

ORDINANCE WITH REGARD TO BUILDING OF DRIVEWAYS AND SIDEWALKS (AS AMENDED)

SECTION 1. No person, firm or corporation shall hereafter construct, build, establish or maintain any driveway, sidewalk or other entrance to any property adjoining a public highway or right-of-way 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, sidewalk or other entrance except in accordance with the provisions herein contained.

Application for permit must be made in writing upon forms furnished by the Town. Said application shall contain the name and address of the person, firm or corporation making the application, the name of the contractor or person who is to construct said driveway, sidewalk or other entrance, and the proposed location and dimensions of such driveway, sidewalk or other entrance, to adequately warn and protect the public while the job is in process.

Application for permit shall be made by the contractor who shall be a paving contractor approved by the Director of Public Works or his agent. Complete plans and specifications shall be submitted to the Town Engineer at least three (3) days before the permit shall be issued.

SEC. 2. Before the granting of any permit a fee of two dollars (\$2.00) shall be paid by the applicant.

SEC. 3. All work shall be done under the jurisdiction of the Director of Public Works or his agent and in accordance with the ordinances of the Town; and shall be inspected upon completion by the constituted member of such department.

SEC. 4. All plans and specifications must conform to the following minimum requirements before permit for construction or reconstruction shall be permitted:

(a) Any driveway, sidewalk or other entrance shall be installed at an elevation or grade at the street line on any fifty (50) foot right-of-way, seven (7) inches above the gutter elevation or grade, or two (2) inches above the grade or elevation of the center line of the street.

(b) In any case where these base elevations or grades are undetermined or indeterminate a street line elevation or grade shall be furnished by the Town Engineer.

(c) The width of the driveway, sidewalk or other entrance shall be as determined from time to time by the Director of Public Works.

(d) Combined curb and gutter and separate curbing shall be entirely removed for the full width of the driveway opening at curb line. If an existing joint in said curb is within five (5) feet of the end of the driveway opening, remove the existing curbing, etc. to said joint, otherwise cut said combined curb and gutter or separate curbing, making a neat edge truly at right angles to the edge of the pavement and truly vertical. Integral curbing, which is that type placed with the pavement and molded as an integral part of it, must be removed for the full depth from the top of curb to the bottom of the pavement. The edge must be cut as above described. No combined curb and gutter, straight curb or integral curb shall be removed within five (5) feet of a public crosswalk.

(e) Where driveways cross open ditches in the parkways, culverts shall be installed. Said culverts shall be of such size and shall be constructed of such material as determined by the department of public works, depending on the conditions existing. In no instance shall the size of opening be less than that obtained by a twelve (12) inch diameter pipe. The length of culvert shall be determined by the following method: For ditch of two (2) feet or less the culvert shall extend not less than five (5) feet beyond both edges of the driveway where it crosses the ditch. For each additional foot depth of ditch add two (2) feet to the above figure, except that no culvert shall be less than twenty (20) feet long and except that where headwalls are constructed at the ends of the culvert the length shall be as determined by the Department of Public Works.

(f) Where a change in existing drainage installations must be made or trees removed in order to comply with this ordinance, the cost for such change shall be borne solely by the applicant and the determination of the change necessary and the work done shall be under the direction and supervision of the public works department.

(g) All driveways constructed or reconstructed over, across or upon any public street or public parkway in the town shall be kept and maintained at all times in accordance with the provisions hereof by the persons so constructing, reconstructing or using the same as an adjunct or appurtenance to lands or properties immediately adjacent thereto.

SEC. 5. Any person, firm or corporation who shall hereafter construct, build, establish or maintain any driveway, sidewalk or other entrance to any property abutting an unaccepted or private road without obtaining a permit shall do so at their own risk and thereafter if said unaccepted road or private way shall be accepted by the Town anyone abutting thereon shall be

subject to compliance with these regulations and may be so compelled by the Town and the Town shall be released of any responsibility whatsoever to said property owner or its assigns.

SEC. 6. Any installation made illegally or incorrectly shall be subject to correction as per the instruction of the Director of Public Works, and if such defect is not corrected within a reasonable time as determined by the Director of Public Works, said defects shall be corrected by the Department of Public Works or its agents, and the cost for such corrections shall be borne solely by the property owner and shall be a lien on the property in the same manner as real property taxes, and shall be placed by the Director of Public Works on the land records thereof within sixty (60) days from the date of completion by the Department of Public Works or its agents.

SEC. 7. The Director of Public Works may vary any of the requirements of this ordinance for proper cause, but such variance shall be so noted on the permit and signed by the Director of Public Works or his authorized agent.

SEC. 8. Accompanying the application the contractor shall file with the Department of Public Works the following bonds:

(a) A performance bond in the sum of \$2,000 or more.

(b) A surety bond issued by a regular indemnity or surety company authorized to do business in the State of Connecticut conditioned substantially that the applicant shall indemnify and save harmless the Town of Plainville or any of its officers from all suits and action of every name and description brought against the said Town, or any officer of said Town for or on account of any injury or damage, received or sustained by any person in consequence of or resulting from any work performed, or negligence by said applicant, his servants or agents; or of or from any negligence in guarding such work.

SEC. 9. Whoever shall violate any of the provisions of this ordinance shall, upon conviction, be fined not more than \$25.00 for each offense.

Adopted by Town Council September 3, 1963