

TOWN OF GREENWOOD

DRIVEWAYS AND TOWN ROAD RIGHT-OF-WAY

ORDINANCE NO. 2013-001

Sec. 4-4-1 DRIVEWAYS AND CULVERTS

(a) Driveways and Culverts Required

No person, partnership, company nor corporation shall, by means of a vehicle, enter or cause to enter any parcel or parcels of land from any Town road or highway, unless a culvert and gravel driveway has been provided for said parcel(s) of land, unless deemed unnecessary by the Town.

(b) Driveways/Culverts Permit Required

No person shall in the right-of-way construct, repair or reconstruct any driveway or install any culvert without having first obtained a permit from the Town, the fee for which is fifty dollars (\$50). Such permit shall be issued in a timely manner using a form provided by the Town. Applications for a permit should be made at least 36 hours in advance of intended installation. The permit requires a pre and post inspection with the property owner and the Town road patrolman.

(c) Installation Requirements

All driveways installed, altered, changed, replaced or extended shall meet the following requirement and must be approved as to location by the Town.

- (1) Openings for vehicular ingress and egress shall be:
 - a. For residential properties, a minimum of ten feet (10') at the lot line and a maximum of twenty-five feet (25'), and a minimum of twenty feet (20') at the roadway.
 - b. For agricultural properties, a minimum of twenty-five feet (25') at the lot line and maximum of fifty feet (50'), and a minimum of forty-five feet (45') at the roadway.
 - c. For commercial properties, a minimum of thirty-five feet (35') at the lot line and a maximum of fifty feet (50'), and a minimum of forty-five feet (45') at the roadway.
- (2) All culverts shall be metal and 15 inches (15") in diameter or larger as specified by the Town and as follows:

- a. Maximum length shall be thirty-two (32') for residential, sixty feet (60') for others.
 - b. Minimum length shall be twenty feet (20')
 - c. Distance between two culvert ends shall be twelve feet (12')
- (3) Driveways need a minimum of one hundred feet (100') of sight distance in both directions
 - (4) No driveway shall be closer than seventy-five feet (75') to an intersection of two streets. At street intersections, a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Town for effective traffic control or highway signs or signals.
 - (5) Driveways must be located at least six feet (6') from all lot lines, and extensions thereof.
 - (6) Islands between driveway openings shall be provided with a minimum of twelve feet (12') between all driveway culverts.
 - (7) A driveway apron shall extend a minimum of twenty feet (20') from the edge of the Town road pavement and under no circumstances shall such driveway apron extend above any road pavement surface. All driveway entrances and approaches shall be so constructed as not to interfere with the drainage of streets, side ditches or roadside areas or with any existing structure on the right-of-way.
 - (8) Driveways shall in all cases be placed wherever possible as to not interfere with utilities in place and the applicant must contact Diggers Hotline. Any costs of relocating utilities shall be the responsibility of the property owner. Approval of the Town is necessary for relocating utilities.
 - (9) Driveway pavement materials within the Town right-of-way shall be compatible with adjacent Town pavement material; limiting it to crushed gravel, crushed rock and bituminous products. The bottom course of the driveway may be constructed of large-size crushed stones or rock, except along that part adjacent to the culvert pipe, and the upper course, at least, shall consist of medium well-graded crushed gravel or fine -to-medium well-graded crushed rock. In no case, shall the granular material or subsequent permanent surfacing be constructed higher than the adjacent highway pavement.
 - (10) The maximum number of driveway openings for vehicular ingress and egress permitted lots with a continuous road frontage of less than two hundred feet (200') shall be one (1) and for lots with a continuous road frontage of two hundred feet (200') or greater may be two (2). Agricultural parcel(s) upon which actual agricultural activities are practiced may average one (1) driveway per field.

(d) Regulation for Construction of a Driveway to Serve More Than One Parcel of Land

(1) Approval Required. No person, firm, company, or corporation shall construct or permit to be constructed within the Town, any driveway arranged or spanned to serve more than one (1) parcel of land used for residential purposes, unless approval by the Town Board shall first be obtained of the plans (location, width and general plans) for such driveway. A shared driveway shall serve a maximum of two (2) parcels.

SEC. 4-4-2 STRUCTURES, OBSTRUCTIONS AND CONSTRUCTION IN TOWN RIGHT-OF-WAY REGULATED

(a) Permit Required

No person, persons, partnership, company or corporation shall erect or install any structure, sign, fence, wall, pavement or other vehicle access nor perform or arrange for construction within or upon the Town highway right-of-way without first obtaining a written permit from the Town, with the exception of a mailbox and boxes installed for delivery of newspapers.

(b) Mailboxes

Mailboxes shall be installed in accordance with U.S. Postal Service regulation, but as far from the Town highway pavement as those regulations allow. Mailbox supports and attachments shall be strong enough to withstand the pressure and thrust of plowed wet snow, but shall not be so formidable and massive to damage vehicles and cause serious injury to people who may accidentally strike them.

(c) Existing Structures and Obstructions

Any existing structure, sign, fence, wall, pavement or other obstruction (including trees, temporary fences, staking of livestock, or planting of crops) which, in the judgment of the Town, will prevent the proper snow removal from the pavement and shoulders or mowing of the ditches of the Town highway shall be removed by the owner or occupant of the adjacent property within fifteen (15) days of receiving written notice from the Town except for temporary fences and staking of livestock which have three (3) days after receiving written notice from the Town to be removed. If the owner or occupant does not remove said structure or obstruction within the allotted time, the Town shall remove or make arrangements to have the obstruction removed and the expense of removal and administrative costs shall be charged to the adjacent property as a special assessment.

SEC. 4-4-3 VIOLATIONS

Any person, persons, partnerships, company or corporation who violates Driveways and Culverts SEC. 4-4-1, shall pay a fifty dollar (\$50.00) fine plus the cost of the driveway permit and shall remove, alter or correct the installation as ordered by the Town. If the owner or occupant does not correct the installation as ordered by the Town within the allotted time, the expense of correcting the installation shall be done by the Town and the expense thereof, shall be charged to the property as a special assessment.

If violation/s re-occur regarding existing structures, obstructions or construction in the Town road right-of-way, the property owner will be charge a fine of fifty dollars (\$50.00), and/or the removal charge and administrative costs.

SEC. 4-4-4 PERMITTEE LIABLE FOR DAMAGE OR INJURY

The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. The new construction shall be of acceptable material and provided in a neat, professional-like manner.

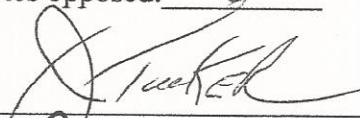
SEC. 4-4-5 EFFECTIVE DATE

This ordinance shall be in full force and in effect from and after thirty (30) days after the date of its passage and posting.

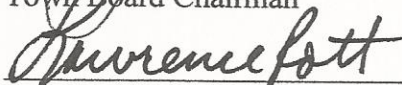
Passed and approved this 18th day of July 2014.

Votes in favor: 2

Votes opposed: 0



Town Board Chairman



Town Clerk

Date posted: July 21, 2014