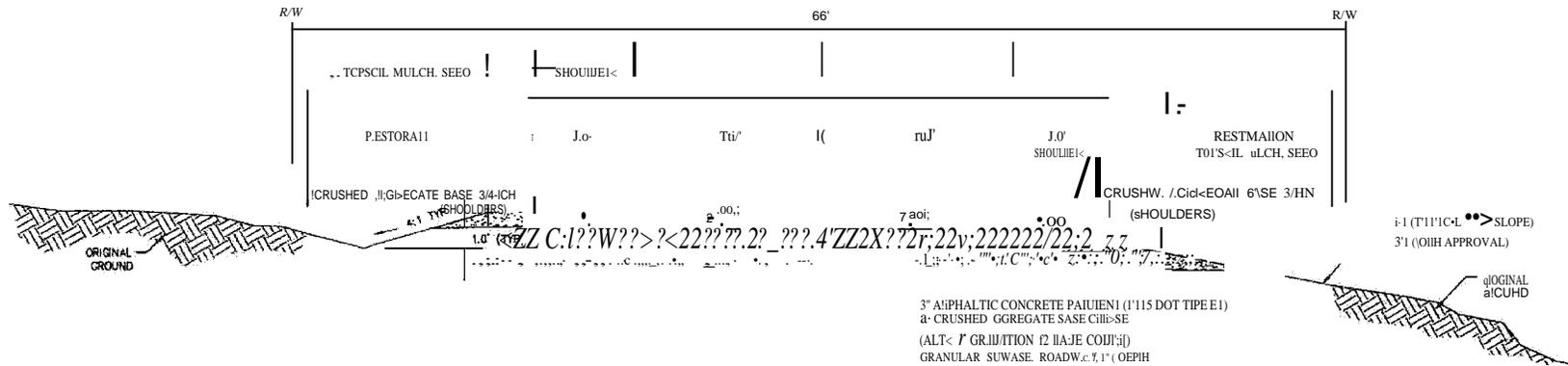


ROADS AND DRIVEWAYS

APPENDIX B

TOWN OF TROY

NEW DEVELOPMENT ROAD CONSTRUCTION STANDARDS CLASS D & E

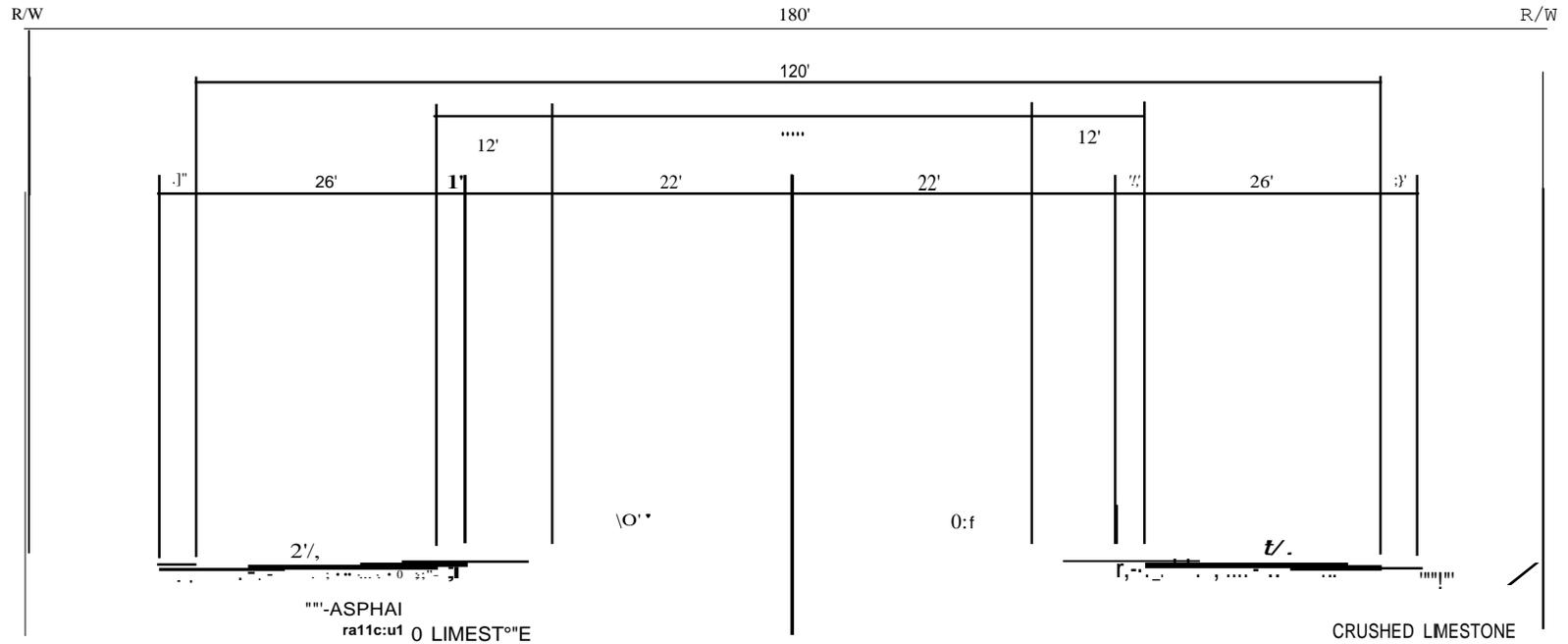


TYPICAL FISHED SECTION
1/8" SCALE

ROADS AND DRIVEWAYS

APPENDIX C

TOWN OF TROY



ISLAND CUL-DE-SAC

TYPICAL CROSS SECTION
MO SCALE

ROADS AND DRIVEWAYS

- Ag.: **BO::sl:**
- t) Sample Sieve and Gradation Analysis
 - 2) Base Quality
 - J) Uniformity
 - 4) Depth
 - 5) Drainage
 - 6) Grading
 - 7) Proof Roll

AGG. BASE:
 Gravel Pir: _____ Date: _____
 Project **Representative:** _____

- Asphalt:
- 1) Mix Design
 - 2) Width
 - 3) Thickness
 - 4) Temperature
 - 5) Joint Sawcut and Seal
 - 6) Shoulden

ASPHALT:
Date; _____
 Project **Representative:** _____

- Restoration:
- 1) Black Dirt Quality
 - 2) Uniformity
 - J) Depth
 - 4) Seeding Mulching
 - 5) Erosion Control

RESTORATION:
Date _____
 Project **Representative:** _____

GENERAL OVERALL PROJECT COMMENTS ISIGNAGE: