

**AN ORDINANCE TO REPEAL AND RE-CREATE  
SECTION 8.10(2)(a)(2) OF THE ORDINANCES  
OF THE TOWN OF RANDALL, KENOSHA COUNTY, WISCONSIN  
PERTAINING TO DRIVEWAYS**

The Town Board of the Town of Randall, Kenosha County, Wisconsin, does ordain as follows:

**SECTION 1:** Section 8.10(2)(a)(2) of the Town of Randall Code of Ordinances, pertaining to driveways, is repealed in its entirety, and is hereby re-created and enacted as follows:

2. At a distance of ten (10) feet from the edge of the bituminous pavement, the finished grade of the driveway shall be at least five (5) inches below the grade of the edge of the adjacent highway and five (5) feet from the property line. With respect to the installation, alteration, replacement, or modification of a driveway by the owner of the property, the driveway may be constructed with a material of the owner's choice, but the elevation of the end of the driveway, that abuts to the road or highway, shall be at least one-half (1/2) of an inch below the elevation of the road/highway. When and if the Town elects to perform any type of work on the road/highway that requires the Town to remove the portion of the owner's driveway located in the road right-of-way, then, at the owner's choice (indicated to the Town in writing, as described below), the Town shall, at the Town's own cost and expense, either (i) repair the disturbed area of the driveway (located in the road right-of-way) with asphalt, or (ii) pay to owner a payment, equal to the cost that the Town would otherwise incur to repair the disturbed area of the driveway with asphalt. In the event that the owner elects to receive from the Town the said payment, then (i) the payment shall be sent by the Town to the owner after the Town Board approves the said payment, and (ii) it shall be the owner's responsibility, at the owner's own cost and expense, to repair the disturbed portion of the driveway with a material and a contractor of owner's choice. The written notice from the owner to the Town, indicating the owner's election to either have the Town pave the disturbed area of the driveway with asphalt or, in the alternative, receive from the Town the equivalent payment, must be given by the owner to the Town at least five (5) business days (Monday through Friday) prior to the date that the Town would otherwise pave the disturbed area with asphalt. The owner's failure to timely give to the Town this required written notice (i) shall constitute a waiver by the owner of the owner's right to make the election described above, and (ii) the Town shall then repair, at the Town's own cost and expense, the disturbed portion of the driveway located in the road right-of-way with asphalt.

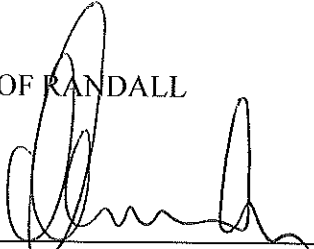
**SECTION 2:** All other ordinances and parts of ordinances in contravention of this repeal and re-creation are amended accordingly.

**SECTION 3: Effective Date.** This Ordinance shall take effect and be enforced from and after its passage and posting or publication as required by law.


The foregoing was adopted at a regular meeting of the Town Board of the Town of Randall, Kenosha County, Wisconsin, this 27<sup>th</sup> day of JUNE, 2019.

TOWN OF RANDALL

By:

  
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Robert M. Stoll, Town Chair

Attest:

  
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Callie Rucker, Town Clerk