

CHAPTER XV.

DRIVEWAYS AND CULVERTS

SECTION 15.00. Definition. For the purpose of this chapter, a driveway shall be defined as a private road, drive, or roadway giving access from a public way, road, or highway to abutting lands.

SECTION 15.10. Application and Permit. No driveway shall be constructed or installed adjacent to or within the limits of a Town road right-of-way without first filing an application with the Town Building Inspector and receiving a permit therefor. Applications may be granted and approved by the Town Building Inspector or any other person appointed for that purpose by the Town Board.

- A. Applications shall be made on forms approved by the Town Board and shall include a description of the location of the driveway, the nature of the present or proposed use, the proposed culvert size and length and any other details of the proposed installation. The application may be accompanied by a sketch, if appropriate.
- B. Upon receipt of an application and the proper permit fee, the Town Building Inspector or other authorized Town official will review the application and the suitability and safety of the driveway at the requested location and will determine the size culvert to be installed.
- C. The minimum size culvert installed shall be 15 inches in diameter, but may be of greater diameter as directed by the Town Building Inspector or other authorized Town official.
- D. The culvert length and the ends of the culvert shall be of a size and dimension as directed by the Town Building Inspector or other authorized Town official.
- E. The entire cost of installing and maintaining the driveway and culvert shall be borne by the owner/applicant.
- F. The elevation of the finished driveway surface directly atop the culvert shall be 4 inches below the elevation of the road edge at the driveway. The width of the driveway at the culvert shall be a minimum of 12 feet. The driveway shall be crowned

so as to direct the runoff water away from the roadway and into the ditch. No rip-rap walls, railings, posts, or other structures shall be placed around or above a driveway culvert. Highway surfaces, slopes, shoulders, ditches and vegetation disturbed shall be restored. The work shall be carried out in a manner satisfactory to the Town Building Inspector and in compliance with the conditions of the permit and Town Code of Ordinances.

SECTION 15.20. Permit Fee. The applicant for the permit shall pay a fee of \$25 to the Town Building Inspector at the time of making the application for permit as set forth above.

SECTION 15.30. Maintenance and/or Replacement of Driveway and Culvert. The Town Board may, by written notice, require the property owner to maintain and/or replace any driveway and/or culvert situated within the Town road right-of-way which, in the sole discretion of the Town Board, is in need of maintenance and/or replacement. The entire cost of maintenance or replacement of any such driveway and/or culvert shall be borne by the property owner, notwithstanding the cause of the required maintenance and/or culvert replacement, unless otherwise agreed by the Town Board.

SECTION 15.40. Penalty. Any person violating any of the provisions of this ordinance may be required to forfeit not less than \$100 nor more than \$300 for each offense, together with the costs of prosecution.