

2-5 Ordinance for Driveways

Section 1: Purpose

The purpose of this ordinance is to enhance the character of public and private streets, maintain property values, and reduce erosion, sediment deposition, and drainage issues on public and private streets within the community. Existing wood paths, cart paths, or other pre-existing travel ways shall be required to meet the requirements of this ordinance at the time the property is improved or the use of the travel way negatively impacts an abutting property or street. Any or all sections of this ordinance may be waived on a case-by-case basis when the access is for agricultural purposes.

Section 2: Definitions

DRIVEWAY - A traveled way for vehicular access to and from public or private streets, with or without a curb cut.

CURB CUT - The opening along the gutter of a street where vehicles may enter or leave a public or private street.

Bituminous Concrete - For the purpose of this ordinance bituminous concrete shall mean a bituminous material such as crushed stone mixed with asphalt.

Bituminous Concrete Equivalent - For the purpose of this ordinance the equivalent to bituminous asphalt concrete shall be Portland cement concrete or modular pavers.

Section 3: Requirements

No person shall construct, reconstruct or relocate a driveway in the Town of Stafford without a permit from the Public Works Department. At a cost of \$100.00 for new construction and relocation. The cost of a permit to repair a driveway shall be \$25.00. All driveways shall have a bituminous concrete or equivalent apron installed. The apron shall be the full width of the driveway and shall extend at least 15 feet deep measured from the edge of the road. For new construction, no certificate of occupancy shall be issued until the driveway apron has been installed and approved by the public works department or a \$1,000.00 cash bond per curb cut is deposited with the Town. Such bond will be forfeited if the apron(s) is not completed within six months of issuance of the certificate of occupancy. In the case of reconstruction or relocation if the apron or aprons are not installed within 45 days from the issuance of the permit the Town of Stafford shall have the right to install the said aprons within the right of way. The Town will use bituminous asphalt concrete and assess the property in the form of a lien of \$1,000 per curb cut.

No obstructions, including but not limited to decorative shrubs, flowers, rocks, etc., will be permitted within 10 feet from the edge of the roadway which would obstruct the visibility of those using the

driveway or those who would be passing by in either direction.

The maximum slope of the first 25 feet of the driveway measured from the edge of the roadway into the property shall not exceed 5%. Thereafter, the driveway slopes shall not exceed 14% unless waived by the Board of Selectmen. All driveways or portions of driveways, with slopes over 10% shall be paved with bituminous concrete or equivalent. For new construction, no certificate of occupancy shall be issued until all required slope paving is completed.

Recycled asphalt may only be used when mixed properly with an emulsion, rolled, broomed, and sealed; or as a base to be covered by a layer of hard surface bituminous concrete.

Driveways shall be designed and constructed so as to prevent surface runoff from the driveway and surrounding areas (roofs, gutters, lawn, etc.) from discharging to the travel portion of the roadway. The driveway design shall be reviewed by the Town Engineer. Runoff shall be controlled by grading or the use of some other type of appropriate drainage and or retention.

Driveways shall have clear sightlines of approximately 220 feet, in both directions, with the average speed limit of 30 miles per hour as stated in the Conn-Dot highway design manual, section 7-2.01, or as amended. In the case of new construction, no certificate of occupancy will be issued until all required sightline improvements are completed and all disturbed areas are stabilized and seeded.

In any case, where a driveway intersects a State Highway, a DOT encroachment permit is required. Proof of such permit shall accompany all applications for such permits.

Section 4: Municipal Improvements

In the event the Town of Stafford performs any construction or maintenance activity within the street right of way disturbing a driveway apron, the Town will only be responsible to repair or replace the disturbed apron with bituminous asphalt concrete.

In the event, the Town of Stafford performs any construction or maintenance activity within the street right of way the Town will not be responsible to replace any landscaping, including but not limited to decorative shrubs, flowers, rocks, etc.

Section 5: Survivability

Should any section of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

Nothing contained in this ordinance shall constitute a waiver by the Town to exercise all its rights under Connecticut General Statute to exercise any portion of this ordinance; or other ordinances, regulations, or laws.

Effective 5-11-05

Amended: 2-1-07

Amended: 6-23-2011
Effective 7-15-2011