

**TOWN OF CATO
MANITOWOC COUNTY, WISCONSIN**

ORDINANCE NO. 1999-1

HIGHWAY CONSTRUCTION STANDARDS

Whereas, it is in the public interest for the Town of Cato, Manitowoc County, Wisconsin, to establish minimum highway construction standards for highways being constructed in the Town of accommodate anticipated traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment.

Now, therefore, it is hereby ordained by the Town Board of Supervisors of the Town of Cato, Manitowoc County, Wisconsin, pursuant to its authority under Section 81.01, Wis. Stats., as follows:

SECTION 1: DEFINITIONS. The following terms used shall have the following definitions:

Base Course: The supporting base material of the roadway, including the shoulder.

Hard Surface Course: The top of the roadway or traveled surface, which does not include the shoulder area.

Highway: The road or way over which the public has a right to pass which includes the total right-a-way.

Road Bed: The whole material laid in place and ready for travel.

Roadway: The traveled portion of the highway, which includes the shoulder area.

Town: Town of Cato, Manitowoc County, Wisconsin.

SECTION 2: APPLICABILITY.

This ordinance shall be applicable to all highways laid out by the Town Board after the effective date of this ordinance, including any highways dedicated in plats for proposed subdivisions submitted for review pursuant to Chapter 236, Wis. Stat., any private highways being donated to the Town, and any other highways being accepted by the Town as public highways in the Town.

SECTION 3: MINIMUM SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.

The following minimum specifications shall apply.

The highway shall have a width of 4 rods (66 feet).

The hard surface course shall have a width of 22 feet. A shoulder of 4 feet shall be provided in addition to the hard surface course on each side.

The base course shall be constructed with a base layer of a minimum of 18 inches of material including, but not limited to, 12 inches of 1-1/2" breaker run, compacted, and 6 inches of crushed road gravel (3/4 inch gravel), compacted, of a quality, thickness, and composition suitable for the location. The binder course shall be constructed with a base cover of 1-1/2 inches of compacted bituminous blacktop surface, with 1-1/2 inches of compacted finished mat. Blacktopping should be hot mix with AC oil. Any shoulder shall be crushed gravel.

A cul-de-sac shall have a right-a-way radius of 75 feet. The base course shall be constructed with a radius of 50 feet. The surface course shall be constructed with a radius of 45 feet.

The ditching of the roadway must be complete and have proper elevation to provide for adequate drainage. All ditches shall be lined with black topsoil and hydro-seeded. The Town Board may wish to consider any specific requirements for the ditching, such as a required finished pitch or slope.

Any culverts necessary for proper drainage shall be installed after elevation and location is obtained from the Town Board. The minimum length of any culvert installed in a road bed shall be at least two feet greater than the base course width. The diameter and length will be subject to the approval of the Town Board, after the amount of the flowage is determined. In no case shall the culvert be less than 18 inches in diameter. For any drainage necessary through private land, the property owner shall convey an easement to the Town no less than 20 feet in width. All drainage areas shall be cleared of all obstructions interfering with the drainage flow.

Top soil and other organic material, such as stumps and brush, shall be removed from the road bed in order to eliminate future soft spots and settling. Stumps, brush and large stones shall not be buried in the highway.

Undercut areas shall be filled with clay or pit run and compacted to a 90% density. Road bed sub grade shall be graded with a 3 inch pitch from the centerline to the outside edge.

SECTION 4: INSPECTION AND VERIFICATION.

All highways shall be subject to inspection by the Town Board Superintendent or designated agent of the Town at reasonable times. The right or undertaking of any inspection shall be for Town use and information only and shall not impose any liability or responsibility on the Town.

Each person constructing a road shall provide verification to the Town Board of the amounts and types of materials used in construction, including copies of invoices and purchase orders.

SECTION 5: FINAL INSPECTION AND CONVEYANCE.

Upon completion of the construction of the highway up to but not including the application of the surface course, and subject to the provisions listed below, the Town Board will proceed to make final inspection accepting or rejecting the highway, as the case may be, in the discretion of the Town Board. If the highway is rejected before another final inspection is completed, corrections shall be made as stated by the Town Board. If the Town Board accepts the highway, the owner thereof shall deliver to the Town in record able form a warranty deed conveying the highway to the Town, free and clear of all encumbrances. The transfer may also be accomplished by legal dedication to the Town on a final plat recorded according to Chapter 236, Wis. Stats.

Prior to the time of final inspection, the person constructing the road shall deposit with the Town Board, to be held in escrow, an amount sufficient to pay for the completion of the surface course of the highway, which amount shall be determined by the Town Board after proper and reasonable investigation. The amount so deposited shall be held in escrow to be used solely for the purpose of payment for the completion of the surface course of the highway.

In the event the amount held in escrow exceeds the amount necessary to pay for the completion of the highway, the remainder thereof shall be refunded to the person constructing the highway. In the event the amount is not sufficient to pay such costs, the person constructing the highway shall pay the remainder thereof to the Town within thirty (30) days of written notification. The Town shall arrange for the contracting for the completion of the surface course.

SECTION 6: AUTHORITY FOR HIGHER STANDARDS.

The Town Board shall have the discretion to impose higher construction standards where, in the discretion of the Town Board, the location of the road, local conditions, or anticipated traffic in quantity or quality require higher standards.

SECTION 7: EXCAVATION.

No person shall make any excavation or fill or install any culverts or make any alterations in a Town highway without the express permission of the Town Board or its designee.

SECTION 8: ENFORCEMENT.

The Town Board shall enforce the provisions of this ordinance by injunction or other available remedy.

SECTION 9: SEVERABILITY.

The terms of this ordinance are severable. If any portion of this ordinance is found to be unenforceable or void by court of competent jurisdiction, such finding shall not affect the remaining provisions of this ordinance and the application thereof shall remain in full force and effect.

SECTION 10: EFFECTIVE DATE.

This ordinance shall be effective January 7, 2007.

ATTEST:

TOWN OF CATO

BY: Mary Muench
Mary Muench
Clerk/Treasurer

BY: Gerald Linsmeier
Gerald Linsmeier
Chairperson

Chuck Schuh
Chuck Schuh – Supervisor

Donald Hastreiter
Donald Hastreiter – Supervisor

Adopted: January 7, 2007