

DRIVEWAY/ACCESS PERMIT APPLICATION INSTRUCTIONS

Rusk County Trunk Highways

It is the policy of the Rusk County Highway Department that a permit must be obtained to construct or maintain a driveway or other property access point within the County Highway right-of-way through the following prescribed procedure. Wisconsin State Statutes govern the requirements of driveways and property access points as follows:

- Statute 86.05 provides that “Whenever it is necessary in making any highway improvement to cut or fill otherwise grade the highway in front of any entrance to abutting premises, a suitable entrance to the premises shall be constructed as part of the improvements; and if the premises are divided by the highway, then one such entrance shall be constructed on each side of the highway.” Thereafter each entrance shall be maintained by the owner of the premises. During the time the highway is under construction, the state, county, city, village or town shall not be responsible for any damage that may be sustained through the absence of an entrance to any such premises.
- Statute 86.07(2) provides that “No person shall make any excavation or fill or install any culvert or make any other alteration in any highway or in any manner disturb any highway or bridge without a permit therefore from the highway authority maintaining the highway. Such permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by said authority and performed and completed to its satisfaction.

In summary, the County Highway Department is obligated to provide a driveway to private property only when making major grading improvements past said property. At all other times, the property owner must (1) obtain the required permit from the County Highway Department office, (2) install his/her own driveway, supplying the required culvert where necessary, and (3) maintain the driveway henceforth.

General driveway requirements.

- (a) *General rule.* Driveways shall be located, designed, constructed and maintained in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the highway.
- (b) *General location restrictions.* Access driveways shall be permitted at locations in which:
 - (1) Sight distance is adequate to safely allow each permitted movement to be made into or out of the access driveway.
 - (2) The free movement of normal highway traffic is not impaired.
 - (3) The driveway will not create a hazard.
 - (4) The driveway will not create an area of undue traffic congestion on the highway.
- (c) *Specific location restrictions.* Specific location restrictions shall include the following:
 - (1) When a driveway request is within 300 feet of an existing driveway on the same side of the road, the request must be approved by the highway committee.
 - (2) Access to a property which abuts two or more intersecting streets or highways may be restricted to only that roadway which can more safely accommodate its traffic.
- (d) *Number of driveways.* The number and location of entrances which may be granted will be based on usage, interior and exterior traffic patterns, and current policy of the Department.
 - (1) Normally, only one driveway will be permitted for a residential property and not more than two driveways will be permitted for a nonresidential property.
 - (2) If the property frontage exceeds 600 feet, the permit may authorize an additional driveway.
 - (3) Regardless of frontage, a development may be restricted to a single entrance/exit driveway, served by an internal collector road separated from the traveled way.
- (e) *Approaches to driveways.* Driveway approaches shall conform to the following standards:
 - (1) The location and angle of an access driveway approach in relation to the highway intersection shall be such that a vehicle entering or leaving the driveway may do so in an orderly and safe manner and with a minimum of interference to highway traffic.
 - (2) Where the access driveway approach and highway pavement meet, flaring of the approach may be necessary to allow safe, easy turning of vehicular traffic.

Construction and maintenance of driveways

- (a) *Entrance to Highway.* Private driveways that originate on public right of ways owned by Rusk County Highway Department are under the jurisdiction of the Highway Department, development and enforcement of policy relating to private driveways is governed by the Highway Committee, and its agents.
- (b) *Costs.* The costs to construct private driveways, including all materials and fees are the responsibility of the land owner the private driveway serves. Maintenance of private driveways including drainage culverts is the responsibility of the property owner.
- (c) *Notification.* The Rusk County Highway Department shall be the authority when determining the need for maintenance of a private driveway within the right of way or the need to repair or replace the drainage culvert. Upon notification of required driveway maintenance, the property owner shall make repairs in accordance with the notification given by the Highway Department and by the date specified in the notification. A minimum of 30 days will be granted for repairs to be completed. Failure to make the required repairs by the required date will result in a fine of \$200, and the work will be completed by the Highway Department and billed to the property owner. Work will be invoiced on a cost basis for material and labor, and will also include the cost of fine, and a \$50 permit fee.

Effective in 2008 all new, improved or relocated driveway permits shall have attached to it a Rusk County Mailbox Installation Guidelines Form and all approved driveway applicants must install their mailbox according to the attached Rusk County mailbox guidelines. Final inspections of the installed driveway culvert will include inspection of a properly installed mailbox according to Rusk County guidelines.

The permit application has an associated non-refundable fee.

Application Fee (all cases) - \$50.00

Governmental Agencies are exempt from all fees.

The procedure for permit application is as follows:

1. Complete attached application form and submit with required fee **at least 10 days prior to the anticipated start date.**
2. Mark proposed entrance location with orange marking flags.
3. Field review is made by Highway Department representative
4. Applicant is notified of findings of field review.
5. Applicant purchases approved materials from supplier (galvanized or corrugated polyethylene **only.**)
6. Applicant installs/constructs access without interfering with highway traffic flow.
7. Applicant notifies the County Highway Department of access completion.
8. Highway Department representative performs final inspection.

End walls or retaining walls are not permitted on driveways.

Temporary accesses require the same procedure as permanent, but approved culverts may be utilized. Temporary culverts must be removed and installation site must be restored within 12 months of owner **or** the Highway Department will do so and the charges will be assessed to the owner.

APPLICATION/PERMIT TO CONSTRUCT DRIVEWAY

Please complete the required information on this form and submit to the Rusk County Highway Department per the attached instructions.

PLEASE PRINT OR TYPE

Applicant Name:		Area Code - Telephone Number:	Highway Letters:
Applicant Mailing Address:		City, State, Zip:	Town of: or Village of:
Property Owner Name & Complete Address, Telephone #, If Not Applicant		What type of Driveway: New Driveway Improve Existing Driveway Relocate Existing Driveway	
If not property owner, reason for application:		Driveway within: (Section, Township, Range) _____	
Log mile or reference Point: (Completed by County):		Completion Date:	
What type of use will the driveway serve? (check one) Rural--Commercial/Industrial Urban--Commercial/Industrial Rural--Residential Urban--Residential Rural--Agricultural			
What side of the county highway is the proposed driveway located? (Check One) North South East West			
Is the proposed driveway less than 300 feet from another driveway on the same highway? Yes No			
What is the name of the nearest side road from the proposed driveway?			
Approximately, how far and what direction is the proposed driveway from the side road listed in #14? _____ Feet North South East West			
NOTE: If the driveway is not completed by the "Completion Date" specified above, a time extension must be obtained from the County Highway Department or this permit is null and void and the driveway shall not be constructed unless authorized through a subsequent permit.			
The construction and maintenance of the driveway shall be the responsibility of the applicant. It is understood and agreed that approval is subject to the applicant's full compliance with the pertinent Statutes, as well as any codes, rules, regulations, and permit requirements of other jurisdictional agencies.			
The applicant shall also comply with all permit provisions, superimposed notes, and detail drawings, which may be added by County Department. Any alterations of this form by the applicant are prohibited and may be cause to revoke this permit.			
ALL CULVERTS MUST BE 16 GAUGES OR BETTER AND PLASTIC MUST BE DOUBLE WALL, SMOOTH BORE SPECIFICATIONS M294, TYPE S.			
PLEASE CALL WHEN PROJECT IS COMPLETED FOR FINAL INSPECTION		_____ Property Owner Signature	
		_____ Date	
PERMIT Approved by County Highway Department			
Permit Number:		_____ Rusk County Highway Commissioner or Representative	
<input type="checkbox"/> Provisions for a mailbox will be required.		_____ Date	

Does this parcel or land abut or border alongside another public road Yes No
If Yes, please describe:

Are you aware of any future plans to change the zoning or land use for this parcel?
Yes No Don't Know If yes, please explain:

Are there any plans to divide the property into small lots? Yes No

How many existing driveways does this property currently have? _____

Are there any access restrictions limiting the number of driveways to this property, i.e. subdivision plat, deed, access covenant (recorded or unrecorded)? Yes No
(If yes, please submit a copy of the access restriction agreement with the permit application)

Are there any access easements across the property (recorded or unrecorded)? Yes No
(If yes, please submit a copy of the access easement agreement with the permit application)

**APPLICANT SHALL PLACE A FLAG OR BRIGHT COLORED MARKER IN THE HIGHWAY DITCH
VISIBLE FROM THE HIGHWAY AT THE LOCATION OF THE PROPOSED DRIVEWAY.**

For **SAFETY PURPOSES**, construction of bituminous, concrete, stone, timber or any other type of vertical headwalls will not be permitted.

The driveway shall be constructed at right angles to the highway for the full width of the right-of-way.

COUNTY HIGHWAY DEPARTMENT USE ONLY

Required Drainage Structure:
If drainage structure not required, explain reasons:

Amount Received: _____
Date Installation Approved: _____

Approved by:

Rusk County Highway Commissioner or Representative

Return Completed Application to:
Rusk County Highway Department
N4711 Highway 27
Ladysmith, WI 54848
Questions, call: (715) 532-2633