

Chapter 40

DRIVEWAYS

[HISTORY: Adopted by the Town Board of the Town of Scott 7-14-2003 by Ord. No. 1-2003. Amendments noted where applicable.]

§ 40-1. Required road rights-of-way and road surfaces.

- A. Anyone who subdivides real estate in the Town of Scott so as to create two or more lots for residences, commercial establishments or any other purposes on a private drive or private road shall provide for a minimum road right-of-way 66 feet wide and a minimum cleared road surface 20 feet wide for access to a public highway.
- B. Anyone who creates or extends the use of a private road or private drive in the Town of Scott for use by one or more residences, commercial establishments or any other purposes, either by sole ownership, joint ownership, easement, or in any other manner, shall provide a minimum road right-of-way 66 feet wide and a minimum cleared road surface 14 feet wide and 14 feet high in the case of one residence, commercial establishment or other purpose and a minimum cleared road surface 20 feet wide in the case of two or more residences, commercial establishments or other purposes, for access to a public highway to within 100 feet of commercial or residential buildings.
- C. Anyone who constructs a residence, commercial establishment or any other structure on an existing lot in the Town of Scott, on a private road or private drive, so as to require a building permit, shall provide a minimum road right-of-way 66 feet wide and a minimum cleared road surface 14 feet wide and 14 feet high for access to a public highway to within 100 feet of commercial or residential buildings.

§ 40-2. Specifications and requirements.

- A. The following specifications shall apply:
 - (1) Minimum road surface width: 14 feet.
 - (2) Minimum width clearance: 14 feet.
 - (3) Minimum height clearance free of trees, wire, etc.: 14 feet.
 - (4) Maximum grade: 10%.
- B. At least one segment of road surface 50 feet in length and 18 feet in width shall be provided for each 300 feet of driveway length to provide for the safe passage of meeting emergency vehicles. The driveway within the area of the public right-of-way shall slope away from the public road at a minimum of 1% and a maximum of 5% to prevent erosion onto the public road. An adequate road bed base of suitable material to support the projected traffic and any requirements for culverts shall be determined by the Town in

considering an application for driveway approval. If culverts are required, the recommended minimum diameter shall be 15 inches by 24 feet in length.

§ 40-3. Liability.¹

Anyone who owns real estate on a private road or private drive in the Town of Scott shall maintain that private road or private drive in such a fashion as to permit the entrance and exit of emergency vehicles and emergency persons. In the event any emergency vehicle is damaged or emergency person is injured as a result of the failure of the property owner to properly maintain the private road or private drive, the property owner shall be liable for any damage to emergency vehicles or injury to emergency persons caused by such failure.

§ 40-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DRIVEWAY/ACCESS — Any area where travel occurs from a public road over land (whether by easement or ownership) not considered to be a part of the public road for the purpose of gaining access to land or improvements.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).