

**Town of Prairie du Sac
Sauk County, WI**

Driveway Ordinance 2026-5

1.01 PURPOSE

The purpose of this Ordinance is to regulate the establishment, construction, or modification of a driveway, or field drive that connects to a Town road, and that changes the existing topography of the land or that affects the Town road. This regulation is necessary to assure that the site, method of construction, and conservation practices to be used will promote the public health, safety, and general welfare of the community, preserve agricultural land and productivity, and enforce the goals and policies set forth in the Sauk Prairie Comprehensive Plan.

1.02 JURISDICTION

Jurisdiction of these regulations shall include all driveways, and field drives that connect to a Town road, on land within the Town of Prairie du Sac except those lands within the Extra Territorial Area. Any lawfully existing nonconforming use may be continued so long as it remains otherwise lawful.

1.03 AUTHORITY

These regulations are adopted under the general police powers authority granted pursuant to sec. 60.10(2)(c), 60.22(3), and 61.34(1) of the Wisconsin Statutes.

1.04 DEFINITIONS

- (1) Access Easement. A privately owned and maintained easement for ingress and egress, for the purpose of granting to all Owners and their occupants, agents, employees, guests, licensees, and invitees vehicular and pedestrian access across property which abuts a public right-of-way. The general use and maintenance of the access easement shall be governed by a legal agreement that runs with the land and is recorded with the Sauk County Register of Deeds.
- (2) Driveway. A private drive or other avenue of travel that runs through any part of a private parcel of land and connects or will connect a residential dwelling unit, or other structures requiring a fire number, with any public highway, but shall not include any field drives.
- (3) Field Drive. A private drive used for access to fields, woods or other agricultural purposes.
- (4) Town Building Inspector. The individual hired by the Town Board to act in this capacity.
- (5) Town Board. The Town of Prairie du Sac Board of Supervisors.
- (6) Town Clerk. Clerk of the Town of Prairie du Sac.

- (7) Town Driveway Inspector. Person, persons or company appointed/hired by the Town Board to oversee the driveway and field drive construction permit applications and final inspections.
- (8) Topography. The surface configuration of an area of land.
- (9) Agricultural Land. Land within the Town of Prairie du Sac that has produced or is capable of producing a viable crop, product or foodstuff.

1.05 SHARED DRIVEWAYS

For shared driveways a legal agreement acceptable to the Town Board shall be in place establishing access provisions and major responsibilities including maintenance, plowing, vegetation control, and cost sharing. This requirement applies to all driveway sharing agreements or arrangements established or changed after adoption of this ordinance.

1.06 ACCESS EASEMENTS

Easements shall not be less than 16 feet wide.

1.07 APPLICATION REQUIREMENTS AND PROCEDURES FOR OBTAINING A DRIVEWAY CONSTRUCTION PERMIT

- (1) Who Must Apply. No person or entity shall establish, construct, or modify, a driveway that affects the Town road or materially changes the existing topography of the land without first obtaining a Driveway Construction Permit from the Town. No person or entity shall construct, improve, modify, or rework a field drive that connects to a Town road and that materially affects the Town road and adjacent topography without first obtaining a Field Drive Construction Permit.
- (2) Application Forms. Forms for an application for a Driveway or Field Drive permit are available on the Town's web site or from the Town Clerk.
- (3) Application for Driveway Permit. Submit a completed Driveway Construction Permit Application with the appropriate fee to the Town Clerk. The following documents must be provided and are described in the Town's Applications Guide, a copy of which is available on the Town's web site or from the Town Clerk.
 - (a) Plat map.
 - (b) Aerial photo/site analysis
 - (c) Soil/slope analysis.
 - (d) Driveway Construction Plan
 - (e) Other Documents. The Town may require other documents. Such documents, if any, would be described in the Applications Guide.
- (4) Application for Field Drive Permit. Submit to the Town Clerk a completed Field Drive

Construction Permit Application with the appropriate fee and a sketch showing the location and topography of the intersection of the field drive with the highway.

- (5) Application Review. Upon receipt of the Driveway or Field Drive Construction Permit Application and the application fee, the Town Clerk will provide a copy of the Application to the Town Driveway Inspector and/or the Town's Planning Commission. If referred to the Planning Commission, then the notifying party will clarify that a meeting with the applicant must be scheduled.
- (6) Permit Application Denial. If an application for a Driveway Construction Permit or Field Drive Construction Permit Application is denied by the Town Board, no reapplication for a relatively similar Permit will be considered within 3 months of the denial.
- (7) Permit Period. The Driveway Construction Permit or Field Drive Construction Permit is effective for 12 months from the date of issuance. The Permit shall expire after 12 months unless renewed.
- (8) Renewal. The Driveway Construction Permit or Field Drive Construction Permit may be renewed for one additional period of 12 months. If the driveway or field drive has not been constructed by the end of this period, a new application must be submitted and approved.
- (9) Driveway Inspection. The applicant shall notify the Town Clerk within 30 days of completion of the construction or modification. Within 30 days of notification, the Town will conduct an inspection of the driveway or field drive to ensure full compliance with all of the provisions of this Ordinance.
- (10) Building Permits. No Building Permit for new residential construction will be issued until an adequate approach from the Town Road to the construction site is provided to prevent damage to the Town road.
- (11) Application Fee. An application fee of an amount determined by a resolution of the Town Board will be charged. This fee is specified in the "Application Fee Schedule" in the Applications Guide.

1.08 DRIVEWAY CONSTRUCTION PLAN

A Driveway Plan shall include a legible drawing showing the following:

- (1) Location. The precise location of the driveway, or the segment of driveway that requires a Driveway Plan, and the location of all existing or proposed buildings along the driveway or along the said segment.
- (2) Slope. The slope of the driveway.
- (3) Retaining walls. The location and structure of any retaining walls.

- (4) Culverts. The location and size of any culverts and drainage plans.
- (5) Erosion control. The required mulching, matting, or other erosion control.
- (7) Other. Indicate clearances and, if any are needed, the pull offs or turnarounds.

1.09 SPECIFICATIONS FOR THE CONSTRUCTION OF DRIVEWAYS

- (1) Slope. The slope of the driveway shall be less than 12% whenever practical. Plans for driveways with slopes between 12% and 20% shall be closely reviewed by the Town's Driveway Inspector or, if necessary, by a Town approved engineer and/or construction company. Driveway slopes shall not exceed 20%.
- (2) Width, Rise, and Clearance. The driveway shall be constructed with a minimum width of 10 feet. There shall be no obstructions within 10 feet of the centerline of the driveway. Any portion of a downslope at the edge of the driveway and within 10 feet of the centerline of the driveway must not exceed a slope of 25%.
- (3) Drainage. Ditches along the right of way and culverts shall be provided by the property owner for acceptable drainage. Plans and installation of such in the town right of way shall be by a Town approved engineer and/or construction company. Culverts must be a minimum of 12 inches in diameter, be as large as needed for adequate drainage, and be constructed of corrugated metal or concrete with end walls. Plastic pipe and plastic end walls shall not be allowed. The driveway shall be planned, constructed, and maintained in a manner that does not cause diversion of surface water onto the public road and/or the lands of other persons.
- (4) Juncture with Public Road.
 - a) A length of driveway of a minimum of 12 feet shall have a maximum of 5% slope at the point where the driveway enters onto a public road. A slight dip across the drive shall be placed at the entrance to a public road to prevent debris from washing onto the public road.
 - b) The width of a driveway at the juncture with a public road shall be sufficient to allow access by emergency vehicles.
 - c) A driveway entering a town road shall provide an adequately unobstructed view of the road.
 - d) Sufficient substrate, gravel and surface material shall be provided at the juncture with the road to prevent undue road edge wear and damage.
- (5) Radius of Curves. Curves in the driveway shall have an inside radius of no less than 36 feet.

- (6) Erosion Control. Once the construction of the driveway has begun, all specified erosion controls including retaining walls, ditching, culverts, crowning, mulching, matting, and bank seeding shall begin immediately. For winter construction, erosion alternatives must be implemented within 30 days until specified controls are available.
- (7) Substrate. An adequate substrate sufficient to support emergency vehicles is required.
- (8) Costs. All costs of construction of said driveway, including the cost of the culverts, if required, and Driveway Plan shall be paid by the property owner requesting the permit.
- (9) Clearance for Emergency Vehicles. All driveways shall allow reasonable access by emergency vehicles. Emergency vehicles need about 14 feet of vertical clearance and 20 feet of clearance in width.
- (10) Waiver of Specifications. Any specification(s) in this section may be waived or modified by the Town Board if it deems the specification(s) would impose an unnecessary hardship. Any request by an applicant for a waiver or modification of any provision in this section must accompany the initial application and must state the reason for the request.

1.10 SPECIFICATIONS FOR THE CONSTRUCTION OF FIELD DRIVES

Items (3), (4), (6), (8) and (10) of section 1.09 shall apply to the construction of field drives. In addition, sufficient substrate and gravel shall be provided at the juncture with the road to prevent undue road edge wear and damage caused by heavy farm machinery.

1.11 APPROVAL.

- (1) Conditions. No construction of a driveway may commence until the Driveway Plan is approved by the Town Board, until a Driveway Construction Permit is issued by the Town and, when applicable, until any necessary approvals are obtained from Sauk County, the State of Wisconsin (See sec. 86.07 of the Wisconsin Statutes), or the Federal Government. The preparation of a Driveway Plan does not guarantee the Town's approval of the Driveway Construction Permit Application.
- (2) Inspection. After the driveway has been completed, the Town Driveway Inspector may inspect the driveway to determine whether or not it was constructed according to the plan(s) and is consistent with the requirements of this Ordinance.
- (3) Disclaimer. The Town's approval of a driveway permit application does not constitute a determination that the driveway is safe, suitable, for use or otherwise passable for the public. No person may rely on the issuance of a permit to determine that a driveway is fit for any purpose.

1.12 EXISTING DRIVEWAYS, FIELD DRIVES AND EASEMENTS

- (1) Hazardous Conditions. When erosion or other conditions created by existing driveways or

field drives that do not meet the specifications required in this Ordinance obstruct or become a potential hazard to a public road, the Town Board shall notify the property owner of the conditions. Any property owner failing to correct such condition within 30 days after notice by the Town Board, or other reasonable amount of time approved by the Town Chair or Clerk, shall be subject to the penalties described in the penalties section of this Ordinance.

- (2) Field Drives. No field drive may be used for a residential driveway unless the field drive has been approved as a driveway under the purposes of this Ordinance.
- (3) Access Easement. No access easement may be used for a residential driveway unless the access easement has been approved as a driveway under the purposes of this Ordinance.

1.13 PENALTIES

- (1) Forfeitures. Should a driveway be constructed or modified in violation of the provisions of this Ordinance, or create a hazard that is not corrected within 30 days of notification, the owner(s) of the land through which the driveway passes shall, upon conviction, pay a forfeiture of \$500.00 plus applicable surcharges and court costs per violation. Each day that the violation continues to exist shall constitute a separate offense. An unlawful driveway constitutes a public nuisance and may be enjoined.
- (2) Corrections. In addition, the landowner shall make the corrections ordered by the Town Board within 30 days or a period of time determined by the Town Board.

1.14 SEVERABILITY

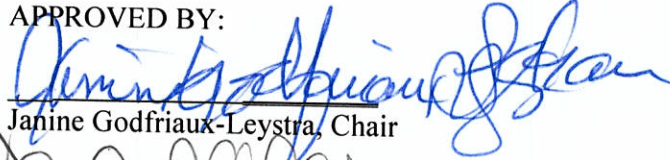
The provisions of this Ordinance shall be deemed severable. It is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

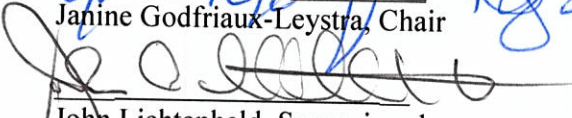
1.15 EFFECTIVE DATE

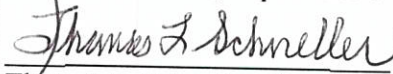
This Ordinance shall take effect and be in force from and after the day after passage and publication as required by law.

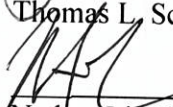
- (1) Town Board Approval. This Ordinance was adopted by the Town Board on this
14th day of April, 2026

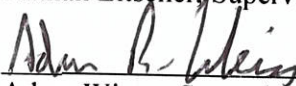
APPROVED BY:


Janine Godfriaux-Leystra, Chair

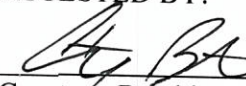

John Lichtenheld, Supervisor 1


Thomas L. Schneller, Supervisor 2


Nathan Litscher, Supervisor 3


Adam Wiess, Supervisor 4

ATTESTED BY:


Courtney Beuthin, CClerk

(2) Public Notice

(a) Posting. This Notice of Adoption of Ordinances relating to this Ordinance was posted on April 16, 2026 at the Prairie du Sac Town Hall.

(b) Publication. A Notice of Adoption of Ordinances relating to this Ordinance was published in the _____ newspaper, the publication of record for the Town of Prairie du Sac on _____.