

## CHAPTER 15

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### HIGHWAYS

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#### 15.01 County Trunk Highway System.

- (1) Pursuant to Wis. Stat. § 83.02, there is hereby validated a system of roads in Manitowoc County which shall be known as the “county trunk highway system.”
- (2) All County trunk highways shall be constructed, maintained, or improved according to the standards for county trunk highways promulgated by the Wisconsin Department of Transportation. The Highway Committee of the County Board shall establish a schedule for re-constructing county trunk highways to bring those highways which do not meet DOT standards up to those standards.
- (3) County Trunk Highways Designated. The following enumerated highways shall be designated county trunk highways:
  - (a) The highway lying along the boundary between the Towns of Schleswig and Meeme from an intersection with County Trunk Highway “XX” and continuing along the boundary between the Towns of Eaton and Liberty to its intersection with United States Highway 151, shall be known as County Trunk Highway “A.”
  - (b) The highway commencing at an intersection with Wisconsin Highway 57 at the West Manitowoc County boundary in the City of Kiel and proceeding East through that City along Park Avenue in that City to an intersection with Wisconsin State Highway 67 shall be known as County Trunk Highway “AA.”
  - (c) The highway commencing at the northern city limits of the City of Manitowoc north into the Town of Manitowoc through Shoto north to the intersection of CTH “BB” shall be known as County Trunk Highway “B.”

- (d) The highway commencing at the intersection of County Trunk Highway “R” and the North Manitowoc County line and proceeding East through the Towns of Cooperstown, Gibson, Mishicot, and Two Creeks to Wisconsin State Highway 42 shall be known as County Trunk Highway “BB.”
- (e) The highway commencing at Wisconsin State Highway 67 in the Town of Eaton and proceeding East through the Towns of Liberty and Newton to an intersection with County Trunk Highway “LS” shall be known as County Trunk Highway “C.”
- (f) The highway commencing at Interstate 43 at the South West corner of the city limits of the City of Manitowoc and proceeding East to an intersection with County Trunk Highway “LS” along the South city limits of the City of Manitowoc shall be known as County Trunk Highway “CL.”
- (g) The highway commencing at an intersection with County Trunk Highway “U” in the Town of Newton and proceeding North through that town into the City of Manitowoc to an intersection with Dewey Street shall be known as County Trunk Highway “CR.”
- (h) The highway commencing at an intersection with United States Highway 151 in the Town of Manitowoc Rapids and proceeding North and East into the City of Manitowoc to an intersection with Alverno Road shall be known as County Trunk Highway “CS.”
- (i) The highway commencing at an intersection with Wisconsin State Highway 42 in the City of Manitowoc and proceeding North to an intersection with Wisconsin State Highway 310 shall be known as County Trunk Highway “DD.”
- (j) The highway commencing at County Trunk Highway “A” running East along the town line between the Towns of Meeme and Liberty and Centerville and Newton to an intersection with County Trunk Highway “LS” shall be known as County Trunk Highway “F.”
- (k) The highway commencing at the intersection of Swan Road and the north Manitowoc County line in the Town of Maple Grove and proceeding South and east along the town line between the Towns of Maple Grove and Franklin to Taus Road, then South and east through the Town of Franklin to an intersection with United States Highway 10 at Grimms, shall be known as County Trunk Highway “G.”
- (l) The highway commencing at an intersection with County Trunk Highway “C” and Sinawa Road in the Town of Liberty and proceeding North through that town, the Village of Valders and the Towns of Cato and Franklin to an

intersection with County Trunk Highway “K” in that town shall be known as County Trunk Highway “J.”

- (m) The highway commencing at an intersection with West Hilltop Road at the West Manitowoc County line in the Town of Rockland, proceeding South along the county line to an intersection with Welis Road and then East along said road through Collins, and thence East through the Towns of Rockland, Cato, and Manitowoc Rapids to an intersection with Interstate 43 at Milepost 79 shall be known as County Trunk Highway “JJ.”
- (n) The highway commencing at the West Manitowoc County line in the Town of Maple Grove and proceeding East through the Towns of Maple Grove, Franklin, the Village of Kellnersville, and the Town of Kossuth to an intersection with County Trunk Highway “R” shall be known as County Trunk Highway “K.”
- (o) The highway commencing at an intersection with Viebahn Street and South 10th Street in the City of Manitowoc and proceeding South through the Towns of Newton and Centerville, through the Village of Cleveland and the Town of Centerville to the South Manitowoc County line shall be known as County Trunk Highway “LS.”
- (p) The highway commencing at an intersection with County Trunk Highway “X” in School Hill, Town of Meeme, proceeding South through that town to the South Manitowoc County line shall be known as County Trunk Highway “M.”
- (q) The highway commencing at the North West corner of the Town of Cooperstown proceeding South along the West town line of that Town to the South West corner of that town, thence East along the South town line of that Town and then South to an intersection with County Trunk Highway “K” shall be known as County Trunk Highway “NN.”
- (r) The highway commencing at an intersection with Wisconsin State Highway 42 in the City of Two Rivers and proceeding North East through that City and the Town of Two Rivers to an intersection with County Trunk Highway “V” shall be known as County Trunk Highway “O.”
- (s) The highway commencing at an intersection with United States Highway 10 at Branch in the Town of Manitowoc Rapids and running South East to County Trunk Highway “R” shall be known as County Trunk Highway “P.”
- (t) The highway commencing at an intersection with Menasha Avenue in the City of Manitowoc and proceeding North through that City and the Towns of Manitowoc, Kossuth, and Gibson to an intersection with County Trunk

Highway “BB” at the North County line shall be known as County Trunk Highway “Q.”

- (u) The highway commencing at an intersection with United States Highway 151 in the City of Manitowoc and running North through said City, known as Rapids Road, and proceeding north from said City through the Towns of Manitowoc Rapids, Kossuth, Gibson, and Cooperstown to the North Manitowoc County line shall be known as County Trunk Highway “R.”
- (v) The highway commencing at an intersection with United States Highway 151 in the Town of Cato and proceeding North through that Town to an intersection with United States Highway 10 in the Village of Whitelaw shall be known as County Trunk Highway “S.”
- (w) The highway commencing at the North Manitowoc County line in the Town of Cooperstown and proceeding South through that Town and then along the line between the Towns of Franklin, Cato, Manitowoc Rapids, and Kossuth and through the Village of Kellnersville south to an intersection with United States Highway 10 shall be known as County Trunk Highway “T.”
- (x) the highway commencing at an intersection with Interstate 43, County Trunk Highway “CR” and Newton Road in the Town of Newton and proceeding East to an intersection with County Trunk Highway “LS” in Northeim shall be known as County Trunk Highway “U.”
- (y) The highway commencing at an intersection with County Trunk Highway “T” at the West Town Line of the Town of Kossuth and proceeding east through that Town and through the Village of Francis Creek and the Towns of Kossuth and Two Rivers to an intersection with County Trunk Highway “B” and then proceeding northerly on County Trunk Highway “B” through the Towns of Two Rivers and Mishicot and the Village of Mishicot to its intersection with State Highway 147, then east to Randolph Street and east along Randolph Street through the Village of Mishicot and the Towns of Mishicot, Two Rivers, and Two Creeks to County Highway “O” shall be known as County Trunk Highway “V.”
- (z) The highway commencing at an intersection with County Trunk Highway “B” in the Town of Two Rivers and proceeding east through that Town and the City of Two Rivers to an intersection with Wisconsin Highway 42 shall be known as County Trunk Highway “VV.”
- (aa) the highway commencing at an intersection with United States Highway 151 in the Town of Eaton proceeding North through that Town and the Town of Rockland North through Collins and North through the Village of Reedsville and the Town of Maple Grove to the North Manitowoc County line shall be known as County Trunk Highway “W.”

- (ab) The highway commencing at the West Manitowoc County line in the Town of Schleswig and proceeding East through that Town and the Towns of Meeme and Centerville to an intersection with County Trunk Highway “LS” shall be known as County Trunk Highway “X.”
  - (ac) The highway commencing at an intersection with Wisconsin State Highway 67 in the Town of Schleswig and proceeding East through that Town and the Towns of Meeme and Centerville into the Village of Cleveland and ending at an intersection with County Trunk Highway “LS” shall be known as County Trunk Highway “XX.”
  - (ad) The highway commencing at the intersection of Fisherville Road and County Trunk Highway “R” along the boundary line between the Towns of Gibson and Kossuth and proceeding East along Fisherville Road to an intersection with County Trunk Highway “Q” shall be known as County Trunk Highway “Y.”
  - (ae) The highway commencing at the West Manitowoc County line in the Town of Cooperstown and proceeding East through that Town to the Village of Maribel, through that Village East through the Town of Cooperstown to an intersection with Interstate 43 and Wisconsin State Highway 147, shall be known as County Trunk Highway “Z.”
- (4) Through Highways.
- (a) The Highway Committee may, under Wis. Stat. § 349.07, designate any county trunk highway as a through highway, except as to any intersection between a county and state trunk highway. Traffic on all through highways shall not be required to stop at intersections with other town or county roads, except where placement of a stop sign is ordered by the Highway Committee.
  - (b) The Highway Committee shall record all designations of through highways by adopting a motion making the designation and filing a report of the designation with the County Clerk. A list of those highways so designated shall be incorporated into this code as subsection (c) below.
  - (c) List of stops on through highways:
    1. County Trunk Highway “A”: Southbound traffic on County Trunk Highway “A” shall stop before entering the intersection of County Trunk Highway “A” and County Trunk Highway “XX” in the Towns of Meeme and Schleswig.
    2. County Trunk Highway “B”: Northbound and Southbound traffic on County Trunk Highway “B” shall stop before entering the intersection

of County Trunk Highway “B” and the Town of Two Rivers Road named “Johnson Drive” in the Town of Two Rivers.

3. County Trunk Highway “BB”: Eastbound and Westbound traffic on County Trunk Highway “BB” shall stop before entering the intersection of County Trunk Highway “Q” and County Trunk Highway “BB” in the Town of Gibson.
4. County Trunk Highway “C”:
  - a. Eastbound and Westbound traffic on County Trunk Highway “C” shall stop before entering the intersection of County Trunk Highway “C” and County Trunk Highway “A” in the Village of St. Nazianz.
  - b. Eastbound traffic on County Trunk Highway “C” shall stop before entering the intersection of County Trunk Highway “C” and County Trunk Highway “LS” in the Town of Newton.
  - c. Eastbound and Westbound traffic on County Trunk Highway “C” shall stop before entering the intersection of County Trunk Highway “C” and County Trunk Highway “CR” in the Town of Newton.
5. County Trunk Highway “CL”:
  - a. Eastbound traffic on County Trunk Highway “CL” shall stop before entering the intersection of County Trunk Highway “LS” and South 10th Street and Viebahn Street in the City of Manitowoc and the Town of Manitowoc.
  - b. Westbound traffic on County Trunk Highway “CL” shall stop before entering the intersection of County Trunk Highway “CL” and Hecker Road and West Viebahn Street in the Towns of Newton and Manitowoc Rapids.
  - c. Eastbound and Westbound traffic on County Trunk Highway “CL” shall stop before entering the intersection of County Trunk Highway “CL” and County Trunk Highway “CR” in the Town of Newton and the City of Manitowoc.
6. County Trunk Highway “CR”: Southbound traffic on County Trunk Highway “CR” shall stop before entering the intersection of County Trunk Highway “CR” and County Trunk Highway “U” and Town of Newton road “Newton Road” in the Town of Newton.

7. County Trunk Highway “CS”:
  - a. Eastbound and Westbound traffic on County Trunk Highway “CS” shall stop before entering the intersection of County Trunk Highway “CS” and the Town of Manitowoc Rapids road known as “Alverno Road” in the Town of Manitowoc Rapids.
  - b. Traffic on County Trunk Highway “R” and County Trunk Highway “CS” shall stop for the traffic control signals installed at the intersection of those highways. When the traffic signals located at the intersection of County Trunk Highway “R” and County Trunk Highway “CS” in the City of Manitowoc are not operating, Eastbound and Westbound traffic on County Trunk Highway “CS” shall stop before entering the intersection of County Trunk Highway “CS” and County Trunk Highway “R.”
8. County Trunk Highway “F”:
  - a. Westbound traffic on County Trunk Highway “F” shall stop before entering the intersection of County Trunk Highway “F” and County Trunk Highway “A” and Town Line Road in the Towns of Liberty and Meeme and Schleswig and Eaton.
  - b. Eastbound traffic on County Trunk Highway “F” shall stop before entering the intersection of County Trunk Highway “F” and County Trunk Highway “LS” in the Town of Centerville and in the Town of Newton.
9. County Trunk Highway “J”:
  - a. Southbound traffic on County Trunk Highway “J” shall stop before entering the intersection of County Trunk Highway “J” and County Trunk Highway “C” and “Sinawa Road” in the Town of Liberty.
  - b. Northbound traffic on County Trunk Highway “J” shall stop before entering the intersection of County Trunk Highway “J” and County Trunk Highway “K” and “Korinek Road” in the Town of Franklin.
10. County Trunk Highway “JJ”:
  - a. Westbound traffic on County Trunk Highway “JJ” shall stop before entering the intersection of County Trunk Highway

“JJ” and County Trunk Highway “J” and “Upper Falls Road” in the Town of Cato.

- b. Eastbound traffic on County Trunk Highway “JJ” shall stop before entering the intersection of County Trunk Highway “JJ” and County Trunk Highway “J” in the Town of Cato.

11. County Trunk Highway “K”:

- a. Eastbound and Westbound traffic on County Trunk Highway “K” shall stop before entering the intersection of County Trunk Highway “K” and County Trunk Highway “NN” and “Menchalville Road” in the Town of Franklin.
- b. Eastbound and Westbound traffic on County Trunk Highway “K” shall stop before entering the intersection of County Trunk Highway “K” and County Trunk Highway “G” in the Towns of Maple Grove and Franklin.
- c. Eastbound and Westbound traffic on County Trunk Highway “K” shall stop before entering the intersection of County Trunk Highway “K” and County Trunk Highway “T” in the Village of Kellnersville.
- d. Eastbound traffic on County Trunk Highway “K” shall stop before entering the intersection of County Trunk Highway “K” and County Trunk Highway “R” and Drashner Lane in the Town of Kossuth.

12. County Trunk Highway “LS”:

- a. Northbound and Southbound traffic on County Trunk Highway “LS” shall stop before entering the intersection of County Trunk Highway “LS” and Lincoln Avenue in the Village of Cleveland.
- b. Northbound traffic on County Trunk Highway “LS” shall stop before entering the intersection of County Trunk Highway “LS” and County Trunk Highway “XX” and Birch Street in the Village of Cleveland.
- c. Northbound and Southbound traffic on County Trunk Highway “LS” shall stop before entering the intersection of County Trunk Highway “LS” and County Trunk Highway “CL” or Viebahn Street and County Trunk Highway “LS” or

South 10th Street in the City of Manitowoc and the Town of Manitowoc.

13. County Trunk Highway “M”: Northbound traffic on County Trunk Highway “M” shall stop before entering the intersection of County Trunk Highway “M” and County Trunk Highway “X” and “Spring Lake Road” in the Town of Meeme.
14. County Trunk Highway “NN”:
  - a. Southbound traffic on County Trunk Highway “NN” shall stop before entering the intersection of County Trunk Highway “NN” and County Trunk Highway “K” and “Menchalville Road” in the Town of Franklin.
  - b. Northbound and Southbound traffic on County Trunk Highway “NN” shall stop before entering the intersection of County Trunk Highway “NN” and County Trunk Highway “Z” in the Town of Cooperstown.
15. County Trunk Highway “P”:
  - a. Eastbound and Westbound traffic on County Trunk Highway “P” shall stop before entering the intersection of County Trunk Highway “P” and County Trunk Highway “Q” and “Arlington Avenue” in the City of Manitowoc.
  - b. Eastbound and Westbound traffic on County Trunk Highway “P” shall stop before entering the intersection of County Trunk Highway “P” and County Trunk Highway “R” in the Town of Manitowoc Rapids.
16. County Trunk Highway “Q”:
  - a. Northbound and Southbound traffic on County Trunk Highway “Q” shall stop before entering the intersection of County Trunk Highway “Q” and County Trunk Highway “P” and “Arlington Avenue” in the City of Manitowoc.
  - b. Southbound traffic on County Trunk Highway “Q” shall stop before entering the intersection of County Trunk Highway “Q” and County Trunk Highway “V” in the Town of Mishicot.

17. County Trunk Highway “R”: Northbound and Southbound traffic on County Trunk Highway “R” shall stop for traffic signals installed at the intersection of those highways in the City of Manitowoc.
18. County Trunk Highway “T”: Northbound and Southbound traffic on County Trunk Highway “T” shall stop before entering the intersection of County Trunk Highway “T” and County Trunk Highway “Z” in the Village of Maribel.
19. County Trunk Highway “U”: Eastbound traffic on County Trunk Highway “U” shall stop before entering the intersection of County Trunk Highway “U” and County Trunk Highway “LS” and “Newton Road” in the Town of Newton.
20. County Trunk Highway “V”:
  - a. Eastbound traffic on County Trunk Highway “V” shall stop before entering the intersection of County Trunk Highway “V” and County Trunk Highway “B” and “Church Street” in the Village of Mishicot.
  - b. Eastbound traffic on County Trunk Highway “V” shall stop before entering the intersection of County Trunk Highway “V” and County Trunk Highway “Q” and County Trunk Highway “VV” in the Town of Kossuth.
  - c. Eastbound and Westbound traffic on County Trunk Highway “V” shall stop before entering the intersection of County Trunk Highway “V” and County Trunk Highway “R” in the Village of Francis Creek.
  - d. Westbound traffic on County Trunk Highway “V” shall stop before entering the intersection of County Trunk Highway “V” and County Trunk Highway “T” and “Hillcrest Road” in the Town of Kossuth.
21. County Trunk Highway “VV”:
  - a. Westbound traffic on County Trunk Highway “VV” shall stop before entering the intersection of County Trunk Highway “VV” and County Trunk Highway “Q” and County Trunk Highway “V” in the Town of Kossuth.
  - b. Westbound traffic on County Trunk Highway “VV” shall stop before entering the intersection of County Trunk Highway

“VV” and County Trunk Highway “B” and “Manitou Drive” in the Town of Two Rivers.

- c. Eastbound traffic on County Trunk Highway “VV” shall stop before entering the intersection of County Trunk Highway “VV” and County Trunk Highway “B” in the Town of Two Rivers.

22. County Trunk Highway “X”:

- a. Eastbound and Westbound traffic on County Trunk Highway “X” shall stop before entering the intersection of County Trunk Highway “X” and County Trunk Highway “A” in the Town of Schleswig and the Town of Meeme.
- b. Eastbound traffic on County Trunk Highway “X” shall stop before entering the intersection of County Trunk Highway “X” and County Trunk Highway “LS” in the Town of Centerville.

23. County Trunk Highway “XX”:

- a. Eastbound and Westbound traffic on County Trunk Highway “XX” shall stop before entering the intersection of County Trunk Highway “XX” and County Trunk Highway “M” in the Town of Meeme.
- b. Westbound traffic on County Trunk Highway “XX” shall stop before entering the intersection of County Trunk Highway “XX” and “Dairyland Drive” and “Washington Avenue” in the Village of Cleveland.
- c. Westbound traffic on County Trunk Highway “XX” shall stop before entering the intersection of County Trunk Highway “XX” and “Westview Street” in the Village of Cleveland.
- d. Eastbound traffic on County Trunk Highway “XX” shall stop before entering the intersection of County Trunk Highway “XX” and “North Avenue” and “Dairyland Drive” in the Town of Centerville and Village of Cleveland, but eastbound traffic on County Trunk Highway “XX” using the right lane to go south shall be required only to yield before entering the intersection.
- e. Northbound and Southbound traffic on CTH “XX” or Dairyland Drive shall stop before entering the intersection of

CTH “XX” and Washington Avenue in the Village of Cleveland.

24. County Trunk Highway “Y”:
  - a. Eastbound traffic on County Trunk Highway “Y” shall stop before entering the intersection of County Trunk Highway “Y” and County Trunk Highway “Q” in the Towns of Kossuth and Gibson.
  - b. Westbound traffic on County Trunk Highway “Y” shall stop before entering the intersection of County Trunk Highway “Y” and County Trunk Highway “R” and “Fisherville Road” in the Town of Kossuth and Gibson.
25. County Trunk Highway “Z”:
  - a. Westbound traffic on County Trunk Highway “Z” shall stop before entering the intersection of County Trunk Highway “Z” and County Trunk Highway “NN” in the Town of Cooperstown.
  - b. Eastbound and Westbound traffic on County Trunk Highway “Z” shall stop before entering the intersection of County Trunk Highway “Z” and County Trunk Highway “T” in the Village of Maribel.

### **15.02 Controlled Access Highways.**

- (1) Authority. These regulations are adopted under the authority granted by Wis. Stat. § 83.027.
- (2) Purpose. It is the intention of this ordinance to provide for the review and approval of proposed new points of access onto certain designated county trunk highways. The purpose of this ordinance is to promote traffic flow while maintaining the safe and efficient ingress and egress to certain county trunk highways in the interest of public safety, convenience, and general welfare; to protect the public investment in highways by preventing premature functional obsolescence; and to reduce highway accidents caused by frequent or poorly designed points of access.

- (3) Jurisdiction in Unincorporated Areas. The provisions of this ordinance shall apply to the following county trunk highways in Manitowoc County:

MANITOWOC COUNTY CONTROLLED ACCESS  
DESIGNATION                      A.D.T.                      MILEAGE

CTH "A"

CTH XX to CTH X	1300	1.00
CTH X to Christel Road	1800	3.50
CTH C to USH 151	1300	2.42
Total		6.92

CTH "B"

CTH BB to Nuclear Road	1200	3.97
Nuclear Road to STH 147	2800	1.95
Steiners Corners to CTH V	4700	1.20
CTH V to CTH VV	3400	1.40
CTH VV to STH 310	6000	2.01
STH 310 to Albert Drive	3800	2.00
Total		12.53

CTH "C"

I-43 to STH 42	1600	3.31
STH 42 to CTH J	1400	4.84
CTH J to Tompkins Road	1700	1.50
Total		9.65

CTH "CR"

CTH C to CTH CL	2000	3.36
Total		3.36

CTH "J"

USH 151 TO CTH JJ	2000	1.08
CTH JJ to Hilltop Road	1600	2.36
Total		3.44

CTH "JJ"

I-43 to North Union	3100	2.47
North Union to CTH S	1900	2.45
CTH S to CTH J	1700	2.21
North CTH J to South CTH J	2000	.96
Total		8.09

CTH "K"

I-43 to CTH T	1200	1.40
Total		1.40

CTH "LS"

CTH F to CTH U	1100	1.01
CTH C to CTH CL	1400	4.42
Total		5.43

CTH "P"

USH 10 to CTH R	3900	2.75
Total		2.75

CTH "Q"

Magnolia Ave to CTH V	3500	5.51
CTH V to Cherney Road	1600	1.33
Total		6.84

CTH "R"

USH 151 to CTH P	8100	3.81
CTH P to STH 310	4200	1.53
STH 310 to Shoto Road	2100	1.00
CTH Y to CTH BB	2400	6.60
Total		12.94

CTH "S"

USH 151 to CTH JJ	1400	1.12
Total		1.12

CTH "V"

Arrow Road to CTH Q	1500	1.00
CTH Q to CTH B	1900	1.80
Saxonburg Rd to STH 42	1200	3.75
Total		6.55

CTH "VV"

STH 42 to Riverview Dr	1300	0.90
STH 147 to CTH B	3200	2.75
Total		3.65

CTH "X"

County Line to STH 67	1900	1.00
STH 67 to CTH A	2000	4.96
CTH A to CTH M	1500	1.53
Total		7.49

CTH "XX"

STH 67 to CTH A	1500	5.14
STH 42 to I-43	1200	3.30
Total		8.44

Controlled Access Mileage: 100.60

Certified CTH Mileage: 289.33

Permissible Controlled Access Miles: 101.27

- (4) Jurisdiction in Incorporated Areas. The provisions of this ordinance shall apply within those incorporated areas of Manitowoc County where a cooperative agreement has been entered into between Manitowoc County and the municipality according to Wis. Stat. § 83.027(9).
- (5) Abrogation and Greater Restrictions.
  - (a) This ordinance supersedes all pertinent provisions of any ordinance relating to access on designated highways within Manitowoc County.
  - (b) It is not otherwise intended by this ordinance to repeal, abrogate or impair any existing deed restrictions; however, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

- (6) Severability. If a section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- (7) Warning and Disclaimer of Liability. The degree of protection provided by this ordinance is considered reasonable for regulatory purposes only and is based on engineering experience and scientific methods of study. This ordinance, however, does not imply that accesses permitted will be totally free of problems, nor shall this section create a liability on the part of or because of action against the County of Manitowoc, or any office or employee thereof for any problems that may result from reliance on this ordinance.
- (8) Interpretation. In their interpretation and application the provisions of this ordinance shall be deemed to be the minimum required and shall be liberally construed in favor of Manitowoc County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- (9) Definitions. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have at common law and to give this ordinance its most reasonable application.
- (a) “Access” means a recognized point of vehicular entry onto or exit from a highway or where evidence of use has been clearly established. There shall be three (3) types of access under this ordinance, described as follows:
1. Category 1 Access. Provides access for residences, apartments, and farm homes and their related outbuildings.
  2. Category 2 Access. Provides access for farm machinery and implements of husbandry to farm fields or outbuildings not adjacent to a residence.
  3. Category 3 Access. Provides access to businesses, industrial use, schools, churches, and other uses not described in subparagraphs 1. and 2. above.
- (b) “Committee” means the Highway Committee.
- (c) “Controlled Access Highway” means a highway on which the traffic is such that the Manitowoc County Board of Supervisors has found determined, and declared it to be necessary, in the interest of the public safety, convenience and the general welfare to regulate entrance upon the departure from the highway or street except at places specially designated and provided for such purposes and to exercise special controls over traffic on such highway or street.
- (d) “Department” is the Manitowoc County Highway Department.

- (e) “Mile” shall be measured to include one half mile in either direction from each particular point of access under consideration.
  - (f) “Unnecessary Hardship” is a condition, not caused, created, or contributed to by the owner of a property, under which a literal application of the terms of this ordinance would prevent the owner from using the property for any permitted purpose or under which the property could only be used for a permitted purpose at a prohibitive expense, thus effectively rendering the property useless to its owner.
  - (g) “Terms Not Defined” in this section shall be construed as defined in the Manitowoc County Zoning Ordinances, Wisconsin Statutes, Wisconsin Administrative Code or if not defined in any of the preceding, the terms shall be used with a meaning of common or standard utilization. Words used in the present tense include the future, words in the plural number include the singular number. The word “shall” is mandatory, not permissive. All distances, unless specified otherwise, shall be measured horizontally.
- (10) General Regulations. Any person, firm, or corporation seeking access to lands abutting a county trunk highway designated by MCC §§ 15.02(3) or 15.02(4) shall comply with the requirements of this ordinance.
- (a) Right of Access. After the designation of a controlled access highway, no owners or occupants of abutting property shall have the right of access, by reason of the fact that their property abuts on the controlled access highway, unless otherwise provided herein.
  - (b) Change of Use. The use of any point of access permitted under this ordinance shall not be changed unless approved by the Department.
  - (c) Vacation. A controlled access highway shall remain in force until the access control is revoked by an action of the Manitowoc County Board of Supervisors. The County Board may revoke access control on a controlled access highway or any portion thereof, provided that after traffic engineering surveys, investigations and studies and if, after a public hearing, the board finds that the revocation of access control on such highway or portion thereof is in the public interest. The County Board shall record the formal notice of revocation of access control on the highway with the Manitowoc County Register of Deeds.
  - (d) Authorization.
    - 1. Except at places specifically designated and provided for such purpose no private entrance upon or departure from a designated controlled access highway shall be permitted by the Department.

2. The Department may designate a private access point as “temporary” and subject to periodic review. In the interest of public safety, convenience and general welfare, the Committee may revoke a “temporary” access permit or it may require modifications to remedy a problem situation.
3. A public street or highway shall not be opened into or connected with a designated controlled access highway without the approval of the Committee.
4. No access point shall be converted to a public street or highway unless approved by the Committee.

(11) Standards and Specific Provisions.

(a) Spacing and Frequency.

1. One access may be permitted for each parcel of land which was held as a single, contiguous tract as of May 8, 1981, except where an alternate means of access is available and would better serve the public interest.
  2. Ordinarily, access permits will not be issued where granting such a permit would result in a clear line of sight to or from the access point of less than 600 feet, except as otherwise provided herein.
  3. No more than a combined total of six (6) Category 1 and Category 2 access points per side per mile of highway shall be permitted, except as provided herein, unless approved by the Manitowoc County Board of Supervisors.
  4. One temporary driveway may be permitted for each parcel of land which existed as of May 8, 1981. The temporary driveway may be continued until the driveway is relocated and/or altered to a permanent street intersection under the standards as specified.
  5. Any provisions of subsections 1 - 3 above notwithstanding, as many Category 3 access points may be allowed, consistent with the requirements public safety, as may be necessary to promote the public interest.
- (b) Design. The design of driveway or street intersections for appropriate sight distance, turn radius, angle, profile, and width, shall be based on town and county standards and minimum standards of the American Association of State Highway Officials and the National Cooperative Highway Research Program Report no. 93 and “Guidelines for Medial and Marginal Access Control on Major Roadways.” In locating access points along the

controlled access highways, consideration shall be given to the alignment of the proposed intersecting streets directly across from each other in order to facilitate safe and efficient flow of traffic across the highway.

(12) Administration and Enforcement.

(a) This ordinance shall be enforced by the Manitowoc County Board of Supervisors through its designated agent, which is the Manitowoc County Highway Department.

(b) Duties of the Department:

1. The Department shall administer this ordinance including the receiving and processing of applications for access onto designated county trunk highways, appeals to the Highway Committee and be responsible for the issuing of access permits and initiating proceedings for the enforcement of the provisions of this ordinance.
2. The Department shall conduct periodic inspections to determine compliance with the ordinance provisions and shall maintain permanent record of data submitted and permits issued.
3. If the Department finds that the proposed access will not be in violation of the terms of this ordinance, a permit shall be issued; one copy shall be retained and the other copy returned with Department approval. Otherwise, the application shall be rejected and the applicant informed of the reasons in writing and advised of their rights of appeal.

(c) Permits.

1. Permits shall be required for all new access points along a county trunk highway designated as a controlled access highway in MCC § 15.02. Ordinarily, no new access point will be granted in the event of a division or divisions of a parcel that existed as of May 1, 1997, unless an access road is provided to the property.
2. Application for permits shall be made to the Manitowoc County Planning and Park Department.
3. Additionally, the Department may require the submission of a scale drawing showing property lines, topography, streams, lakes, ponds, marshes, and locations of existing and proposed structures, and other appropriate supporting data as deemed necessary for the adequate review of the application.

4. The permit shall be issued or the application denied within ten (10) days after receipt of the application. Statements made in the application shall be as if made under oath and any willful false statement made in the application, shall subject the person making it to the penalties of this ordinance.
5. An access permit shall expire sixty (60) days from the date of issuance if evidence of use has not been established within that time.
6. Upon issuance of a permit, the point of access shall be inspected during and after construction.

(d) Variances.

1. Application for a variance from specific rules shall be submitted to the Highway Committee.
2. Appeals to the Highway Committee may be taken by any person aggrieved or by any officer, department, board, or bureau of Manitowoc County affected by any decision of the Department. Such an appeal shall be taken within a reasonable time, as provided by the rules of the Committee, by filing with the officer from whom the appeal is taken and with the Committee, a notice of appeal specifying the grounds thereof. The officer, from whom the appeal is taken, shall forthwith transmit to the Committee all papers constituting the record upon which the action appealed was taken.
3. Where the Highway Committee finds that unnecessary hardship may result from strict compliance with these regulations, it may vary the regulations, provided that the public interest is secured and will not have the effect of nullifying the intent and purpose of these regulations. Decisions on variances are made on a case-by-case basis based upon the unique characteristics of each individual parcel and are not to be considered as precedent favoring or not favoring the grant or denial of a variance for any other parcel.
4. Any modification or variance thus granted shall be entered in the minutes of the Committee setting forth the reasons which, in the judgment of the committee, justified the modification or variance.

(e) Fees. A \$75 fee will be charged for each permit.

(f) Controlled Access Maps. The locations of all recognized access points are shown on the map entitled "Controlled Access Maps" on file in the office of the Planning and Park Department, which shall periodically update the "Controlled Access Maps." The "Controlled Access Maps," together with all information shown thereon and all amendments thereto, shall be a part of these regulations.

- (g) Violations and penalties. Any person, firm, or corporation who fails to comply with the provisions of this ordinance shall be subject to penalties and forfeiture as provided in Wis. Stat. § 83.027 (12).
- (h) Recording. This Ordinance shall be recorded in the office of the Register of Deeds of Manitowoc County, Wisconsin.

### **15.03 Speed Limits.**

- (1) Pursuant to Wis. Stat. § 349.11, the County Board hereby authorizes the Highway Committee to recommend speed limits for traffic on county trunk highways to the Manitowoc County Board of Supervisors.
- (2) To establish a speed limit, the County Board shall adopt a Resolution noting the speed limit and zone. The County Clerk shall send a copy thereof to the Sheriff's Department.

### **15.04 Parking Zone.**

- (1) Pursuant to Wis. Stat. § 349.13, the Highway Committee is hereby authorized to designate portions of the right of way as “no parking zones” or “limited parking zones”.
- (2) When a “no parking zone” is designated, the zone shall be demarked by a sign which states that parking is prohibited or limited, as determined by the Highway Committee. All signs posted shall conform to DOT standards for signage.
- (3) To establish a no-parking or limited parking zone, the Highway Committee shall adopt a motion on the record and file a copy thereof with the County Clerk. A copy of such zone designations shall be furnished to the Sheriff's Department.

### **15.05 Encroachments Upon Highway.**

- (1) Pursuant to Wis. Stat. § 86.07(2), the County Board hereby prohibits the erection, construction, maintenance, depositing, or placing in any way of any structure, object, carcass, refuse, trash, or any other thing in the right of way of a county trunk highway.
- (2) As used in this section, and MCC § 15.06, “right of way” means the entire area of land dedicated to the highway, including the road, shoulders, and abutting land, whether the right of way is owned by the county or an easement granted to the county.
- (3) The Highway Committee may grant variances from this ordinance to foster the public interest.

## 15.06 Permits for Driveways on Right of Way.

This section applies to all county trunk highways.

- (1) The owner of lands adjacent to the right of way of a county trunk highway may not construct, maintain, and use a driveway for access to the highway unless the owner procures and abides by a permit from the Planning and Park Department.
- (2) A landowner seeking a permit for a driveway shall complete an application on a form prescribed by the Planning and Park Department and pay a \$75 fee. If the proposed driveway meets the requirements of subsection (3) of this Section, the Planning and Park Department shall issue a permit for construction and use of the driveway. A permit is valid for construction of a driveway within one year of issuance.
- (3)
  - (a) Driveways shall be constructed of solid, load-bearing material. A culvert shall be installed to allow proper drainage through the driveway, and shall be installed at least five (5) feet from the applicant's property line.
  - (b) Every driveway shall have sloped sides constructed of earth materials only. The sides shall be sloped at no less than a grade ratio of 3:1.
  - (c) The driveway shall be no wider than is necessary to accommodate the ordinary traffic of the property to be served. Each application shall specify the proposed width of the driving surface. The Planning and Park Department may approve, reject, or modify the width allowed for driving surfaces.
  - (d) Driving Surface. The driving surface within the right-of-way, if paved, shall be paved with asphalt. The use of concrete within the right-of-way is prohibited.
- (4) The following subsection applies only to driveways which were constructed prior to the effective date of this ordinance [June 21, 1988]:
  - (a) After December 31, 1998, no driveway constructed before the effective date of this ordinance may be maintained or used unless a permit has been issued for the driveway and the driveway meets the standards prescribed in subsection (3) of this section.
  - (c) Every landowner whose driveway shall be reconstructed under this section shall be responsible for payment of no more than \$12 per lineal foot of culvert added to the driveway. The County shall pay all costs in excess of \$12 per lineal foot of all work required to bring the culverts to current standards, but shall pay no part of any repairs. Reconstruction does not include the repair or replacement of existing culverts or driveways, the owner shall be billed for the county's actual cost for time and materials for the replacement or repair of any existing culvert and the return of the driveway to the condition that it was in prior to the commencement of such repair. Every landowner shall be billed for the cost of any

driveway repairs performed by the county and up to \$12 per lineal foot for any reconstruction required to meet present standards.

- (d) Towns or villages which own lands which have substandard driveways shall be responsible for the cost of culvert required to bring those driveways up to standards. The County shall bear the expense of the installation costs of driveways owned by towns or villages.
  - (e) The County may commence a civil action to recover the expense of reconstructing a driveway if the owner fails or refuses to pay that amount when due.
- (5) The Highway Committee may, in response to a written request, grant a variance from the specific terms of this section provided that the public safety and welfare are secured, the spirit of the ordinance is observed, and substantial justice is done, but no variance may be granted because of a self-created hardship. The decision to grant a variance will be made on a case-by-case basis and will not serve as precedent for any other variance request. The Highway Committee will record any variance that is granted in its minutes, along with a statement of the reasons for the variance and any conditions that attach to the variance.

#### **15.07 Abandoned Vehicles.**

- (1) No person may abandon any motor vehicle on the right of way of any public highway.
- (2) As used in this section, “abandon” means to leave parked for more than two hours on the right of way of a county trunk highway, except where parking for a longer period is permitted by ordinance or state law.
- (3) In the event a vehicle is abandoned on a county trunk highway, the Sheriff’s Department or Highway Department may cause the vehicle to be towed to a designated garage, where the vehicle shall be held until the vehicle’s owner has paid any and all towing and storage charges for the vehicle’s removal from the highway.
- (4) If any such motor vehicle, trailer, semi trailer, mobile home, or any other motor vehicle is not claimed, Manitowoc County shall sell the same at a sheriff’s sale to the highest bidder, unless the bid is deemed inadequate and all bids are rejected. Such sale may occur at any time after ten (10) days from the date a notice is sent by registered or certified mail to the last known address of the owner or owners and lien holders.

#### **15.08 Obstructing or Removing Signs.**

- (1) No person may obstruct, deface, remove, or in any way impair the visibility of an official highway sign.

- (2) This section does not apply to highway maintenance crews in the performance of their duties.
- (3) No person may possess, sell, give, purchase, or transfer any official highway sign.
- (4) Any person who violates this section may be required to forfeit not less than \$35 nor more than \$250. This section may be enforced by issuance of a citation as provided in MCC Ch. 22.
- (5) As used in this section, “highway sign” means any officially posted signal, placard, barricade, marker, paint stripe or mark, or visual device used to advise the public of the rules of the road or of highway conditions.

### **15.09 Utility Permits.**

- (1) Any person, firm, or corporation, including any foreign corporation authorized to do business in this state, may, with the prior written consent of the Manitowoc County Highway Department, construct and operate telephone, telegraph, or electric lines, pipes, pipelines, cables, or fiber optic lines for the purpose of transmitting electric or electronic or optical signals, messages, water, heat, light, or power along, across, or within the limits of a county trunk highway.
- (2) All poles used in the construction of any lines shall be set in a manner which avoids interference with use of the highway by the public or the use of adjoining lands by the owner thereof; and all such poles shall comply with the applicable provisions of the electrical code of the State of Wisconsin.
- (3) No tree shall be cut or trimmed or the branches thereof broken or cut during construction or maintenance of the line without the consent of the owner of the tree.
- (4) Any person erecting telephone, telegraph, or electric light or other pole or stringing any telephone, telegraph, electric, or other wire or constructing any pipe or pipelines in violation of the provisions of this section shall forfeit not less than \$25 nor more than \$500.
- (5) Any person, firm, or corporation seeking approval of construction of such lines within the limits of a county trunk highway shall apply for a permit for such construction from the Manitowoc County Highway Department. The application shall be made on a form prescribed by the Department. The Highway Committee may set a reasonable fee for permit applications not to exceed \$75. The application shall be reviewed by the Highway Commissioner or designee and approved or denied. A person, firm, or corporation whose permit application has been denied may appeal the denial to the Manitowoc County Highway Committee by submitting a written notice of appeal to the Manitowoc Highway Committee stating the reasons why the application should have been granted. Such appeal shall be barred unless filed within twenty (20) calendar days

of the denial of the application by the Highway Commissioner. The decision of the Highway Committee shall be final.

#### **15.10 Improvements to County Trunk Highways-Equal Treatment.**

- (1) All cost sharing policies of Manitowoc County relating to the improvement of county trunk highways will treat all towns, villages, and cities uniformly, consistently, and equally.
- (2) When improvements are made to county trunk highways, Manitowoc County shall be responsible for asphaltic pavement of county trunks up to thirty (30) feet in width. Widths shall be measured at the point(s) where the highway enters and/or exits the town, village, or city limits. The town, village, or city in which the county trunk highway is located will be responsible for the cost of asphaltic pavement which exceeds the width of the County Trunk Highway as measured at the boundaries of its jurisdiction, except the County shall be responsible for the cost of asphaltic pavement for passing lanes, turn off lanes, acceleration ramps, and additional travel lanes, even if the asphaltic pavement exceeds 30 feet.
- (3) Villages and cities shall be responsible for the cost of all curb and gutter, storm sewer, and water main installed on any county trunk highway within their jurisdiction.
- (4) Towns shall be responsible for the cost of all curb, gutter, and water main installed on any county trunk highway within their jurisdiction.
- (5) All Manitowoc County Highway Department policies now and in the future, shall apply equally to towns, villages, or cities and shall not discriminate among them, except as to storm sewers installed in towns. The Manitowoc County Highway Department and Highway Committee will review the issue of storm sewers in towns for the next three (3) years and take appropriate action at the end of that period.
- (6) Nothing in this section shall be construed as a relinquishment or delegation of the rights of this county to approve plans for; or the right of the Manitowoc County Highway Commissioner to inspect improvements to county trunk highways in towns, villages, or cities.

#### **15.11 Mailbox Installation.**

- (1) Purpose. This Ordinance is intended to establish standards for the safe installation of mailboxes within the right-of-way adjacent to highways in Manitowoc County. The term "mailbox" means any device used to receive mail, newspapers, packages, or similar items and the term includes any structure used to support the mailbox.

- (2) Authorization. A person may install and maintain a mailbox within the right-of-way adjacent to or near the person's residence provided that the mailbox complies with all requirements established by the United States Postal Service and all requirements established by this Ordinance.
- (3) Requirements.
- (a) Location. A mailbox must be placed on the right side of the highway, except in the case of one-way traffic; at the far side of the driveway; and a minimum of 60 feet from any intersecting road in the direction of the delivery route.
  - (b) Setback. The mailbox must be set back a sufficient distance so that no portion of the mailbox extends over the traveled portion of the highway or the outside edge of the shoulder.
  - (c) Height. The bottom of the mailbox receptacle must be a minimum of 42 inches to a maximum of 48 inches from the street surface.
  - (d) Material. A mailbox must be constructed of light sheet metal, plastic, or a similar material. The mailbox must be firmly attached to any support structure in order to minimize the possibility of its separating from the structure if struck by a vehicle.
  - (e) Number and Separation. No more than two mailboxes may be mounted on a single support post. A light weight newspaper box mounted below a mailbox will not be counted toward this limit. Support posts must be separated by a distance that is equal to three-quarters of the height of the support posts.
  - (f) Support Structure. A mailbox support structure must be designed to break off or move out of the way if struck by a vehicle. No support may extend more than 24 inches into the ground; be placed in concrete; or fitted with an anchor plate. A metal support may have an anti-twist device if the device does not extend more than 10 inches below the ground surface. The maximum material specifications for a support post are:
    - 1. A square wood post must not be larger than 4 inches by 4 inches nominal.
    - 2. A round wood post must not be larger than 4 inches in diameter.
    - 3. A metal pipe must have an inside diameter of 1½ inches or less.
    - 4. A metal channel must weigh less than 2 pounds per foot.
- (4) Variance. The Highway Commissioner is authorized to grant a variance on a case by case basis to any requirement specified in sub. (3) provided that the variance is authorized in writing and does not compromise public safety.

- (5) Enforcement. This Ordinance may be enforced under the provisions of Wis. Stat. § 86.04 pertaining to highway encroachments.

#### HISTORY

6/21/1988: Enacted by Ord. No. 88/89-42 effective June 26, 1988.

10/18/1988: Sec. 15.01(3)(y) and (z) amended by Ord. No. 88/89-93 effective October 23, 1988.

10/30/1989: Sec. 15.07(4) created by Ord. No. 89/90-98 effective November 8, 1989.

07/19/1994: Sec. 15.06(4)(a)-(c) amended by Ord. No. 94/95-53 effective July 28, 1994.

05/16/1995: Sec. 15.01(4)(c)23.e created by Ord. No. 95/96-33 effective May 25, 1995.

12/19/1995: Sec. 15.10 created by Ord. No. 95/96-120 effective October 29, 1995.

04/15/1997: Secs. 15.02 and 15.06(3)(b) amended by Ord. No. 97/98-16 effective April 24, 1997.

09/26/2000: Sec. 15.02(3) amended by Ord. No. 2000/2001-78 effective October 7, 2000.

09/26/2000: Sec. 15.06(3)(d) amended by Ord. No. 2000/2001-79 effective October 7, 2000.

08/17/2004: Sec. 15.11 created by Ord. 2004/2005-60 effective August 26, 2004.

10/25/2004: Sec. 15.06(3)(d) amended and sec. 15.06(5) created by Ord. 2004/2005-97 effective November 4, 2004.

01/18/2005: Secs. 15.01(3)(c), (h), and (s); 15.02(12)(c)2, (e)2 and (f); 15.06(1), (2), and (3)(c); and 15.09(5) amended, sec. 15.02(3) repealed and recreated, and sec. 15.06 (4)(b) repealed by Ord. 2004/2005-130 effective January 28, 2005.