

Town of Oakland
Douglas County, Wisconsin
Policy Manual

as of

June 14, 2022



TOWN OF OAKLAND, DOUGLAS COUNTY, WISCONSIN

**RESOLUTION TO ACCEPT
Town of Oakland Policy Manual**

WHEREAS, The Town of Oakland has established policies governing use of town resources and the establishment of procedures;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Oakland, Douglas County, Wisconsin, **DOES HEREBY ADOPT** the **revised** Town of Oakland, Douglas County, Wisconsin, Policy Manual as of June 14, 2022;

Adopted the 14th day of June 14, 2022, by the Town Board of the Town of Oakland, Douglas County, Wisconsin.

S/S Jack Byrd
Jack Byrd, Town Chair

ATTEST:

S/S Laurie Dolsen
Laurie Dolsen, Town Clerk

Contents

Compensation Policy – Board of Review	4
Compensation Policy - Election Inspectors	5
Compensation Policy - Planning Commission	6
Dog License Fees	7
Driveway Access Policy and Permit Application Instructions.....	8
Driveway Snow Plow Policy	14
Town Road Right-of-Way Tree Ownership	16
Town Road Right-of-Way Ditching's Disposal.....	17
Utility Permit Fees.....	19
Town Hall Rental.....	20

Compensation Policy – Board of Review

Members of the Town of Oakland's Board of Review will be compensated for expenses at a per diem of \$25 per meeting attended. In addition, if a meeting is outside of the Town of Oakland, the members will be able to claim mileage from their residence to the destination and return. The mileage rate will be the current IRS posted rate. Board of Review members shall obtain prior approval for travel outside of the town from the Town Chair. In the Chair's absence, Board of Review members shall obtain permission from the one of the Town's Supervisors.

The Board of Review members will claim per diem and expenses on the town's expense report. The expense report will be submitted to the Town Clerk.

Compensation Policy - Election Inspectors

Election Inspectors of the Town of Oakland will be compensated for their time at \$12 per hour. The Chief Election Inspector will be compensated at \$13 per hour. In addition, if travelling outside of the Town of Oakland as part of their duties, the Election Inspectors will be able to claim mileage from their residence to the destination and return. The mileage rate will be the current IRS posted rate. Election Inspectors shall obtain prior approval for travel outside of the town from the Town Clerk. In the Clerk's absence, Election Inspectors shall obtain approval from the Town Chair.

An expense report will be submitted for all time and expenses claimed. The expense report will be submitted to the Town Clerk.

Compensation Policy - Planning Commission

Members of the Town of Oakland's Planning Commission will be compensated for expenses at a per diem of \$25 per meeting attended. In addition, if a meeting is outside of the Town of Oakland, the members will be able to claim mileage from their residence to the destination and return. The mileage rate will be the current IRS posted rate. Planning commission members shall obtain prior approval for travel outside of the town from the Town Chair. In the Chair's absence, Planning Commission members shall obtain permission from the one of the Town's Supervisors.

The Planning Commission members will claim per diem and expenses on the town's expense report. The expense report will be submitted to the Town Clerk.

Dog License Fees

Spayed or neutered dog	\$3.00/annually
All other dogs not exempt from fee	\$8.00/annually

All fees shall be paid to the Town of Oakland and submitted to the Town Treasurer. The town's license application form can be found online from the Town's website or can be requested from the Town Treasurer or the Town Clerk.

Driveway Access Policy and Permit Application Instructions

It is the policy of the Town of Oakland that permission must be obtained to construct or maintain a driveway or other property access point within the town right-of-way through the following prescribed procedure. Sections 86.05 and 86.07(2) of Wisconsin State Statutes govern the requirements of driveways and property access points.

The Town of Oakland is obligated to reconstruct a driveway entrance to private property only when making major grading improvements past said property. At all other times, the property owner must (1) obtain the required permit from the Town; and (2) maintain the driveway henceforth. There is no fee for this permit.

The procedure for permit application and installation is as follows:

1. The applicant completes attached application form and submits it to the Town Clerk.
2. The applicant marks proposed entrance location with orange marking flags.
3. Field review is made by Town representative.
4. Applicant is notified of field review.
5. Applicant purchases approved materials from supplier (galvanized or concrete culverts only) no plastic pipes allowed.
6. Applicant informs town of purchased culvert. Town then installs culvert per permit. The town will not charge for this installation. The town may approve having the applicant, or the applicant's contractor, install the culvert. This permission must be obtained from the town chair or his/her designee.

Temporary accesses require the same procedure as permanent, but approved used culverts may be utilized. End walls or retaining walls are not permitted on driveways.

Construction requirements and conditions of permit issuance:

1. The applicant on the permit represents all parties' interest. And any driveway or approach constructed by or for the applicants is for the bona fide purpose of providing access to the applicant's property.
2. The permittee shall furnish the steel culvert per size specified by the town. In every instance the subsequent maintenance of the driveway and of its appurtenances within the limits of the highway right-of-way shall be the responsibility of the indicated permittee who shall be obligated to pay all costs and accomplish all work necessary in relation to said maintenance of the driveway facility.
3. The driveway installation shall be made without jeopardy to or interference with traffic using the highway.
4. Highway surface, shoulders, ditches, and vegetation which is disturbed by the driveway installation shall be restored to at least the pre-existing conditions by the driveway constructor.
5. The surface of the driveway connecting with the highway shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing on to the road bed.
6. The driveway shall not obstruct or impair drainage in highway side ditches. Driveway culverts where necessary, shall be adequate for surface water drainage along highway and the size and length shall be as approved by permit.
7. No revisions or additions shall be made to the access driveway or its appurtenances on the right-of-way without the permission of the town.
8. The Town of Oakland does not assume any responsibility for the removal or clearance of snow, ice, sleet, or the opening of windrows of such material upon any portion of any driveway or entrance by its authorized representative engaged in normal winter maintenance operations.

9. The permittee, his successors, or assigns agree to hold harmless the Town of Oakland and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
10. If blast rock is used to construct the driveway, no blast rock shall be placed in the area of the ditch, blast rock shall stop at the town right-of-way line, or any material shall be used that would interfere with normal road maintenance.

APPLICATION TO CONSTRUCT DRIVEWAY

Please fill out the required information on this form and submit to the Town Clerk per the attached instructions. PLEASE TYPE OR PRINT.

1. Applicant name _____
2. Address _____
3. Telephone Number with area code _____
4. Driveway address or description

5. Property Owner(if not the applicant) _____
6. What type of driveway (check one)
____ New Driveway ____ Improved Driveway ____ Relocating Exit _____
7. What type of use will the driveway serve? (check one)
____ Rural-commercial ____ Rural Residential ____ Rural Agricultural
8. What side of the highway will the driveway be located? (check one)
____ North ____ South ____ East ____ West
9. Is the proposed driveway less than 300 feet from another driveway on the same highway? ____ Yes ____ No
10. What is the name of the nearest side road from the proposed driveway?

11. Approximately how far is the proposed driveway from the side road listed above? _____
12. How many driveways does this property currently have? _____
13. Are there any access restrictions limiting the number of driveways to this property, such as a subdivision plat, certified survey map, deed, access covenant (recorded or unrecorded?) ____ Yes ____ No
14. If yes, please submit a copy of the access restriction agreement with this application).
15. Are there any access easements across the property (recorded or unrecorded)? ____ Yes ____ No

APPLICANT SHALL PLACE A FLAG OR BRIGHTLY COLORED MARKER IN THE HIGHWAY DITCH VISIBLE FROM THE HIGHWAY AT THE LOCATION OF THE PROPOSED DRIVEWAY.

For safety purposes, construction of bituminous, stone, concrete, timber or any other type of vertical headwalls will not be permitted.

The driveway shall be constructed at right angles to the highway for the full width of the right-of-way. The construction and maintenance of the proposed driveway shall be the responsibility of the applicant. It is understood and agreed that approval is subject to the applicant's full compliance with the pertinent statutes, as well as any codes, rules, regulations, and permit requirements of other jurisdictional agencies.

The applicant shall also comply with all the permit provisions, superimposed notes, and detailed drawings, which may be added by the department. Any alterations of this form by the applicant are prohibited and may be cause for revocation of this permit.

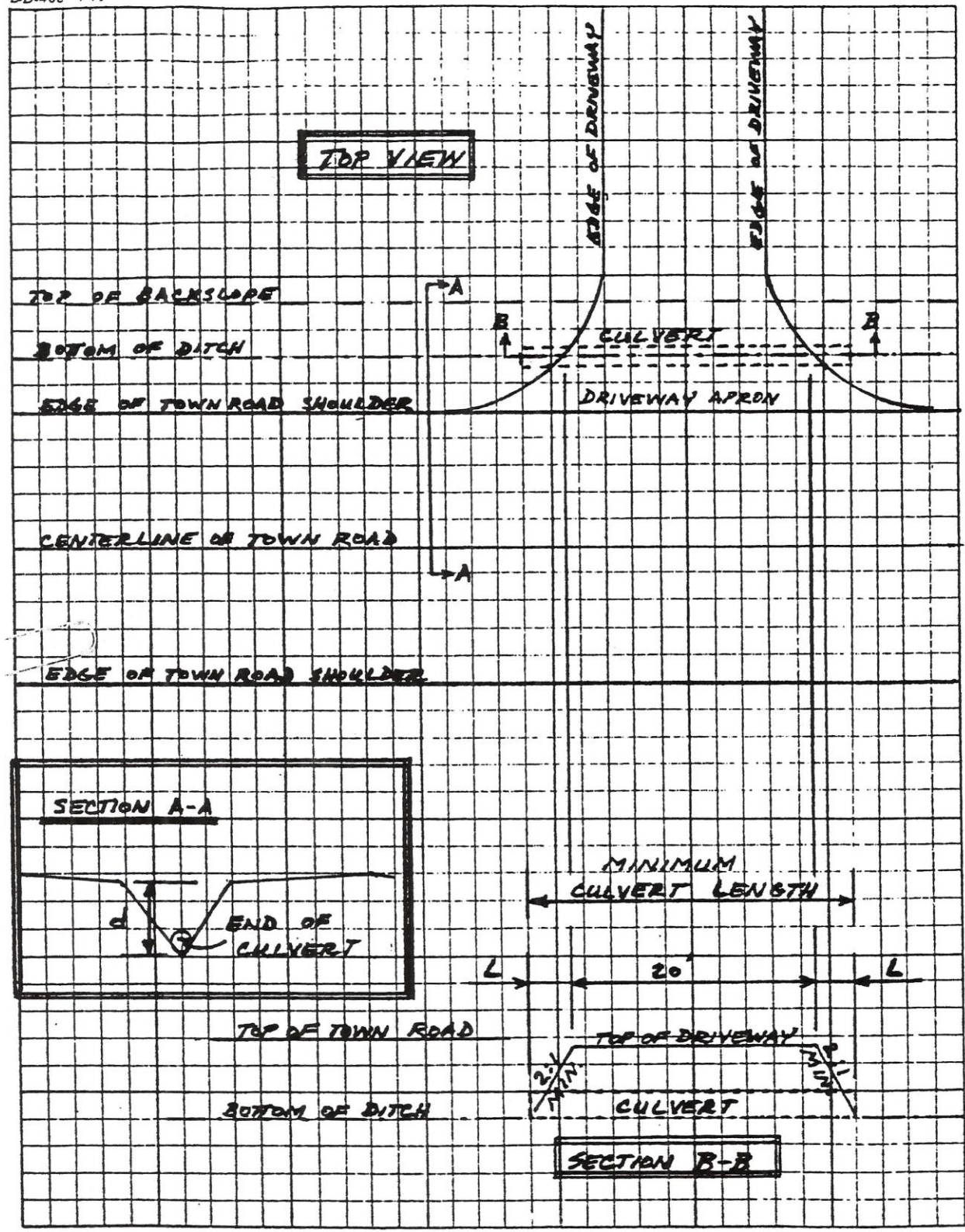
Property owner/Authorized representative signature & date

TOWN OF OAKLAND USE ONLY:

Required drainage structure:

Permit approved by: _____

Date: _____



Driveway Snow Plow Policy

Whereas, Wisconsin law reads as follows:

“s. 86.105, The governing body of any county, town, city, or village may enter into contracts to remove snow from private roads and driveways.”

Whereas, the Attorney General opinion:

“67 Atty. Gen. 304, This section must be construed narrowly. Plowing of private parking lots is not authorized. Only in exceptional circumstances would plowing of private driveways be permissible.”

Whereas, the Town of Oakland is not competing with private snow plow services:

The policy of the town is not to snow plow private roads or driveways. Only in exceptional circumstances, as approved by the town chair, his/her designee, or the town board, will the town plow private roads or driveways. Following this policy is a contract which will be agreed to by the party requesting snow plow services. The town will charge at the current Wisconsin DOT rates for the equipment used plus the town's current labor rate. A one hour charge is the minimum and the time thereafter will be rounded up to the nearest quarter hour. This contract may be entered into by phone call. The town will plow private roads or driveways when convenient to the town. The town plow driver may not plow the road or driveway if he/she believes there is a reason not to do so.

Town employees whose duties include snow plowing may plow their driveways to ensure they are available when called out to plow snow. The town may also plow driveways for members of the fire department. The town is not meant to be the primary snow plow service for fire department members.

In an exceptional circumstance, the town chair, his/her designee, or town board, may authorize snow plowing without contract or compensation.

Contract for Snow Plowing Services

Town of Oakland,
Douglas County, Wisconsin

Requestor: _____

Date requested: _____

Location: _____

Request taken by: _____

The requestor acknowledges that the town is not responsible for damages that may occur to the requestor's property due to plowing. The requestor will also clearly mark, or inform the town employee who is plowing, where hidden hazards or obstructions exist (i.e. wells, fences, etc). The town plow driver may not plow the road or driveway if he/she believes there is a reasonable reason not to do so.

Accepted (signed or verbal OK) by: _____

Request plowed on date/time: _____

Plowed by employee: _____

Equipment used: _____

Hours: _____

Payment due: \$ _____

Billed date: _____

Payment due with 30 days of billing.

Town Road Right-of-Way Tree Ownership

The ownership of trees in the Right-of-Ways depends on the specific road type:

1. If the road is platted or the town has ownership by deed, the Town has ownership of the trees in the right-of-way and can dispose of them as it deems proper.
2. If the road is of the type "Presumed" or by "Highway Road Order," the adjacent property owner owns the trees under Wisconsin Statute 86.10. If the Town removes the trees, the Town may contact the adjacent property owner for instructions on how to dispose of the trees. If the Town has not received instructions from that property owner in a reasonable period of time, or has not been able to contact that landowner, the Town may place the trees off the right-of-way, on that adjacent owner's property.

Depending on considerations such as safety, water flow, and other, the Town may find acceptable sites, as close as possible to the place of tree removal, for disposal. If the owner of that site is not willing to accept all the materials, another site will be located following the above procedures, in order to dispose of the remaining wood.

Each year, the Town determines which roads, if any, may need trees removed from right-of-ways for safety reasons. At that time the Town may send notification to landowners along those roads that tree removal may take place. Such notification is not required by law.

The notification will be in the form of a general letter pertaining to the entire season. Specific times cannot usually be determined ahead of time, since the Town often depends on the availability of labor provided by prison inmates.

Town Road Right-of-Way Ditching's Disposal

Under Wisconsin Statute 86.10 the Town has the power to dispose of materials removed from town right-of-ways. This section of Town procedures does not apply to the disposal of trees. See section "Town Road Right-of-Way Tree Ownership."

The Town will dispose of ditching materials on sites acceptable to all government agencies that have authority regarding the placing of such ditching materials (including but not limited to the following):

1. Douglas County Zoning: It will first be determined if the proposed site is located in a mapped floodplain. If so, Douglas County Zoning must be contacted for permission if needed;
2. WI DNR: If there is any doubt regarding whether or not the site is a wetland, the DNR must first be contacted; and
3. Army Corps of Engineers.

The Town will find acceptable sites as close as possible to the place of removal. If the owner of that site is not willing to accept all the materials, another site will be located following the above procedures, in order to dispose of the remaining materials.

When four or fewer dump trucks of material are placed on a site, the materials will not be leveled using town equipment.

When five or more dump trucks of materials are placed on one site, the materials may be leveled by the use of town equipment, so that the land owner has use of the land, and so that the Town is able to place additional materials on that property.

In no case shall additional landscaping be done, other than the leveling described above.

Whenever possible, the Town will determine appropriate sites in advance of the ditching season, so that the work can proceed without unnecessary delays.

UTILITY ACCOMODATION ORDINANCE PERMIT FEES

For Utility Owners and contractors that conform to the terms of the Utility Accommodation Ordinance, there is no fee required.

For Utility owners and contractors that do not comply with the terms of the Utility Accommodation Ordinance, the fee shall be \$250.

Town Hall Rental

The Town Hall is available for rental for general use, funerals/luncheons, weddings, benefits, special use, etc. Forms to be filled out and the appropriate fees to pay are available on-line on our town website or can be requested from the Town Clerk.

The hall is not considered rented unless all forms and necessary supporting documents (i.e., event insurance policy) are received and fees have been paid. When renting the hall, contact the Town Clerk for availability. Once the request is received, it will be considered tentatively reserved and the requesting party will have 2 weeks (14 days) to submit the appropriate forms/documents/fees. If the forms/documents/fees are not received by the Town Clerk, the date will be released and will be available for rental again.

A non-refundable cancellation fee of \$25 will be retained if the reservation is canceled within 2 weeks (14 days) of the event.

Wedding packages are for 3 days and if alcohol will be served, a licensed bartender must be secured and utilized the day of the wedding—proof of the license must be received by the Town Clerk. A sheriff deputy must also be reserved and paid for by the renter.

The custodian will inspect the town hall after the event and will notify the Town Clerk and Town Board of any damage that occurred. The damage deposit received will be returned to the renter if there is no damage found.