

CHAPTER 140

DRIVEWAY REGULATIONS

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140.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Driveway” means that part of any approach for motor vehicles to private property that lies between the property line and the roadway of the public street.
2. “Paving” includes any kind of hard surfacing, including (but not limited to) Portland cement concrete, bituminous concrete, brick, stabilized gravel or combinations of such materials, with the necessary base. “Paving” does not include surfacing with oil, gravel, oil and gravel or chloride.

140.02 PERMIT. Before any person shall construct or repair a driveway, said person shall obtain a written permit from the Public Works Director. A written application for the permit shall be filed with the Public Works Director. The application shall include the legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the proposed plan of construction or repair, which shall include the depth, width, and type of surfacing material to be used. No other plan shall be followed except by written permission of the Public Works Director, who may allow amendments to the application or permit that do not conflict with this chapter. The Public Works Director shall sign and issue the permit, bearing the date of issuance, if the proposed plan meets all of the requirements of this chapter, if the fee required under this chapter has been paid, and if the construction or repair as planned will not create any substantial hazard in the use of the street or sidewalk for public travel or drainage, or create any defect. Each permit shall expire six (6) months after the date of issuance, if not constructed within that time.

140.03 FEE FOR PERMIT. Before any permit is issued, the person who makes the application shall pay to the Clerk a fee in an amount set by resolution of the Council. The Clerk shall give the applicant a written receipt showing the sum received and the date.

140.04 DRIVEWAY REQUIREMENTS. All driveways shall be of paving of a depth of not less than six (6) inches and shall be at least ten (10) feet in width. The driveway may be placed directly on compact and well-drained soil.

140.05 SIDEWALKS. The grade of any sidewalk shall not be altered by the work done. The driveway shall be at the same level as any existing sidewalk.

140.06 EXCAVATIONS. Excavations to do work under this chapter shall be dug so as to occasion the least possible inconvenience to the public and to provide for the passage of water along the gutter. All such excavations shall have proper barricades at all times and warning lights placed from one-half hour before sunset to one-half hour after sunrise. Any street, sidewalk, or other public property that is affected by the work shall be restored to as good a condition as it was previous to the excavation. The affected area shall be maintained in good repair to the satisfaction of the Public Works Director after refilling.

140.07 REVOCATION OF PERMIT. The Public Works Director may, at any time, revoke a permit for any violation of this chapter and may require that the work be stopped.

140.08 INSPECTION AND APPROVAL. The driveway must be inspected and approved in writing by the Public Works Director within thirty (30) days after completion of the work. The Public Works Director shall keep a record of such approvals in his or her office. If the Public Works Director refused to approve the work, it must be corrected immediately so that it will meet with approval. If the work has been done improperly, the Public Works Director shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner. Such assessment shall be collected with the general property taxes and in the same manner.