

ORDINANCE NO. 111

AN ORDINANCE REGULATING THE CONSTRUCTION OF RESIDENTIAL DRIVEWAY APPROACHES TO TOWN ROADS WITHIN THE TOWN OF PLAINFIELD

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway approach to any portion of a town road without first having obtained a written permit to do so from the Town Engineer. No such permit shall be issued for construction or establishment of any such driveway approach except in accordance with the provisions herein contained. Application for permit must be made in writing on forms furnished by the Town of Plainfield. Said application shall contain the name and address of the person, firm or corporation having title to the premises over which the driveway approach is to be constructed or reconstructed, the name of the contractor or person who is to construct said driveway and the proposed location, specification and dimensions of such driveway.

SECTION 2. The construction and reconstruction (except routine maintenance) shall conform to the following technical specifications:

- A) Driveway approaches shall be so constructed that they match the grade and the gutter line of the road. Driveway slopes shall be no greater than eight percent (8%) vertical, unless a waiver is obtained from the Town Engineer. The Town Engineer may, if circumstances demand, allow a waiver of the vertical slope up to a maximum of fifteen percent (15%). A landing area equal to one (1) car length – (twenty feet) and no greater than three-per cent(3%) slope shall be constructed adjacent to the town road, to facilitate sight distance exiting the driveway.
- B) Minimum dimensions for paved driveway aprons at curbside are ten (10) feet wide, twelve (12) feet long and two inches (2”) thick on a 6” compacted gravel base (except in the case of Portland Cement Concrete driveways where the thickness shall be four inches (4”) minimum) on a 6” compacted gravel base. In addition all driveways shall have two (2), five (5) foot radius at the road transition to the driveway. Driveway slopes that exceed eight-percent (8%) shall be paved for the entire distance of such slope. If the town engineer determines that driveway washout will not be a problem he may waive this pavement provision.
- C) Driveways shall be located to obtain adequate sight distances. The clearing of brush, trees and other vegetation to obtain adequate sight line exiting the driveway will be the responsibility of the property owner. A minimum of 200’ sightline each direction will be required on roadways of 30 mph posted speed. At the discretion of the Town Engineer, the applicant may be required to provide a sight line demonstration.
- D) Driveway construction shall not cause ponding or other drainage and icing problems on town roads, on the driveways and on adjacent properties. Roof leader(s) shall not discharge directly on the driveway where the driveway slopes towards the road. A pipe under the driveway lateral to the roadway may be required to allow for free passage of roadway drainage.

SECTION 3. The Town Engineer shall from time to time inspect the construction or reconstruction of such driveway approach and shall have authority to revoke the permit in the event that said construction or reconstruction does not conform to the requirements of Section 2.

SECTION 4 There shall be a fee for issuing the permit. Such fee shall be set and revised by the Board of Selectmen from time to time.

SECTION 5. All persons performing work on permitted driveways shall provide the Town with a \$2,000.00 bond for a single driveway or a \$5,000.00 bond for multiple driveways, a current certificate of insurance for bodily injury liability and property damage liability in the type and amount required, and would be required to reimburse the Town of Plainfield for expenses and damages caused by the execution of the work. In the event a certificate of occupancy is required prior to paving of the driveway apron or driveway, the applicant shall post a cash bond of \$1,000.00 for each driveway apron to be paved and an additional cash bond of an amount sufficient to cover the cost of final driveway construction, preparation and paving the driveway or driveways prior to receiving the certificate of occupancy.

SECTION 6. Any violation of this ordinance shall be punishable by a fine of not more than \$100.00 for each day for failure to comply with the provisions hereof.

SECTION 7. The Town Engineer, or a person appointed by the Board of Selectmen, shall be responsible for the enforcement of this ordinance. On notification that a non-conforming driveway has been constructed the owner will have 30 days to correct the violation. Failure to correct the violation will result in forfeiture of bond or portion of bond required to correct the violation by town personnel or a town hired contractor. A certificate of occupancy will not be issued until the provisions of the driveway ordinance have been satisfied. Failure to correct an ordinance violation on an existing driveway constructed after adoption of this ordinance will result in a \$100 fine for failure to comply. Each day of violation shall constitute a separate violation of this ordinance. The property owner will receive a notice by mail and a grace period of 45 days to correct the violation before any fine would be imposed.

SECTION 8. Should any court of competent jurisdiction declare any section, clause or provision of this chapter to be invalid, such decision shall affect only such section, clause or provision so declared unconstitutional and shall not affect any other section, clause or provision of this chapter.

This ordinance shall become effective upon passage.

Effective 7/24/06