

**ORDINANCE 2023-02**  
**TOWN ROADS ORDINANCE FOR**  
**THE TOWN OF WINCHESTER, VILAS COUNTY WISCONSIN**

**A. Purpose:**

1. Establish the minimum standards and building setbacks for the construction, rebuilding, or resurfacing of a Town road in Winchester Township.
2. The Winchester Town Board recognizes that current and future Town roads must meet standardization, safety, and compliance requirements of the County, State, and Federal Government.
3. To promote general health and welfare.

**B. Jurisdiction:** Jurisdiction of this regulation shall include all Town roads within Winchester Township.

**C. Authority:** This ordinance is enacted to provide general specifications for Town roads in Winchester Township. Pursuant to sections 60.10(2)(c), 60.22(3), 60.50 of Wisconsin State Statutes, and under the controlled access highway power granted pursuant to sections 82 of Wisconsin State Statutes.

**D. Abrogation and Greater Restrictions:** This ordinance supersedes all prior Town of Winchester Road ordinances. However, where this ordinance imposes greater restriction, the provisions of this ordinance shall prevail.

**E. Resources:** Wisconsin Highway Maintenance Manual, Wisconsin Department of Transportation (DOT) Facilities Development Manual, Wisconsin State Statutes, Wisconsin Department of Transportation (DOT) 2022 Standard Specifications, and the 2020 Wisconsin Asphalt Pavement Design Guide.

**F. Building Setbacks** All new structures built in the Township of Winchester after the effective date of this ordinance must be built no closer than 20 (twenty) feet from the edge of the right-of-way, or 53 (fifty-three) feet from the center line of the town road if a right-of-way boundary cannot be determined.

**G. Town Road Standards.** All new town roads or reconstruction of existing roads should be to the following minimum design standards in accordance with Wisconsin Statutes where practical:

**Standard Dimensions:** Per Wisconsin State Statute 82.50

- a. Right of way width: 4 (four) rods (66 feet).
- b. Roadbed: 26 (twenty-six) feet wide.
- c. Road surface: 20 (twenty) feet wide.
- d. Shoulders: 3 (three) feet on each side of surfaced road.
- e. Turn arounds: 50 (fifty) feet in circumference.
- f. Maximum grades 6% to 8%
- g. Road surface material: See H3

**H. General Requirements:** The minimum width of a Town roadbed shall be 26 (twenty-six) feet wide where applicable, and meet the minimum requirements listed below:

1. Shoulders: 3 (three) feet of graveled shoulders on each side of road where applicable.
2. Roadbed/Base: Minimum recommended: (2020 Wisconsin Asphalt Pavement Design Guide)

- a. Breaker Run (Primary Crushed). There shall be at least 9 (nine) inches of compacted sand or gavel fill (primary crushed) under the base course, said fill to come within 6 (six) inches of grade. No trees, stumps, or debris shall be allowed in such fill.
  - b. Base Course. 6 (six) inches crushed compacted gravel, shale, crushed lime rock, or other such materials as approved by the Town Board or its designee. Base course must be of a quality and composition suitable for the location. In low or swampy areas, the base course must have a sandy composition to provide the necessary drainage of the roadbed. Any muck holes encountered before and during construction of the roadbed must be removed and filled with a sandy lift to provide a solid base. The base course shall be allowed to season for one winter before blacktop paving is applied. The amount of gravel necessary for acceptance must be at least 1200 yards per mile.
3. Road Surfaces: Blacktop: Recommended (2020 Wisconsin Asphalt Pavement Design Guide)
  - a. Asphalt surface: Shall be 20 (twenty) feet wide where applicable
    - i. Gravel or sand soils: 3 (three) inches of compacted asphalt.
    - ii. Clay or silts low plasticity soils: 3 1/2 (three and one half) inches of compacted asphalt.
    - iii. Clay or silts high plasticity soils: 4 (four) inches of compacted asphalt
  - b. Chip Seal/Cold Rolled (Per Wisconsin Department of Transportation specification 475 seal coat)
    - i. Driving surface shall be 20 (twenty) feet wide where applicable. Shall be a double pass (single pass for low usage roads serving 10 or fewer lots)
    - ii. Apply only when air temperatures are above 60 Deg F.
    - iii. Asphaltic materials for seal coat will conform to Wisconsin DOT specification 455.
    - iv. Aggregates will conform to Wisconsin specification 460 except as follows:
      - Aggregate retained on the No. 4 sieve must have 10 percent, by weight, or less flat and elongated pieces based on a 5:1 ratio.
      - The percent wear, measured according to AASHTO T96, must not exceed 40 (forty) after 500 revolutions.
      - At least 60 percent, by count, of the aggregate retained on the No. 4 sieve must have one or more fractured faces.
      - Conform to the following graduation requirements:
        - SIEVE PERCENT PASSING BY WEIGHT
        - 1/2-inch 100
        - No. 4 0-60
        - No. 16 0-5
  - c. Gravel Road surface: (Per United States Department of Transportation Gravel Roads Maintenance and Design Manual)
    - i. Surface shall be 26 (twenty-six) feet wide where applicable.
    - ii. Have a minimum of 2 (two) inches of compressed 3/4" road gravel.
    - iii. Have a 4 (four) to 6 (six) inch crown.
4. **Ditching:** All Town roads shall be ditched in accordance with Wisconsin DOT FDM13-30-1, with a side slope no greater than 6:1 where applicable. The ditching



of a roadway must be complete and have proper elevation to provide for the removal of water. All ditches shall be seeded, sodded, or provided with sodden check dams. All portions of the right-of-way beyond the edge of the base course that is disturbed at or during the time of construction shall be adequately seeded or sodded to prevent erosion.

**5. Road Culverts:** (Per Wisconsin Highway Maintenance Manual and Chapter 13 of Wisconsin Facilities Development Manual)

- a. Any culvert necessary for proper drainage shall be provided and installed after the elevation and the location are obtained from the Town Board.
- b. The minimum length of any culvert installed in a roadbed shall be a minimum of 40 feet in length. However, the diameter and length of the culvert will be determined based on amount of flowage.
- c. Culvert size shall be approved by the Town Board and shall be adequate to handle the maximum expected vehicle load. The size and diameter of culverts shall be adequate to drain the area during heavy runoff.
- d. Culverts will be inspected and cleaned out annually, and the condition information of each culvert will be maintained in the Town culvert inventory report.
- e. A culvert inventory report shall be maintained by the Town Crew, the report will contain GPS location, size, length, material type, date of installation, condition of culvert and amount of silting. This report shall be presented to the Winchester Town Board no later than the July Town Board Meeting

**I. Burial of utility lines**

1. **Location** - All utility and service lines, including but not limited to sewer, water, electric, telephone, and cable television, when buried within the Town road right-of-way shall be buried within the outermost five feet of the Town road right-of-way.
2. **Variances** - If installation of such utility line, at the location set forth in Subsection 1 above, requires the removal of substantial tree coverage or will cause an adverse environmental impact, any person may petition the Town Board to install or construct a utility line other than on the outermost five feet of the Town road right of-way. Upon such petition, the Town Board shall view the premises and, if it finds that such adverse environmental impact would in fact occur, may permit the installation of the utility line at a different location as determined by the Town Board.
3. **Permit** - No such service or utility lines, including but not limited to sewer, water, electric, telephone and cable television, may be buried or otherwise installed within the Town road right-of-way without first receiving a permit from the Town Board. Application for such permit shall be made to the Town Clerk.

**J. Road Turn arounds.**

1. A 50 (fifty) foot diameter turn around on all new or reconstructed Town roads is important for emergency vehicle access and efficient snow plowing.
2. If space is not available for a 50 (fifty) foot diameter turn around the Town Board will attempt to work out agreements with the adjacent landowners.
3. If the Town Board is unable to secure the legal rights for a 50 (fifty) foot diameter turn around, the largest possible turn around will be built in the space available.

**K. Acceptance of new town roads.** Persons petitioning the Town for a private road to become a Winchester Town Road must submit to the Town the description of such road and a scale map showing the location of the road. The procedure of the following subsections must be strictly adhered to:

1. Prior to the transfer of a private road to the Town of Winchester, the road must meet the minimum requirements of a Town Blacktopped/seal coated road (Paragraph H3,) proof of road construction specifications will be required.
  2. The private road in question must be inspected by the Winchester Town Board and Town Crew to verify the road meets all Town road standards.
  3. All legal documentation must be made available to the Town for a legal review by the town's attorney.
    - a. Provide deeds in fee simple for all land for right of way purposes.
    - b. Provide satisfactory evidence of title to such lands.
    - c. Provide a certified survey of the proposed road.
    - d. Scale drawing of the road which indicates the location and shows the relief of the area with 2 (two) foot contour elevations shall show the area to be served by the road and the way drainage from the area is treated.
    - e. Any other documents required by the Towns attorney.
    - f. All expenses (legal, title transfer, filing fees, etc.) are the sole responsibility of the of the petitioners requesting the to transfer the private road to the Town of Winchester.
  4. After inspection, verifications, and legal review that the private road meets all the Town of Winchester's minimum town road standards and there are no legal issues, Transfer of the private road must be approved by a majority vote of the Town Board at a scheduled open meeting.
  5. Upon the approval of the Town Board, all documents effecting the transfer of the road right of way (Clear title, all recorded deeds, legal descriptions, surveys, construction reports, etc.) shall be turned over to the Town Board.
- L. Town Chairman Duties as Highway Superintendent.** Pursuant to Chapter 81 of the Wisconsin Statutes the Town Chairman is vested with the duties of the Superintendent of Highways.
- M. Severability and Liability:** Should the courts declare any section, clause, or provision of this ordinance be the invalid, the same shall not affect the validity of the ordinance or any part.
- N.** This ordinance shall be effective upon passage by the Winchester Town Board and publication as provided by law.