

**TOWN OF MINONG  
DRIVEWAY  
ORDINANCE 2024-10**

Authority - The Town Board of the Town of Minong, Washburn County, Wisconsin, has the specific authority to adopt this ordinance under the provisions of Section 346.94 (5), Wisconsin Statutes.

**1) Purpose:**

The purpose of the ordinance is to provide safety to the citizens when using and/or entering all roads in the Town of Minong, and to avoid damage to Town Roads due to erosion/washouts.

**2) Permits:**

- A. Permits are required for all private driveways and roads with access onto roads in the Town of Minong.
- B. All sights must be inspected and approved before any earth moving is started.
- C. All permits are subject to the approval or denial of the Town of Minong Board.
- D. Permits will be available from the Town of Minong Clerk or the Minong Website.

**3) Conditions of Issuance:**

- A. It is the landowners' responsibility to verify that the driveway location is on their property/right of way. Property disputes are between landowners, with no Town of Minong involvement.
- B. The applicant indicated on the permit represents all parties in interest, that any driveway or approach constructed by or for him is for the bona fide purpose of providing access to his property.
- C. The permittee shall furnish all materials, do all the work and pay all costs in connection with the construction of the driveway and its appurtenances on the highway right of way. In every instance, the subsequent maintenance of the driveway and its appurtenances within the limits of the highway right of way shall be the responsibility of the indicated permittee, who shall be obligated to pay all costs and accomplish all works necessary in relation to said maintenance of the driveway facility.
- D. The driveway installation shall be made without jeopardy to or interfere with traffic using the highway.
- E. Highway surfaces, shoulders and vegetation that are disturbed by the driveway installation shall be restored to at least the pre-existing conditions by the driveway construction.
- F. The surface of the driveway connecting with the highway shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing on to the highway road bed.
- G. The driveway shall not obstruct or impair drainage in highway side ditches. Driveway culverts where necessary, shall be adequate for surface water drainage along the highway and in no case less equivalent of a 12 inch diameter pipe.
- H. No revisions or additions shall be made to the access driveway or its appurtenances on the right-of-way without the permission of the Minong Town Board or the Road Crew.
- I. The Town of Minong does not assume responsibility for the removal or clearance of snow, ice or sleet, or the opening of windrows of such material, upon any portion of any driveway or entrance along any Town highway, even though snow, ice and sleet is

deposited or windrowed on said driveway or entrance by its authorized representative engaged in normal winter maintenance operations.

- J. The permittee, his successors or assignees agree to hold harmless the Town of Minong and its duly appointed agents and employees against any action for personal injury or property damage sustained by exercise of the permit.
- K. For purposes of snowplowing and availability of emergency equipment, driveways must be cleared of all trees, rocks, stumps, debris, etc. at a distance of 20 feet wide by 16 feet high, with ample room to turn equipment around.

**4) Enforcement:**

All costs incurred by the Town of Minong relating to the enforcement of this Ordinance or in making determinations or inspections necessary hereunder, shall be paid by the property owner, including but not limited to, any costs to the Town for bringing such driveways up to the provisions of the Ordinance if property owner refuses to do the same.

Town administrative and inspection costs shall be payable by the permit fee that was established by the Town Board at the Town of Minong Board meeting on July 14, 2003. Said fee was set at \$20.00. This fee is subject to change upon the discretion of the town board, but only at a properly noticed public meeting. If any of the required costs are not covered by the property owner, said costs can be charged back to the landowners property taxes as a special assessment.

**5) Violations:**

The penalty for violation of this ordinance shall be \$500.00 and/or the restoration of the entry onto the Town of Minong roads. Enforceable by the Minong Police Department, Washburn County Sherriff's Department and the Town Constable.

**6) Validity:**

Should any section, clause or provision of the Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

This Ordinance shall be effective upon passage and publication as provided by law, and shall repeal and replace all previous driveway ordinances heretofore enacted by the Town of Minong.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By the Town Board of the Town of Minong.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
ATTESTED BY: TOWN CLERK

Please note that this ordinance shall take effect upon publication or posting as set forth in s. 60.80, Wis. Stats.