

Title 20

STREETS AND SIDEWALKS

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CHAPTER 1. IN GENERAL**Sec. 20-101. Street names.**

The names of the streets of the Town shall be designated by the Town Council.
(Prior Code, § 20-101)

Sec. 20-102. Electric poles, posts, etc.

No person shall encroach into or upon any of the sidewalks, streets or alleys of the Town by erecting or maintaining thereon any pole, post or other structure used in the transmission of electric current by wire, including electric light, telegraph or telephone poles, or attach or maintain upon such poles, posts or other structures, any wire for any purpose whatsoever, except in accordance with the rights conferred by the Town Council.
(Prior Code, § 20-102)

Sec. 20-103. Keeping sidewalks clear of ice, snow, dirt, etc.

All persons shall keep the sidewalks in front of and adjacent to the premises occupied by them clear of ice, mud, dirt, rubbish, or other refuse, and after any fall of snow, shall cause the snow to be immediately removed from such sidewalk.
(Prior Code, § 20-103)

Sec. 20-104. Deposit of petroleum products on streets, etc.

No person shall drain or deposit upon any street, sidewalk, alley, park or public place or into any sump, gutter, catchbasin, manhole, conduit, sewer, lake or waterway in the city any tar, asphaltum, gasoline, lubricating oil, greases, waste oil from automobile or truck crank cases or any byproduct of petroleum.
(Prior Code, § 20-104)

Sec. 20-105. Obstructions on streets, sidewalks, etc.—Generally.

No person shall have any obstruction upon the streets, sidewalks or alley within the Town except as provided by the provisions of this Code or other ordinances of the Town.
(Prior Code, § 20-105)

Sec. 20-106. Obstructions on streets, sidewalks, etc.—Building materials, machinery, etc.

It shall be unlawful for any person to cause or permit any building materials, machinery, sand, dirt or other object to be in or upon the streets, alleys or sidewalks of the city without first obtaining a permit from the Town for such use of streets, alleys or sidewalks, provided that, whenever a permit is issued, such permit shall carry the right to place materials,

machinery or other objects upon the streets, alley or sidewalks, subject to such conditions as are deemed necessary for the safety of persons on or about such streets, alleys or sidewalks and which are set forth in the permit.

(Prior Code, § 20-106)

Sec. 20-107. Cellar doors, pits, etc.

No person shall allow any cellar door, pit, vault or other subterraneous opening on or adjacent to any highway or sidewalk to be left or kept open or be in an insecure condition so that passersby will be in danger of falling into such cellar, pit, vault or other subterraneous opening.

(Prior Code, § 20-107)

Sec. 20-108. Closing streets for construction, alteration, etc.

The Chief of Police is hereby authorized to temporarily close any street, alley or other public way of position thereof, while such street, alley or public way is undergoing construction, alteration or repair or being involved with any special work. In closing such street, alley or public way, the Chief of Police shall cause to be erected appropriate barricades, signs and warnings sufficient to fairly apprise the public thereof.

(Prior Code, § 20-108)

Sec. 20-109. Cleated tracks or lugged wheels prohibited generally without permit.

No cleated track vehicle with lugged wheels shall be permitted upon the streets, alleys or sidewalks of the Town at any time without a permit from the Town Council.

(Prior Code, § 20-109)

Sec. 20-110. Permit to be issued.

The Town Council may issue a permit to operate cleated track vehicles or vehicles with lugged wheels upon such streets as the Town Council shall specify upon posting of the bond required in Section 20-111.

(Prior Code, § 20-110)

Sec. 20-111. Bond required.

The Town Council shall require a bond to be posted by any person wishing to obtain a permit to operate vehicles referred to in Section 20-109. The amount of the bond shall be sufficient to pay for all damages which may occur. The Town Council shall have the discretion to determine the amount of said bond.

(Prior Code, § 20-111)

Sec. 20-112. Permittee to pay costs of repair.

All repairs caused by the operation of vehicles referred to in Section 20-109 shall be paid for by the permittee.
(Prior Code, § 20-112)

CHAPTER 2. CONSTRUCTION AND REPAIR**DIVISION 1. GENERALLY****Sec. 20-201. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrative Authority means the official of the Town vested with supervision of all public places in the Town, or his authorized representative.

Excavation means any opening in the surface of a public place made in any manner whatsoever, except an opening into a lawful structure below the surface of a public place, the top of which is flush with the adjoining surface and so constructed as to permit frequent openings without injury or damage to the public place.

Facility means any material, structure or object of any kind or character, whether enumerated herein or not, which is or may be lawfully constructed, left, placed or maintained in, upon, along, across, under or over any public place.
(Prior Code, § 20-201)

Sec. 20-202. Administrative Authority to make inspections and promulgate rules and regulations.

The Administrative Authority shall make such inspections as are reasonably necessary in the enforcement of this chapter. The Administrative Authority shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary to enforce and carry out the intent of this chapter.
(Prior Code, § 20-202)

Sec. 20-203. Permit—Required; issuance generally; annual blanket permit.

No person shall make any excavation or fill any excavation in any public place without first obtaining a permit to do so from the Administrative Authority, except as otherwise provided in this division. No permit to make an excavation or fill an excavation in a public

place shall be issued except as provided in this chapter. The Administrative Authority may issue an annual blanket permit for the purpose of placing, replacing or repairing any facility within a public place to the following:

- (1) A public utility regulated by the State Public Utilities Commission.
- (2) A person holding a franchise from the Town.

(Prior Code, § 20-203)

Sec. 20-204. Permit—Application; approve application becomes permit.

(a) No excavation permit shall be issued unless an application for the issuance of an excavation permit is submitted to the Administrative Authority. The application shall state the name and address and principal place of business of the applicant, the authority of the applicant to occupy the public place for which the permit is sought, the location and dimensions of the installation or removal which excavation is to be made, the purpose of the facility and the length of time which will be required to complete such work, including backfilling such excavation and removing all obstructions, material and debris.

(b) The application, when approved and signed by the Administrative Authority, shall constitute a permit.

(Prior Code, § 20-204)

Sec. 20-205. Barriers and warning devices for safety.

It shall be the duty of every person, cutting or making an excavation in or upon any public place, to place and maintain such barriers and warning devices as may be necessary for safety. Barriers shall meet the requirements of the Administrative Authority. Warning lights shall be used from sunset of each day to sunrise of the following day and shall emit light of sufficient intensity and frequency to be visible at a reasonable distance for safety. Reflectors or reflecting material may be used to supplement, but not replace, light sources.

(Prior Code, § 20-205)

Sec. 20-206. Crossing and passageways for pedestrians and vehicles.

A permittee under this division shall maintain safe crossings for two (2) lanes of vehicle traffic at all street intersections, where possible, and safe crossing for pedestrians. If any excavation is made across any public street, alley or sidewalk, at least one (1) safe crossing shall be maintained, when possible, for vehicles and pedestrians. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, a passageway at least one-half ($\frac{1}{2}$) of the sidewalk width shall be maintained along such sidewalk lane.

(Prior Code, § 20-206)

Sec. 20-207. Routing of traffic; closing of streets.

A permittee under this chapter shall take appropriate measure to ensure that during the performance of the excavation work, traffic conditions as near normal as practicable shall be

maintained at all times so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public, provided that the Administrative Authority may permit the closing of streets and alleys to all traffic for a period of time prescribed by him, if in his opinion it is necessary.

(Prior Code, § 20-207)

Sec. 20-208. Emergency excavations.

Nothing in this chapter shall be construed to prevent the making of such excavations as may be necessary for the preservation of life or property or for the location of trouble in any conduit or pipe or for making repairs, provided that the person making such excavation shall apply to the Administrative Authority for an excavation permit on the first working day after such work is commenced.

(Prior Code, § 20-208)

Sec. 20-209. Liability of municipality and municipal employees.

This chapter shall not be construed as imposing upon the Town or any official or employee thereof any liability or responsibility for damages to any person injured by the performance of any excavation work for which an excavation permit is issued, nor shall the Town or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspections authorized under this chapter, the issuance of any permit or the approval of any excavation work.

(Prior Code, § 20-209)

Secs. 20-210—20-219. Reserved.

DIVISION 2. CONDUCT OF WORK

Sec. 20-220. Prompt completion of work and restoration required.

After an excavation is commenced, the permittee under this chapter shall prosecute with diligence and expedition all excavation work covered by the excavation permit and shall promptly complete such work and restore the street, sidewalk or alley to its original condition or as near as may be, so as not to obstruct the public place or travel thereon more than is reasonably necessary.

(Prior Code, § 20-210)

Sec. 20-221. Administrative authority may cause work to be done 24 hours per day.

If in his judgment, traffic condition, the safety or conveniences of the traveling public or the public interest require that the excavation work be performed as emergency work, the Administrative Authority shall have full power to order, at the time the permit for

excavation work is granted, that a crew of men and adequate facilities be employed by the permittee twenty-four (24) hours a day to the end that such excavation work may be completed as soon as possible.

(Prior Code, § 20-211)

Sec. 20-222. Inconvenience, annoyance, etc., to general public and occupants of neighboring property.

Each permittee under this chapter shall conduct and carry out excavation work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce, to the fullest extent practicable in the performance of the excavation work, noise, dust and unsightly debris, and, during the hours of 10:00 p.m. to 7:00 a.m., shall not use, except with written permission of the Administrative Authority in case of an emergency as otherwise provided in this chapter, any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of neighboring property.

(Prior Code, § 20-212)

Sec. 20-223. Interference with access to fire hydrants, fire escapes and other vital equipment.

All excavation work under this chapter shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, valve housing structures or any other vital equipment as designated by the Administrative Authority.

(Prior Code, § 20-213)

Sec. 20-224. Relocation and protection of facilities.

A permittee under this chapter shall not interfere with any existing facility without the written consent of the Administrative Authority and the owner of the facility. If it becomes necessary to relocate an existing facility, this shall be done by its owner. No facility owned by the Town shall be moved to accommodate the permittee unless the cost of such work is borne by the permittee. The cost of moving privately owned facilities shall be similarly borne by the permittee, unless he makes other arrangements with the person owning the facility. The permittee shall support and protect all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them under, over, along or across such work. In case any of such pipes, conduits, poles, wires or apparatus should be damaged, they shall be repaired by the person owning them and the expense of such repairs shall be charged to the permittee and his bond shall be liable therefor. The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer, gas pipe, electric conduit or other facility. The permittee shall inform himself as to the existence and location of all underground facilities and protect the same against damage.

(Prior Code, § 20-214)

Sec. 20-225. Protection of adjoining property.

A permittee under this chapter shall, at all times and at his own expense, preserve and protect from injury any adjoining property by providing proper foundations and taking other measures suitable for that purpose. Where in the protection of such property it is necessary to enter upon private property for the purpose of taking appropriate protective measures, the permittee shall obtain a license from the owner of such private property for such purpose and if he cannot obtain a license from such owner, the Administrative Authority may authorize him to enter the private premises solely for the purpose of making the property safe. The permittee shall, at his own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during the progress of the excavation work and shall be responsible for all damage to public or private property or highways resulting from his failure to properly protect and carry out such work.

(Prior Code, § 20-215)

Sec. 20-226. Care of lawn areas; removal of all trees and shrubs from parking strip areas.

(a) Whenever it may be necessary for a permittee under this chapter to trench through any lawn area, all construction and maintenance work shall be done in a manner calculated to leave the lawn area clean of earth and debris and in a condition as near as possible to the condition which existed before such work began.

(b) The permittee shall not remove, even temporarily, any trees or shrubs which exist in parking strip areas without first obtaining the consent of the Town Council.

(Prior Code, § 20-216)

Sec. 20-227. Breaking through pavement.

The following provisions shall be applicable where any excavation required breaking through pavement:

- (1) Heavy duty pavement breakers may be prohibited by the Administrative Authority when the use endangers existing substructures or other property.
- (2) Saw cutting of cement concrete may be required by the Administrative Authority when the nature of the job or the condition of the street warrants.
- (3) Approved cutting of bituminous pavement surface ahead of excavation may be required by the Administrative Authority to confine pavement damage to the limits of the trench.
- (4) Sections of sidewalks shall be removed to the nearest score line or saw cut edge.
- (5) Unstable pavement shall be removed over cave outs and overbreaks and the subgrade shall be treated as the main trench.
- (6) Pavement edges shall be trimmed to a vertical face and neatly aligned with the centerline of the trench.

- (7) Cutouts outside of the trench lines must be normal or parallel to the trench line.
 - (8) Boring or other methods to prevent the cutting of new pavement may be required by the Administrative Authority.
 - (9) A permittee under this chapter shall not be required to repair damage existing prior to excavation done by him unless his cut results in small floating sections that may be unstable, in which case the permittee shall remove and pave the area.
- (Prior Code, § 20-217)

Sec. 20-228. Disposition of materials from excavation.

All material excavated from trenches and piled adjacent to the trench or in any street shall be piled and maintained in such a manner as not to endanger those working in the trench, pedestrians or other users of the streets and so that as little inconvenience as possible is caused to those using streets and adjoining property. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, the Administrative Authority shall have the power to require that the permittee under this chapter haul the excavated material to a storage site and then rehaul it to the trench site at the time of backfilling.

(Prior Code, § 20-218)

Sec. 20-229. Removal of debris.

As excavation work progresses, all streets, sidewalks and alleys shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Administrative Authority and immediately after completion of such work the permittee shall, at his own expense, clean up and remove all refuse and unused material of any kind resulting from such work.

(Prior Code, § 20-219)

Sec. 20-230. Gutters to be kept free and unobstructed.

A permittee under this chapter shall maintain all gutters free and unobstructed for the full depth of the adjacent curb and for at least one (1) foot width from the face of such curb at the gutter line.

(Prior Code, § 20-220)

Sec. 20-231. Disposal of muck, silt, etc.

A permittee under this chapter shall make provisions to dispose of all surplus water, muck, silt, slickings or other runoff pumped from excavations or resulting from sluicing or other operations and shall be responsible for any damage resulting from its failure to so provide.

(Prior Code, § 20-221)

Sec. 20-232. Backfilling.

Fine material, free from lumps and stone, shall be thoroughly compacted around and under the substructure to the upper level of such substructure. Above the upper level of the substructure, backfill material shall be placed to the subgrade of the pavement in lifts consistent with the type of soil involved and the method of consolidation being used. Broken pavement, large stones, roots and other debris shall not be used in the backfill. Each lift shall be filled, jetted, rolled or tamped or a combination of these methods shall be used, depending upon the type of soil involved, to compact the backfill material. Such backfill shall be done in a manner that will permit the restoration of the surface to condition equivalent to that in which it was prior to excavation.

(Prior Code, § 20-222)

Sec. 20-233. Restoration of surface.

(a) Resurfacing of excavations shall be done with such materials and in such manner as to restore the surface to a condition at least as good as the surface prior to the commencement of the excavation.

(b) Temporary surfacing may be required by the Administrative Authority where the backfill is likely to settle. The temporary surface shall be replaced with permanent resurfacing when the backfill has ceased to settle.

(c) All surfaces and subsurfaces shall conform to the method of construction of the street, sidewalk or alley in which the excavation was made.

(d) All restoration shall be done at the expense of the permittee, and should the permittee fail to restore the excavation after ten (10) days' notice from the Town, the Town shall have the right to restore and charge the permittee the full cost of such restoration.

(Prior Code, § 20-223)

CHAPTER 3. CONSTRUCTION AND REPAIR OF SIDEWALKS AND CURBS**Sec. 20-301. Duty of adjoining landowners.**

All owners of land adjoining any street, road, alley or other public way in the Town shall construct, reconstruct or repair sidewalks and curbs along such street, road, alley or other public way adjoining to such land when ordered to do so by the Town Council.

(Prior Code, § 20-301)

Sec. 20-302. Orders to construct, reconstruct, etc.—Form and contents.

When an order is issued to a property owner to construct, reconstruct or repair sidewalks or curbs, the order shall be in writing and shall designate the location, manner of construction, construction material, width and grade of such sidewalk or curb to be constructed, reconstructed or repaired, provided that the specifications of the Town Council

shall not be such as to require any property owner to construct a sidewalk or curb of different material or in a different manner than is required of the owners of other land in the same block fronting the same street, road, alley or other public way.

(Prior Code, § 20-302)

Sec. 20-303. Orders to construct, reconstruct, etc.—Criteria for issuance.

The construction, reconstruction or repair of sidewalks and curbs shall be ordered when safe and satisfactory walkways are to be provided for children enroute to or from school or when, because of existing conditions in any area of the Town, the public safety, convenience and general welfare will be served by the construction, reconstruction or repair of such sidewalks and curbs.

(Prior Code, § 20-303)

Sec. 20-304. Orders to construct, reconstruct, etc.—Service on landowner.

The written order provided for in Section 20-302 shall be served personally upon the property owner, if he is to be found within the Town, by the Chief of Police or some member of the police force designated by the Chief of Police to make such service. Service shall be by registered or certified mail if the owner lives outside the Town and his address is known; otherwise, such order shall be published once in a newspaper of general circulation published in the Town.

(Prior Code, § 20-304)

Sec. 20-305. Commencement of work after service of order.

When an order has been served, mailed or published, as provided for in Section 20-304, the owner shall, within two (2) weeks after such service, mailing or publication, commence the construction, reconstruction or repair of such sidewalk or curb and finish the same without delay.

(Prior Code, § 20-305)

Sec. 20-306. Construction, reconstruction, etc., by Town upon failure of landowner to do so; collection of cost of construction from landowner.

In the event an owner fails to proceed as provided in Section 20-305, the Town shall proceed without delay to cause the sidewalks or curb to be constructed, reconstructed or repaired, paying for the cost thereof out of available funds of the Town authorized by law, and shall immediately assess and levy the cost thereof against the lot or parcel of land upon which such sidewalk or curb shall front, certify same to the County Treasurer, where it shall be collected in the manner provided for the collection of municipal taxes, and shall, upon becoming delinquent, be subjected to the same interest, penalty and liens as other delinquent municipal taxes.

(Prior Code, § 20-306)

Sec. 20-307. Disposition of money collected from landowners failing to construct, reconstruct, etc.

All money collected and returned to the Town under the provisions of Section 20-306 shall be credited to the fund from which payment for the construction, reconstruction or repair of sidewalks or curbs was made.

(Prior Code, § 20-307)

Sec. 20-308. Location and width of sidewalks.

Sidewalks shall be a minimum of four (4) feet in width and shall be constructed adjacent to the curb, unless circumstances require a variance, in which case the variance request must be secured from the Planning Commission prior to construction.

(Prior Code, § 20-308; Ord. No. 10-1981, 6-8-1981)

CHAPTER 4. CONSTRUCTION AND REPAIR OF DRIVEWAYS

Sec. 20-401. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Change of use means any change of purpose for which any land, building or structure is occupied, maintained, arranged, designed or intended.

Driveway means any area, construction or facility between the roadway of a street and private property to provide access for vehicles from the roadway of a street to private property.

Parking strip means the space between the street roadway or curblines and the property line, with the exception of the sidewalk area.

Roadway means the paved, improved or proper driving portion of a street, designed and ordinarily used for vehicular traffic.

Sidewalk area means that portion of the space lying between the street roadway or curb line and the property line which is reserved for sidewalks, either existing or proposed.

Street means any street, alley or other public place within the Town.

(Prior Code, § 20-401)

Sec. 20-402. Compliance with chapter.

Any access from a public roadway to private property provided, constructed, altered or repaired shall be through driveways constructed according to the provisions of this chapter.

(Prior Code, § 20-402)

Sec. 20-403. Permit required.

Except when included in a building permit, no person shall commence work on the construction, alteration, repair or removal of any driveway or the paving of any parking strip on any street, alley or other public place in the Town without a written permit first having been obtained from the Town Council.

(Prior Code, § 20-403)

Sec. 20-404. Permit application.

(a) Any party requesting a permit required by Section 20-403 shall file a written application therefor with the Town Council. Such application shall include:

- (1) The name and address of the applicant.
- (2) The name and address of the owner of the property abutting the street where the work is proposed.
- (3) The exact location of the proposed work, giving the street address or legal description of the property involved.
- (4) A detailed plan showing the exact dimensions of the abutting property and the exact dimensions and location of all existing or proposed driveways and other pertinent features within the limits of the frontage of such property.
- (5) The location of buildings, loading platforms or off-street parking facilities being served or to be served by such driveways.

(b) The Town Council may require, at its discretion, the filing of any other information when, in its opinion, such information is necessary to properly enforce the provisions of this chapter.

(Prior Code, § 20-404)

Sec. 20-405. Plans to comply with other municipal regulations.

No plan shall be approved, nor a permit under this chapter issued, where it appears that the proposed work or any part thereof conflicts with the provisions of this Code or any other ordinance of the Town; nor shall issuance of a permit under this chapter be construed as a waiver of the provisions of this Code or other ordinance requirements.

(Prior Code, § 20-405)

Sec. 20-406. Compliance with Town standards and specifications.

All construction outlined in this chapter shall be performed in accordance with the standard plans and specifications of the Town, and shall be performed to the satisfaction of the Town Council through its authorized employees and representatives.

(Prior Code, § 20-406)

Sec. 20-407. Location and size.

Every driveway hereafter constructed or altered in street rights-of-way shall conform to the following regulations:

(1) *Location.*

- a. No driveway shall be located so as to create a hazard to pedestrians or motorists or invite or compel illegal or unsafe traffic movements.
- b. Unless otherwise approved, all driveways, including the returns, shall be constructed within lines at right angles to the curblines and passing through the front property.
- c. No driveway shall be constructed in such manner as to create a hazard to any existing street lighting standard, utility poles, traffic regulating device or fire hydrant. The cost of relocating any such street structure, when necessary to do so, shall be borne by the abutting property owner. Relocation of any street structure shall be performed only by or through the person holding authority for the particular structure involved.
- d. No construction, alteration or repair shall be permitted for any driveway which can be used only as a parking space or which provided access only to the area between the street roadway and private property.

(2) *Size and number.*

- a. Except as otherwise provided in this chapter, the width of any driveway shall not exceed thirty-five (35) feet, exclusive of the radii of the returns, the measurement being made parallel to the centerline of the street roadway. Where driveways are to enter on courts or alleys having a right-of-way width of forty (40) feet or less, the width of the driveways may exceed thirty-five (35) feet, and the limitation of the percentage of property frontage in driveways may be waived, provided that the overall plan of the location of such driveways shall meet the approval of the Town Council.
- b. The width of any driveway shall not be less than ten (10) feet, exclusive of the radii of the returns, the measurement being made at right angles to the center of the driveway.
- c. 1. Except as otherwise provided in Subsection (2)b of this section, the total width of all driveways for any one (1) ownership on a street shall not exceed fifty (50) percent of the frontage of that ownership along the street. Any driveway which has become abandoned or unused through a change of the condition for which it was originally intended or for which for any other

reason has become unnecessary may be closed and the owner required to replace any such driveway with a standard curb and sidewalk in accordance with the provisions of Sections 20-301 through 20-307.

2. Whenever in a single ownership the total width of existing driveways on a street is over fifty (50) percent of the frontage of the ownership of that street, such existing driveways shall be made to conform to the provisions of this chapter in the event of any of the following changes:
 - i. Any alteration or repair of such existing driveways in excess of twenty-five (25) percent of the frontage of the ownership on that street or widening of any such existing driveways.
 - ii. Any construction of additional driveways in the ownership or the alteration or repair of any driveways in the ownership in excess of twenty-five (25) percent of the frontage on which the driveways are to be altered or repaired, when the ownership has frontage on two (2) or more streets.
 - iii. Any change of use of the ownership.
3. Upon the alteration or repair of any one (1) or more of the driveways, the Town Council may require such changes in any or all of the driveways of that ownership necessitated for better movement of traffic or to provide better protection to pedestrians.
4. Where a single ownership is developed into more than one (1) unit of operation, each sufficient in itself to meet the requirements of off-street parking or loading, and where the safety of pedestrians or vehicular traffic is not endangered, then the requirements outlined in this Subsection (2)c may be construed to apply to each separate unit of operation rather than to the entire ownership.
- d. There shall not be more than two (2) driveways on one (1) street for any one (1) ownership except where a single ownership is developed into more than one (1) unit of operation each sufficient in itself to meet the requirements of off-street parking or loading and where the necessity for separate access to the street is evident. In such cases, there shall be no more than two (2) driveways on one (1) street for any one (1) unit of operation.
- e. The radius for any driveway return shall be five (5) feet, unless otherwise directed by the Town Council.
- f. The angle between any driveway and the street roadway or curbline shall not be less than forty-five (45) degrees.

(Prior Code, § 20-407)

Sec. 20-408. Waiver of location and size requirements.

In the event the Town Council should determine that, in the application of the provisions of Section 20-407 to the use of any property, there is created an undue hardship, the Town Council may, through action in regular meeting, grant an exception to the property owner insofar as complying with the provisions of Section 20-407 is concerned.

(Prior Code, § 20-408)