

CHAPTER VI

HIGHWAYS

6.01 COUNTY TRUNK HIGHWAY SYSTEM

- (1) The following highways constitute the County Trunk Highway System of Ozaukee County.
 - (a) COUNTY TRUNK HIGHWAY "A". A highway commencing at C.T.H. "LL", between Sections 27 and 34, Town of Belgium, thence West between Sections 28 and 33, 29 and 32, 30 and 31 in the Town of Belgium, thence Westerly between Sections 25 and 36, to C.T.H. "H" and along C.T.H. "H" between Sections 25 and 36, 26 and 35, 27 and 34, then leave C.T.H. "H" and continue between Sections 33 and 28, 32 and 29, 30 and 31 in the Town of Fredonia, ending at the Washington County line. A total distance of 7.46 miles.
 - (b) COUNTY TRUNK HIGHWAY "H". A highway commencing at Interstate Highway 43 and State Highway 32, thence running Northerly through Section 21 and Northwesterly through Sections 16, 9, 8, 5 and 6 in the Town of Port Washington and Northwesterly through Section 31 in the Town of Belgium and Northwesterly through Section 36 and Westerly on the south line of Sections 25, 26, 27 and 28 and Northerly on the center of Section 28, and Northwesterly through Sections 21, 20 and 19 and Westerly on the south line of Section 18 in the Town of Fredonia, to the west line of Ozaukee County. A total distance of 11.97 miles.
 - (c) COUNTY TRUNK HIGHWAY "B". A highway commencing at the North county line between Sections 5 and 6, Town of Belgium, thence South between Sections 5 and 6, 7 and 8, 17 and 18, 19 and 20, 29 and 30 to County Trunk "A", thence East on County Trunk "A" to the South one-quarter point of Section 29, thence Southerly on the quarter-line of Section 32, all in the Town of Belgium, thence continuing Southerly on the quarter-line of Sections 5, 8, 17 and 20 to C.T.H. "LL", all in the Town of Port Washington. A total distance of 9.32 miles.
 - (d) COUNTY TRUNK HIGHWAY "C". A highway commencing at the West county line between Section 31, Town of Cedarburg and Section 6, City of Mequon, thence Easterly on the South line of Sections 31 and 32, 33 and 34 to the Wisconsin Electric Power Company right-of-way in the City of Cedarburg; and a highway commencing at a point approximately 575 feet East of the intersection of McKinley Boulevard in the City of Cedarburg on the South line of Section 35 in the City and Town of Cedarburg, thence Easterly on the South line of Section 35 and the South line of Sections 36, 31 and 32 in the Town of Grafton, thence Northerly on the East line of Sections 32, 29 and 20, thence Northeasterly through Sections 16, 9, 4 and 3 in the Town of Grafton, and Section 32 in the Town of Port Washington to the South construction limits of the City of Port Washington, excepting that portion of the described highway being in the City of Mequon. A total distance of 10.99 miles.

- (e) COUNTY TRUNK HIGHWAY "CC". A highway commencing at State Highway 32 and running Easterly on East-West quarter-line of Sections 32 and 33 in the Town of Port Washington to County Trunk "C". A total distance of 0.79 miles.
- (f) COUNTY TRUNK HIGHWAY "D". A highway commencing at State Trunk Highway 57 between Sections 13 and 24 in the Town of Fredonia, thence Easterly between Sections 18 and 19, 17 and 20, 16 and 21, 15 and 22, 14 and 23, and 13 and 24 in T12N, R22E and between Sections 18 and 19 in T12N, R23E. A total distance of 7.35 miles.
- (g) COUNTY TRUNK HIGHWAY "E". A highway commencing at the North county line between Sections 6 and 5 in the Town of Fredonia, thence Southerly between Sections 5 and 6, 7 and 8, 17 and 18 and through Sections 18 and 19 to C.T.H. "H", all in the Town of Fredonia. A total distance of 3.22 miles.
- (h) COUNTY TRUNK HIGHWAY "I". A highway commencing at the North construction limits of the City of Cedarburg (north line of Fairfield Manor Subdivision – Phase 2) between Sections 22 and 23, thence northerly, between Sections 22 and 23, 14 and 15, 10 and 11, 2 and 3 and through Section 2 in the Town of Cedarburg, thence northerly between Sections 33 and 34, 28 and 27, through Sections 27 and 22, between Sections 21 and 22, 15 and 16, 9 and 10 and 4 and 3 in the Town of Saukville, thence northerly between Sections 33 and 34 in the Town of Fredonia to C.T.H. "H", thence easterly and northerly through Sections 28 and 27 to the northwest corner of Section 27, thence northerly between Sections 21 and 22, 15 and 16, through Sections 15 and 10 to the north line of said Section 10, thence westerly on the north line of Section 10 to the southwest corner of Section 3, thence northerly between Sections 3 and 4 to the North County line, in the Town of Fredonia. A total distance of 16.73 miles.
- (i) COUNTY TRUNK HIGHWAY "KK". A highway commencing at the North limits of the City of Port Washington in Section 29, thence Northwesterly through Sections 29, 20, 19 and 18 to the Southwest corner of Section 7, thence Northerly on the West line of Sections 7 and 6 in the Town of Port Washington, thence continuing Northerly on the West line of Section 31 in the Town of Belgium to C.T.H. "H". A total distance of 5.44 miles.
- (j) COUNTY TRUNK HIGHWAY "K". A highway commencing at C.T.H. "LL" on the North line of Section 2 in the town of Belgium, thence Westerly on Sheboygan County Trunk "K" to the one-quarter point of the Northwest one-quarter of Section 3, thence continuing Westerly on the North line of Sections 3, 4 and 5 in the Town of Belgium to the Northwest corner of said Section 5, thence continuing Westerly on Sheboygan County Trunk "K" to the Northeast corner of Section 1 in the Town of Fredonia, thence continuing Westerly on the North line of said Section 1 to the Northwest corner of said Section 1, thence continuing Westerly along the north line of Section 2 on Sheboygan County Trunk "K". A total distance of 3.28 miles.

- (l) COUNTY TRUNK HIGHWAY "O". A highway commencing at State Highway 60 in the Village of Grafton, thence Northerly through Sections 24, 13, 12 and 1 in the Town of Grafton, thence continuing Northerly through Sections 35, 25, 26, 23, 24, 14, 11 and 10 to the West line of Section 10 in the Town of Saukville. A total distance of 9.51 miles.
- (m) COUNTY TRUNK HIGHWAY "P". A highway commencing at C.T.H. "LL" between the Towns of Belgium and Port Washington, thence Easterly on the South line of Sections 35 and 36 in the Town of Belgium. A total distance of 1.27 miles.
- (n) COUNTY TRUNK HIGHWAY "Q". A highway commencing on the East line of Section 20 in the Town of Grafton, thence Westerly through Section 20 to Interstate Highway 43. A total distance of 0.74 miles.
- (o) COUNTY TRUNK HIGHWAY "W". A highway commencing at the South County line at a point about 300 feet east of the Southwest corner of Section 32, T9N, R22E, thence Northerly through Section 32, between Sections 31 and 32, 29 and 30, 19 and 20, 17 and 18, 7 and 8, 5 and 6 in the City of Mequon and between Sections 31 and 32, 30 and 29, 19 and 20, and 17 and 18, thence Northerly through Sections 18 and 7, between Sections 7 and 8, 6 and 5 in the Town of Grafton and Northerly through Sections 36, 25, 24 and 13 in the Town of Saukville to State Trunk Highway 57. A total distance of 16.30 miles.
- (p) COUNTY TRUNK HIGHWAY "T". A highway commencing at C.T.H. "W" between Sections 30 and 31, 25 and 36 in the Town of Grafton, thence continuing Westerly between Sections 26 and 35 in the Town of Cedarburg to the East right-of-way of Struck Lane in the City of Cedarburg. Thence commencing at a point 1,875 feet West of the centerline intersection of Evergreen Boulevard and Western Road in the City of Cedarburg, thence Westerly between Sections 27 and 34, 28 and 33, 29 and 32, and 30 and 31 to the West county line. A total distance of 5.56 miles.
- (q) COUNTY TRUNK HIGHWAY "Y". A highway commencing at the North limits of the City of Mequon between Sections 31 and 32 in the Town of Cedarburg, thence Northerly between Sections 31 and 32, 29 and 30, 19 and 20, 17 and 18, 8 and 7, 5 and 6 and through Section 5, in the Town of Cedarburg, thence continuing Northerly on the West line of Sections 31 and 30 in the Town of Saukville to the Northwest corner of said Section 30, thence continuing Northerly on Washington County Trunk "Y" to State Highway 33, thence Northeasterly through Sections 7, 6, 8 and 5 in the Town of Saukville, thence Easterly on the South line of Section 32, thence Northeasterly through Section 32 and between Sections 32 and 33 in the Town of Fredonia to County Trunk "A". A total distance of 12.54 miles.
- (r) COUNTY TRUNK HIGHWAY "KW". A highway commencing at C.T.H. "H" on the North-South quarter line of Section 16 in the Town of Port Washington, thence Northerly on the quarter line of Sections 16, 9 and 4 in the Town of Port Washington, thence Northerly and Northeasterly through Sections 33 and 28 to the Southeast corner of Section 21, thence Northerly between Sections 21 and 22, 16 and 15, 9 and 10 and 3 and 4 to the North County line, all in the Town of Belgium. A total distance of 9.13 miles.

- (s) COUNTY TRUNK HIGHWAY "LL". A highway commencing at the North County line between Sections 1 and 2 in the Town of Belgium, thence Southerly between Sections 1 and 2 through Sections 2, 11, 14, 23 and between Sections 26 and 27, 34 and 35 in the Town of Belgium, thence continuing Southerly and Westerly between Sections 2 and 3, 10 and 11 through Sections 10, 15, 21, 20 and between Sections 19 and 20, 29 and 30, 31 and 32 in the Town of Port Washington to State Trunk Highway 32. A total distance of 13.80 miles.
- (t) COUNTY TRUNK HIGHWAY "Z". A highway commencing at C.T.H. "I" near the section line between Sections 27 and 28 in the Town of Fredonia, thence westerly to the intersection with C.T.H. "H". A total distance of 0.45 miles.
- (u) COUNTY TRUNK HIGHWAY "NN". A highway commencing at State Highway 60 near the southeast corner of Section 16, running thence Northwesterly through Sections 16, 9, 8 and 6 in the Town of Cedarburg to the west line of Ozaukee County. A total distance of 3.89 miles.
- (v) COUNTY TRUNK HIGHWAY "V". A highway commencing at Interstate Highway 43 near the east line of Section 18, running Southwesterly through Sections 18 and 19 of the Town of Grafton and the Village of Grafton, to the intersection of 17th Avenue in the Village of Grafton, thence Southerly along 17th Avenue to State Highway 60. A total distance of 2.31 miles.

6.02 TOWN ROAD IMPROVEMENT FUND

- (1) Statutory Authority. Section 83.03 (1) of the Wisconsin Statutes authorizes a county board of supervisors to construct, improve or repair, or aid in construction, improving or repairing any highway in the county.
- (2) Establishment of Fund. There is hereby established an Ozaukee County town road improvement fund for the express purpose of aiding the several town governments in the County in asphalt paving town roads, excepting only those town roads which exclusively provide land access services within urban subdivisions. The establishment of such a fund is intended to assist in equalizing the urban and rural transportation-related tax efforts of the cities, villages and towns within Ozaukee County based upon financial analyses conducted as part of the Ozaukee County jurisdictional highway system planning program.
- (3) Appropriations to Fund. The County Board shall annually appropriate monies to the town road improvement fund.
- (4) Apportionment of Funds. Each town shall receive an annual entitlement of town road improvement funds which shall be used to defray costs for work performed by the Ozaukee County Highway Department. The funds shall be available for asphalt paving work performed on the town roads during the calendar year for which the funds are appropriated. Such entitlement shall be based upon the ratio that the geographical area of each town bears to the total unincorporated area of Ozaukee County. Such ratios shall be readjusted every five years. The 2010 ratios are as follows: (10-2)

<u>TOWNS</u>	<u>2000 Area (Square Miles)</u>	<u>Percent of Total Unincorporated County Area</u>
Belgium	35.6	21.77
Cedarburg	24.9	15.23
Fredonia	34.4	21.04
Grafton	17.8	10.89
Port Washington	17.9	10.95
Saukville	32.9	20.12
County Total	163.5	100.00

6.03 DESIGNATION OF THROUGH HIGHWAYS

- (1) County Trunk highways shall be through highways, except at intersections with State Trunk highways, where the State Highway shall be the through highway.
- (2) At the intersection of two County Trunk highways the following shall apply:
 - (a) C.T.H. "A" shall be a through highway at its intersection with C.T.H. "Y", C.T.H. "I", C.T.H. "B", and C.T.H. "KW".
 - (b) C.T.H. "C" shall be a through highway at its intersection with C.T.H. "CC", C.T.H. "Q", and C.T.H. "Y".
 - (c) C.T.H. "D" shall be a through highway at its intersection with C.T.H. "KW". (12-3)
 - (d) C.T.H. "I" shall be a through highway at its intersection with C.T.H. "O".
 - (e) C.T.H. "K" shall be a through highway at its intersection with C.T.H. "KW" and C.T.H. "B".
 - (g) C.T.H. "W" shall be a through highway at its intersection with C.T.H. "T".
 - (i) C.T.H. "LL" shall be a through highway at its intersection with C.T.H. "A", C.T.H. "B", C.T.H. "K" and C.T.H. "P".

- (3) At the intersection of a County Trunk highway and a town road or village or city street, the following shall apply:
- (a) The Jay Road shall be a through highway at its intersection with C.T.H. "I".
- (4) There shall be no through highway at the intersection of County Trunk Highways "D" and "B", "T" and Green Bay Road, "C" and Green Bay Road, "W" and Highland Road, "T" and "Y", "KK" and "LL", and "D" and "LL". (12-3)
- (5) The intersection of the following County Trunk Highways with railroad tracks shall be controlled by automatic crossing protection devices: C.T.H. "C", C.T.H. "Q", C.T.H. "KW", C.T.H. "D" and C.T.H. "KK" with the Union Pacific Railway and C.T.H. "C" with the Wisconsin Central Railway.
- (6) The intersection of the following County Trunk Highways with railroad tracks shall be controlled with stop signs: C.T.H. "K" with the Union Pacific Railway, C.T.H. "O" with the Wisconsin Central Railway and C.T.H. "A" with the Union Pacific Railway.
- (7) The following intersections shall be controlled with traffic signals: C.T.H. "C" and C.T.H. "W", C.T.H. "W" and Donges Bay Road, C.T.H. "W" and Glen Oaks Lane, C.T.H. "W" and Eastbrook Drive, C.T.H. "W" and South Towne Square Road and C.T.H. "W" and Venture Court, and C.T.H. "W" and the commercial entrances located 1250 feet north and 600 feet south of S.T.H. 60.

6.04 HIGHWAY ACCESS CONTROL

- (1) STATUTORY AUTHORIZATION. This ordinance is established under the provisions set forth in Sections 59.02, 59.51, 83.015 (2) and 86.07 (2) of the Wisconsin Statutes and Chapter 205 - Transportation of the Wisconsin Administrative Code.
- (2) PURPOSE. The purpose of this ordinance is to regulate and control access onto county trunk highways in order to promote the public safety, convenience, general welfare, economic viability and to protect the public investment of existing and proposed highways and to provide for safe and efficient use of the Ozaukee County highway system.

The design standards herein prescribed are to promote the orderly and safe movement in and out of private and public properties so as to constitute a minimum of interference to through highway traffic and to control the use of drainage structures and appurtenances as may be necessary to preserve the physical structure of the highway.

- (3) GENERAL.
- (a) The present tense includes the future tense and the singular tense includes the plural.
- (b) The word "shall" is mandatory; the word "may" is permissive.
- (c) The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.

- (d) The word “person” includes any individual, firm, association, joint stock association, organization, partnership, limited trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee or other representative thereof.
 - (e) All distances, unless otherwise stated, shall be measured in the horizontal direction. Horizontal distances between access points shall be measured from centerline of access point to centerline of access point.
 - (f) “ADT” is the average daily traffic on a segment of highway.
 - (g) “Highway Department” or “Department” means the Ozaukee County Highway Department.
- (4) DEFINITIONS.
- (a) ACCESS: Connection point for a driveway or other public or private road to a County Trunk Highway.
 - (b) ACCESS PERMIT: A permit from the Ozaukee County Highway Department granting permission to connect for access purposes to a County Trunk Highway.
 - (c) COUNTY TRUNK HIGHWAY (C.T.H.): Any segment of an Ozaukee County Trunk Highway.
 - (d) DRIVEWAY: Any public access for motorized vehicles to one or two parcels.
 - (e) FIELD ENTRANCE: An access point, the only use of which is as an entrance or exit to an agricultural parcel of land, for field work purposes.
 - (f) LIMITED ACCESS HIGHWAY: A highway on which access is provided for via entrance and exit ramps (I-43).
 - (g) PARCEL: The area of land outside the public right-of-way, within the property lines of a given piece of property.
 - (h) ROAD: Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass or other pathways intended for the public or private use of motorized vehicles to obtain access to more than two parcels.
 - (i) RURAL C.T.H.: Any C.T.H. with a 55 MPH speed limit in a largely rural or undeveloped area.
 - (j) SEMI-URBAN C.T.H.: Any C.T.H. outside the municipal boundaries of a city or village with a speed limit below 55 MPH.
 - (k) STOPPING SIGHT DISTANCE: A measurement calculated to determine the safe stopping distance of a vehicle at a certain speed.

- (l) **URBAN C.T.H.:** Any C.T.H. within the municipal limits of a city or village that is constructed with an urban cross section that includes concrete curb and gutter. (03-17)
- (m) **VISION CORNER:** A clear triangle of right-of-way to control sight restrictions at access points. (See diagrams)
- (5) **REGULATIONS.**
- (a) **EXISTING ACCESS:** Any use of access to a County Trunk Highway (via driveway or road) prior to the effective date of this ordinance will be permitted, provided that any future improvements or alterations shall meet the provisions of this code.
- (b) **VACATED ACCESS:** If the Ozaukee County Highway Department determines that the use of an access has been discontinued for a period of at least two years, the Highway Department shall notify the owner by certified mail that the access is to be considered vacated. The Highway Department will allow the owner 30 calendar days to reply. If after the 30 days reply time the Department decides the access has been abandoned, the access shall be considered vacated and its use will not be permitted. Any further use of this access after it is declared vacated, will require a permit and be considered a new access under this code.
- (c) **ACCESS PROHIBITIONS:** No person shall construct an access point within the meaning of this code unless a valid permit has been obtained from the Highway Department. Entrance to or exit from a County Highway shall be prohibited except at designated access points. No person shall alter, in any way, existing appurtenances or features within the Highway right-of-way, including but not limited to, ditches, drainage ways, culverts, bridges or pavement surfaces (including existing access points) until or unless a permit has been obtained from the Department.
- (d) **SUBDIVISION OF LAND:** Before any parcel of land is allowed to be subdivided, it must be proven that access can be provided to each proposed parcel in such a way that it will not violate any of the regulations of this code.
- (6) **ACCESS SPACING AND FREQUENCY.**
- (a) Only one access per parcel will be allowed for parcels zoned residential or agricultural unless provided for elsewhere in this code.
- (b) Commercial and industrial zoned parcels may be allowed two (2) points of access, provided each access meets the criteria of this code, the development requires more than 50 parking spaces, and/or if two (2) access points would provide for safer movement of traffic.
- (c) Access to lower classified roads, regardless of parcel zoning and proposed use, shall be granted onto the lower classified road with lower A.D.T. adjacent to the parcel when possible.

- (d) When a property owner owns more than one parcel adjacent to another, with the same zoning, all with frontage on the County Highway, the parcels shall be treated as a single parcel under this code.
- (e) Access permits shall not be issued where the horizontal distance between access points would become less than 200 feet for URBAN C.T.H., 300 feet for SEMI-URBAN C.T.H. and 500 feet for RURAL C.T.H. (except for AGRICULTURAL RELATED RESIDENCES), unless there is no other alternate to providing access to the existing parcel.
- (f) AGRICULTURALLY RELATED RESIDENCES on which at least one person earns 25 percent of his or her gross annual income from farm operations on the farm parcel, or a parent or child of the operator of the farm, may have a driveway at a distance not less than 300 feet from the centerline of the proposed driveway to the centerline of the existing driveway.
- (g) ROAD OR STREET: A driveway access shall not be permitted at a distance of less than 200 feet for URBAN C.T.H., 300 feet from SEMI-URBAN and 500 feet from RURAL C.T.H. from the centerline of an intersecting road to the proposed driveway.
- (h) INTERSECTING ROAD ACCESS: A new intersecting road access must be at least 1,000 feet for RURAL and 500 feet for URBAN and SEMI-URBAN, from the nearest road which enters onto the C.T.H. in question. Where possible, roads crossing a C.T.H. should not be staggered, creating "T" intersections, but should connect with another road on the other side of the highway.
- (i) ENTRANCE AND EXIT RAMPS: Driveways shall not be permitted within 500 feet on a RURAL C.T.H. and within 300 feet on an URBAN and SEMI-URBAN C.T.H. Roads shall not be allowed within 1,000 feet of an entrance or exit ramp of a limited access highway on a RURAL C.T.H. and 500 feet for URBAN and SEMI-URBAN C.T.H.s.
- (j) In the event that the applicant proposes a use not covered by this code, the department shall make the determination of the applicable criteria based on the need to preserve Highway capacity and safety. Access proposals which conflict with safe driving standards may not be allowed.
- (7) DESIGN STANDARDS. Driveways and roads with access onto a C.T.H. must comply with the following design standards:
 - (a) CULVERTS must be at least 28 feet long and placed under at least 1 foot of cover, be a minimum of 12 inches in diameter, be at least 10 feet from the nearest culvert and be constructed of corrugated metal or concrete with end walls. Culvert size will be determined by the Highway Department so as to allow for proper drainage.
 - (b) SLOPES to the side of the access shall not be steeper than 4 to 1 (25 percent) or that of the embankment of the C.T.H. whichever is less.
 - (c) RETAINING WALLS shall be prohibited.

- (d) PAVEMENT of driveway access shall consist of blacktop or compacted gravel. Concrete pavement shall be no closer than six (6) feet from the edge of the existing pavement in rural cross sections. Concrete pavement is allowed in urban cross sections up to the back of the concrete curb. (03-17)
- (e) CONSTRUCTION OF ACCESS shall be such so that drainage of the County Highway shall not be impeded. Access driveways on County Trunk Highways with a rural cross section, shall be constructed with a minimum slope of 1/2 inch per foot slope away from the edge of the C.T.H. pavement, extended back to the centerline of the existing ditch line.
- (f) CURB AND GUTTER must be removed at the entrance for new access and new curb and gutter must be provided within the right-of-way where applicable.
- (g) ANGLE of access shall be as close to 90 degrees with the centerline of the C.T.H. as possible, but not less than 75 degrees.
- (h) INTERIOR TURN-AROUNDS shall be provided as necessary such that vehicles do not need to back out onto the C.T.H., except in the case of single family residences.
- (i) EXISTING HIGHWAY PROPERTY including road surfaces, curbs, shoulders, slopes, ditches and vegetation shall be restored to its original condition by the applicant.
- (j) VISION CORNERS must be free of all obstructions at each access point in accordance with the VISION CORNER diagram included at the end of this code. Vision corners are to be measured from a point 3.5 feet above the center of the proposed access, 15 feet back from the edge of the pavement of the C.T.H., to two points 4.5 feet above the center of the nearest oncoming lane of the C.T.H. in each direction, at a distance of "D" (as shown in diagram) from the point where the C.T.H. meets the center of the proposed access. Distance shall correspond to the speed limit of the road. Signalized intersections must meet the same standards as driveways.
- (k) Facing access points on opposite sides of a C.T.H. shall be located directly opposite each other whenever possible.
- (l) Shared/joint access will be encouraged whenever possible to minimize the number of access points and interruption of traffic flow. Multiple access points shall not be permitted when shared access or an interior roadway are an alternative.
- (m) Type "1" access. Private driveways with access to one or two agricultural or one to four residential parcels must have a driveway width of 16 to 24 feet and a return radius of 20 feet within the right-of-way on any county trunk highway. (See drawing) (19-5)
- (n) Type "2" access standards must be used for residential uses with 5 - 20 units and commercial or industrial driveways with up to 25,000 square feet. (See drawing) (19-5)
- (o) Type "3" access standards shall be used for residential uses of over 20 units and commercial or industrial driveways of over 25,000 square feet. (See drawing)

(p) Acceleration and deceleration lanes may be required in areas when ADT is above 1,000 or when peak traffic demand and access location warrant.

(q) Far side passing (bypass) lane will be required when the ADT of the C.T.H. is 2,500 or more for a Type "2" access and 1,000 or more for a Type "3" access or when in the judgment of the Department, peak traffic demand and/or location of access warrant it.

(r) Public or private road access shall be designed in accordance with standards provided in the Facilities Development Manual, Wisconsin Department of Transportation. (Latest edition)

(8) ADMINISTRATION AND ENFORCEMENT.

(a) ADMINISTRATION: The Ozaukee County Highway Commissioner and/or his/her designee is hereby authorized to administer this code as Access Inspector. The Inspector Designees are the Patrol Superintendent and Construction Superintendent. Applications for permits and variances shall be made to the Highway Department prior to beginning construction. The Inspector or his designee shall review the proposed development or construction and shall either grant or deny the proposed access based upon the provisions, standards and requirements of this code, within ten (10) business days. Applicants commencing work prior to issuance of a permit are subject to denial of a permit, removal of access, as well as fines and possible prosecution.

(b) INTERPRETATION: All restrictions on the use of land are limited to the objects, growth and use of land within the rights-of-way of the Ozaukee County Highways. Whenever it is questionable as to whether or not an object or a part of an object is within the jurisdiction of this code, the entire object shall be considered to be entirely within, that jurisdiction.

(c) PERMITS: No structure, object or growth shall be constructed, reconstructed, altered, placed, installed, or planted within the jurisdiction of this code until a permit has been issued by the Highway Department. An access permit shall expire one year from date of issuance. Construction must be completed within this time. The Highway Department may require scale drawings or other information prior to granting a permit.

The permittee shall be liable for all materials, labor and other costs connected with the construction of the access. Ozaukee County will not be liable for any damage or injury resulting from construction of an access. Ozaukee County will not be responsible for any maintenance, including snow and ice control of any access.

The applicant shall pay to the Ozaukee County Highway Department a fee for each permit application as determined by the type of access:

(d) PERMIT FEES:

New road construction or Type “3”	\$100.00
Type “2”	50.00
Type “1”	50.00
Agricultural Field Access	20.00

(e) HAZARD MARKING AND LIGHTING: During construction, all access locations shall be properly signed and marked per standard work zone control requirements and conform to the Manual on Uniform Traffic Control Devices. In addition, when an access work zone will be left overnight, proper flashing lights and barricades will be provided. All work zone safety equipment will be at the expense of the applicant.

(f) MAINTENANCE OF HIGHWAY DURING CONSTRUCTION. During construction of the access, the permittee shall be required to keep the Highway free of large accumulations of mud and debris. The Highway will be swept clean at the direction of the department.

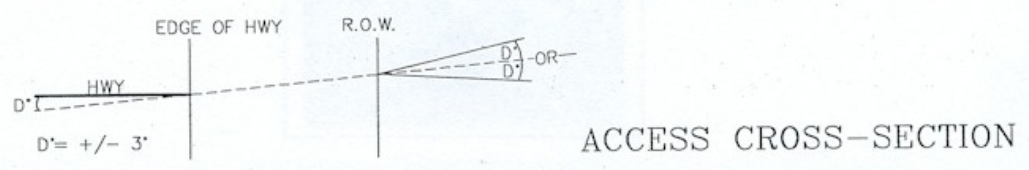
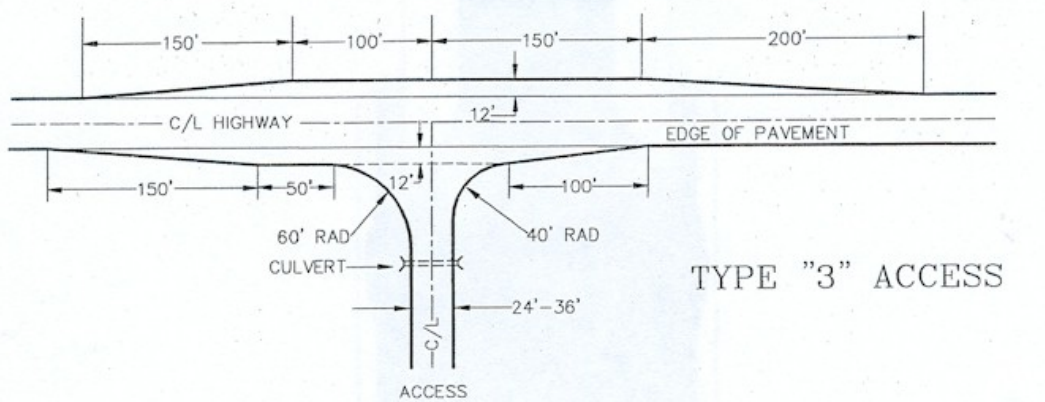
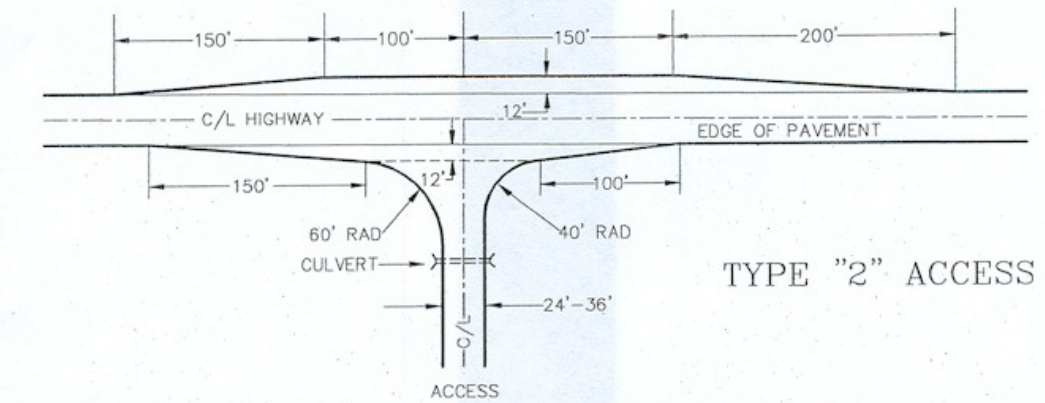
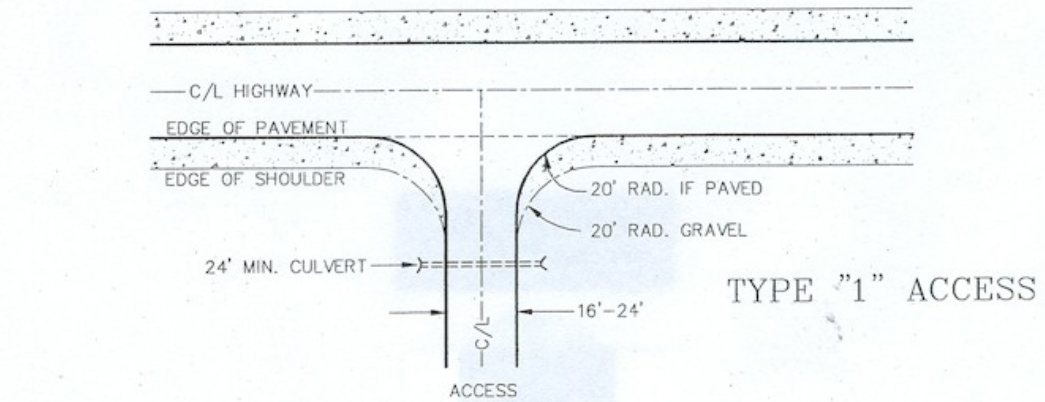
(g) APPEALS: Any person aggrieved by any decision made in the administration of this ordinance may appeal to the Ozaukee County Public Works Committee. Appeals shall be filed within thirty (30) calendar days following the administrative decision and notification by the Highway Department. The appeal shall specify the legal description of the parcel and access location in question, and the reason given for the appeal. The Public Works Committee shall make a decision on the appeal within thirty (30) calendar days from the day the appeal is filed. The decision of the Public Works Committee shall be made by the majority of the Public Works Committee. A written decision shall state the specific reasons and facts from which the final decision was made.

(h) VIOLATIONS: In the case of any violation of this code, the Department may institute appropriate legal action through the County Corporation Counsel’s office. Each day in which a violation continues to exist shall constitute a separate offense. Installing of access points prior to obtaining the required permit will double the permit fee. No person, as defined in Section 3 (d) of this code, shall resist, obstruct or interfere in any way with the Highway Commissioner or his designee in the enforcement of this code, or fail to obey the Highway Commissioner’s or designee’s order. In addition to forfeitures, the Department may request injunctive action to enforce the provisions of this code.

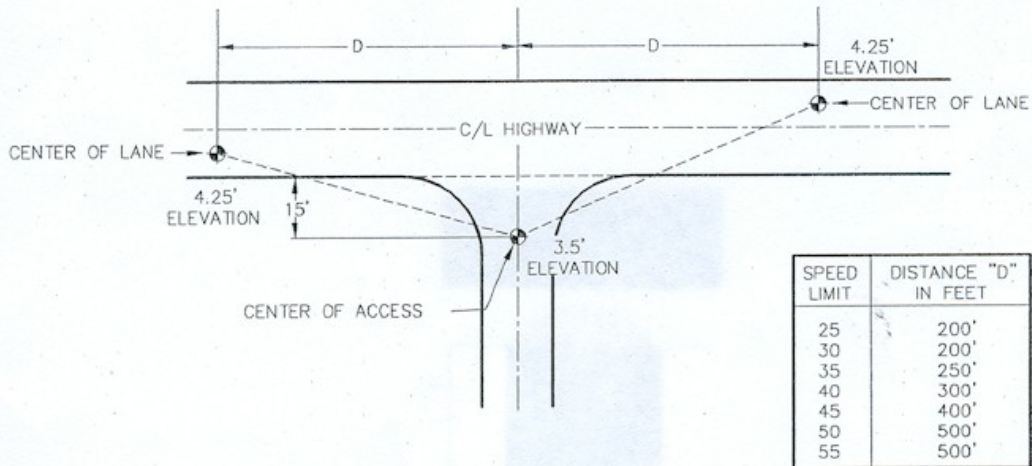
(i) PENALTIES: Any individual, firm, corporation, association, organization or agency found guilty of violating any part(s) of this code, or who refuses to comply with any provision of this code, shall upon such finding by the court, forfeit not less that \$25.00 nor more than \$200.00 for each day for each offense, together with the costs of prosecution. Further, anyone found guilty of violating any part of this code shall be subject to appropriate injunctive relief and contempt actions for failure to pay the forfeiture or comply with any injunctive orders.

Next two pages are Access Design Standards Type 1, 2 & 3 and Type 1 & 2 of Vision Corners

OZAUKEE COUNTY ACCESS DESIGN STANDARDS

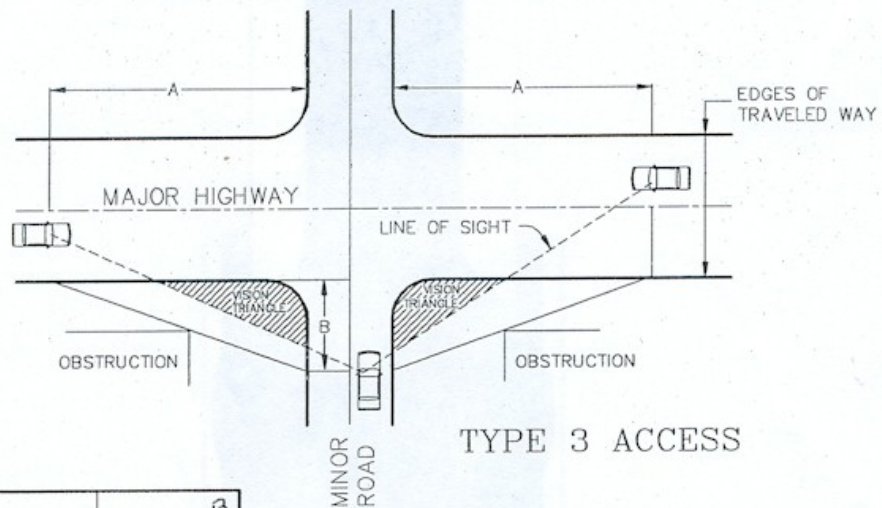


OZAUKEE COUNTY VISION CORNERS



TYPE 1 & 2

GUIDE DIMENSIONS FOR VISION TRIANGLES STOP CONTROL ON MINOR ROADS



TYPE 3 ACCESS

DESIGN* SPEED (MPH)	DISTANCE "A" FEET	DISTANCE "B" FEET
40	300	120
50	400	150
55	500	160
60	600	175

USE THE DESIGN SPEED OF THE MINOR ROAD TO DETERMINE DISTANCE "B"

EXAMPLE: GIVEN DESIGN SPEED IS 60 MPH ON THE MAJOR HIGHWAY AND 50 MPH ON THE MINOR HIGHWAY

SOLUTION: READING FROM THE DIMENSION TABLE, THE LEGS OF THE VISION TRIANGLE ARE A=600 FEET AND B=150 FEET