



**Town of Grafton Ordinance No. 2010-09**

**AN ORDINANCE AMENDING  
TITLE 4 – Public Works; CHAPTER 4 – Driveways,  
TITLE 7 - Licensing and Regulation; CHAPTER 7 - Building Construction, and  
TITLE 9 – Land Use Regulation; CHAPTER 1 - Zoning  
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN**

**WHEREAS**, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

**WHEREAS**, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on November 25, 2010, and December 2, 2010, as required by Title 9.1.11 of the Code of Ordinances, Town of Grafton, Wisconsin; and

**WHEREAS**, a Public Hearing was held before the Town Board on December 8, 2010, regarding the proposed Amendments to the Town's Code of Ordinances; and

**WHEREAS**, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

**NOW, THEREFORE**, the Town Board of the Town of Grafton does hereby ordain as follows:

## **Section 1**

**Section 4.4.1.02** of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

### **Driveway/Culvert Permit Required**

No person shall in the right-of-way construct or expand any driveway or install any culvert without having first obtained a permit from the Town, the fee for which shall be determined by resolution of the Town Board. Such permit shall be issued in a timely manner upon a form provided by the Town. Applications for a permit should be made at least one (1) week in advance of the intended installation.

## **Section 2**

**Section 7.7.5.12 (A)** of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

- (A) Driveway. No building permit shall be issued by the Building Inspector for the construction of any type of building or structure on any land adjacent to a public street until a driveway for vehicular traffic has been provided from the public street; such driveway shall be constructed of approved granular materials placed over a culvert pipe located in the drainage adjacent to such street in accordance with a culvert permit issued by the Town of Grafton. In no case shall the granular material or subsequent permanent surfacing be constructed higher than the adjacent shoulder of the public street, and said granular driveway shall extend to the right-of-way line before a building permit is issued. The bottom course of the driveway shall be installed over its full length and width from the public street right-of-way to the residential garage immediately after the building foundation has been approved by the Building Inspector and should be maintained until the completion of the house, but in no case shall an occupancy certificate be issued until the upper course of the granular driveway has been installed. The bottom course of the driveway may be constructed of large-size stones or crushed rock, except along that part adjacent to the culvert pipe, and the upper course shall consist of fine to medium well-graded crushed gravel or crushed rock. If the permanent surfacing of the driveway is any material other than approved granular material or asphalt/blacktop, such permanent surfacing shall not be constructed or installed without first obtaining a permit from the Town, the fee for which shall be determined by resolution of the Town Board. Such permit shall be issued in a timely manner upon a form provided by the Town. Applications for a permit should be made at least one (1) week in advance of the intended installation.

### **Section 3**

**Section 9.1.5.03 (F)** of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

- (F) Paving of Driveways and related structures in the rights-of-way must be approved by the Town Engineer or Building Inspector.
  - (1) 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.
  - (2) If the Town removes any concrete driveway installed in non-compliance with 9.1.5.03(F)(1) as part of any roadwork within the Town right-of-way, the Town will replace that portion of the concrete driveway which has been removed with granular material or asphalt/blacktop, as requested by the landowner.
  - (3) In the event a concrete driveway is installed without obtaining a permit as required by 7.7.5.12(A) the Town, in its sole discretion, may require the removal of the entire concrete driveway or require the landowner to pay double permitting fees. If following the inspection of any concrete driveway the Town Engineer or Building Inspector determines that such concrete driveway is not in compliance with 9.1.5.03(F)(1), the Town, in its sole discretion, may require the landowner, at its sole cost and expense, to remove that portion of the concrete driveway which was installed in non-compliance with 9.1.5.03(F)(1).

### **Section 4.**

Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

### **Section 5.**

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 8<sup>th</sup> day of December, 2010.

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Lester A. Bartel, Jr., Town Chairman

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Jessica C. Schmidt, Town Clerk

Posting Date: December 9, 2010