

Chapter 97

DRIVEWAYS

[HISTORY: Adopted by the Town Board of the Town of Scott 1-13-2009. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 35.
Communication towers — See Ch. 57.
Condominiums — See Ch. 68.
Construction site erosion control — See Ch. 73.
Stormwater management — See Ch. 297.
Subdivision of land — See Ch. 308.
Zoning — See Ch. 375.

§ 97-1. Applicability; permit required; use restrictions; indemnification of Town. [Amended 5-12-2009]

- A. This chapter shall apply to and a permit shall be required for any new or reconstructed driveway, approach, or access point from a public right-of-way. Any new or reconstructed driveway or approach is to be constructed solely for the purpose of securing access to the property. There shall be no parking, servicing vehicles, advertising, or storage of merchandise or goods on any driveway or approach located on the Town right-of-way.
- B. The applicant, his successors or assigns agree to hold the Town of Scott, its agents, and employees harmless against any action for personal injury or property damage sustained by the issuance of this permit.

§ 97-2. Construction specifications.

The following standards shall apply to all driveways and private vehicular access points to public roads constructed with curb and gutter:

- A. All curb cuts must be inspected prior to pouring of concrete.
- B. No driveway shall exceed the following widths at the curblines:
 - (1) Single drive: 30 feet at back of sidewalk and a maximum width of 33 feet at the curblines.
 - (2) Double drive: 39 feet for a duplex or commercial drive at the back of sidewalk and a maximum width of 42 feet at the curblines.¹

¹. Editor's Note: Former Subsection 3, regarding the measured opening of a driveway, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- C. If constructed in conjunction with a new structure, then rough curb cut as soon as building lines are established and before pouring foundation. This shall be the entrance for construction vehicles. Broken curbs will be the responsibility of the owner/builder.
- D. Upon signing of the curb cut permit, the applicant hereby warrants curb replacement for a period of two years from the date of permit.
- E. It shall be the responsibility of the owner/builder to maintain property stakes at all times.
- F. Proper barricades, flags, warning signals and flagmen, if necessary, shall be provided by the applicant to safeguard the public.
- G. All damages to the road surface, shoulders, slopes, ditches, curb and gutter, etc., shall be restored to a condition acceptable to the Town of Scott at the sole cost and expense of the applicant.
- H. The proposed construction and exercise of this permit shall conform to all requirements set forth in the ordinances of the Town of Scott and to any regulations set forth by any legally constituted body having jurisdiction.
- I. If a driveway section does not meet the Town of Scott specifications, the contractor/owner will be responsible to remove and replace.
- J. All driveway curbs which are existing and which will not be used shall be repaired according to requirements of the Building Inspector.
- K. Concrete shall be six bag mix minimum, with 6% minimum air entraining. Apron and sidewalk sections shall be six inches thick.
- L. Concrete is the only acceptable material to form any portion of a curb section.

§ 97-3. Surface and grade specifications.

- A. The surface of the driveway connecting with rural-type Town road sections shall slope down and away from the Town road shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the Town road.
- B. The driveway shall not obstruct or impair drainage in Town road side ditches or road side areas. Driveway culverts shall be adequate for surface water drainage along the Town road and in no case less than the equivalent of eighteen-inch-diameter pipe in new or like new condition by 26 feet in length minimum. The diameter shall be determined by a Town representative or hydraulic study if deemed necessary by the Town representative. The property owner shall be responsible for the cost of a hydraulic study if deemed necessary by the Town. The length of the pipe shall be determined by the owner according to the specified details for rural driveways. Pipe material shall be either corrugated metal or concrete. The culvert length shall not exceed the length required for the surface width plus the 3:1 side slopes to meet the existing ditch grade.

- C. Driveway side slopes shall be of earth material only. No concrete, stone or bituminous side slopes shall be constructed. End walls are required. The slope of the walls shall not be steeper than a 3:1 slope, and the elevation of the walls shall not protrude above the grade of the driveway.
- D. Rural driveways may be gravel, asphalt or concrete. If the replacement of any part of the driveway is being constructed or reconstructed by the Town as part of a public works project, then any decorative items (such as landscape stone, pavers, stamped pavement, etc.) will not be replaced by the Town. The Town will replace gravel driveways with six inches of standard gravel. If an existing driveway is concrete or asphalt, the Town will replace the area disturbed with the lesser cost of asphalt or concrete. Asphalt will be three inches thick, and concrete replacement will be six inches thick. Any cost above the standard surface will be the expense of the property owner.
- E. No property owner shall have more than one driveway access point unless an additional driveway access point is based on a hardship granted by the Town Board and adequate service to the property may be had without impairing the safety, convenience and utility of the road.

§ 97-4. Violations and penalties. [Added 5-12-2009²]

Any person who violates any provision of this chapter shall pay a forfeiture of not less than \$50 nor more than \$500 for each violation. Each day a violation occurs or continues shall constitute a separate offense.

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).