

Ordinance #289

The Village Board of Campbellsport, Fond du Lac County, Wisconsin, does hereby ordain as follows:

PART 1. PURPOSE

An Ordinance to create Requirement for a Driveway Permit under Chapter 12.04.045

PART 2. PROVISION CREATED

Section 12.04.045-A. is created to read as follows:

12.04.045 – A. Driveways. (1) PERMIT REQUIRED. No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the Village. *(a) Fee.* The fee for such permit shall be set from time to time by resolution of the board. *(b) Double fees.* The fee shall be doubled upon failure to obtain a permit before construction of a driveway begins. *(c) Fraudulent use of permits.* Any person who constructs or maintains a driveway across any sidewalk or curbing without first obtaining a permit and who knowingly displays a permit or any facsimile or likeness of a driveway permit in a manner visible to the public without authorization from the Village shall be subject to a forfeiture of five hundred dollars. *(d) Permit lapses.* A driveway permit shall lapse and be void unless driveway construction is completed within thirty days from the date of issuance.

1. Permits will be obtained from the Village three business days in advance of driveway construction to allow for the marking of village utilities. 2. In the event a permit lapses before construction can be completed, the Village shall, upon request and for a period of up to twelve months following the original date of issuance, reissue a permit to the original permittee at no charge. 3. All driveway construction standards and conformance requirements in effect on the date a permit is reissued shall apply and the reissued permit shall lapse and be void unless driveway construction is completed within thirty days from the date of reissuance. 4. A driveway permit shall be reissued to the original permittee at no charge no more than once.

(2) SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION. *(a) Width.* No driveway opening shall exceed 26 feet in width at the street curb line as measured from the height of the curb, unless the driveway serves a duplex with adjacent garages, in which case the opening for the combined driveway shall not exceed 32 feet in width at the street curb line as measured from the height of the curb. 1. At no point within the street right-of-way shall the width of a driveway as measured from edge to edge at right angle to its centerline exceed the maximum width allowed for the driveway opening. 2. In no event may the driveway exceed these maximum dimensions unless the Plan Commission and the Village Board of Trustees grants an exception. These same standards shall apply to the maximum allowable width of any driveway approach that abuts a street constructed with mountable type curb and gutter. *(b) Interference with Intersections Prohibited.* 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 for effective traffic control or for highway signs or signals. *(c) Interference with Street.* No

driveway apron shall extend out into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. 1. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches or roadside areas or with any existing structure on the right of way.

2. When necessary to provide for adequate surface water drainage along the street, the property owner shall provide and maintain any necessary culvert pipe at his own expense.

(d) Number of Approaches Limited. No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Plan Commission and the Village Board of Trustees. Any two (2) approaches shall be at least ten (10) feet apart. *(e) Workmanship and Materials.* 1. All driveway entrances and approaches shall be built in conformance with construction standards in effect at the time of the issuance of the driveway permit as adopted by the Village Board of Trustees. 2. All driveway entrances and approaches that are constructed across existing sidewalks or across any possible future sidewalks for which an approved plan exists, shall be paved in accordance with the requirements for sidewalk construction in effect at the time of the issuance of the driveway permit as adopted by the Village Board of Trustees.

(f) 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 the construction or repair of driveway approaches or entrances. When curb or gutter is removed the new connection shall be of equivalent or better material and curb returns provided or restored in a neat, workmanlike manner. 1. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner.

2. Any sidewalk areas that are damaged or are inadequate by reasons of vehicle travel across the sidewalk shall be replaced in accordance with the requirements for sidewalk construction in effect at the time of the issuance of the driveway permit.

(3) CONFORMANCE DEADLINE. Any driveway constructed in violation of any provision of this section shall, following notification by the Village, be brought into conformance at the property owner's expense within sixty days or as soon as weather permits, whichever is later. *(a) Deadline Extension.* In no event shall the conformance deadline be extended beyond the last day of June in the year following the year in which notification by the Village occurred. *(b) Costs.* Following the conformance deadline, the Village may cause a driveway which has not been brought into conformance by the property owner to be brought into conformance at the property owner's expense.

(4) CONSTRUCTION DEFINED. Construction of a driveway shall be defined as the actual placement of concrete, asphalt, or other material intended to serve as the permanent drivable surface of a driveway.

PART 3.

All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

PART 4.

This ordinance shall take effect upon passage and be in force from and after its introduction and publication as provided by statute.

VILLAGE OF CAMPBELLSPORT

Dean Uelmen, Village President

ATTEST:

Diane Lemke, Village Clerk/Treasurer

Passed and adopted this ____ day of _____, 2005

Roll Call Vote _____ "Ayes" _____ "Noes" _____ "Abs."

Published _____
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