

ORDINANCE NO. 02-19

AN ORDINANCE CREATING CHAPTER 8.11 OF THE MUNICIPAL CODE – DRIVEWAY PERMITS

The Common Council of the City of Waupaca do ordain as follows:

8.11 - DRIVEWAY PERMITS:

- (1) PERMIT. Any new construction, replacement in whole, or moving of any driveway shall require and be subject to the conditions of a driveway permit issued through the Department of Public Works. Requirements for permit applications are covered herein.
- (2) FEES. There is no permit fee associated with obtaining a permit. Any person who fails to obtain a permit or approval of permit prior to conducting work within the public right of way or violate any provision of this section shall be subject to a penalty as referenced in section 8.15 – PENALTY of this chapter or as provided in section 25.04 PENALTY PROVISIONS.
- (3) GENERAL. The City of Waupaca shall promote the safe and efficient travel of persons on the public right-of-way and to preserve the capacity of the roadway to accommodate such travel. The issuance, denial, modification and revocation of driveway permits may be used to implement this policy. Driveways shall be installed so that reasonable access from the roadway is created considering roadway speed and vehicle size, adequate horizontal separation from other driveways and roadway intersections is considered, and points of conflicts between all vehicles and pedestrians is kept to a minimum.

The private driveway access point shall be defined as the point where the public roadway ends at the edge of a paved lane, paved shoulder, or back of curb and gutter. From this point to the private property shall be the responsibility of the owner of the property served by the driveway approach.

All private driveway access points within public right of way shall be made of asphaltic pavement, concrete pavement, decorative pavement and be constructed in accordance with sub (6) DESIGN CRITERIA below. Private driveways shall not cross adjacent property lines except for existing driveways that are shared by others or a shared access agreement is in place.

Gravel driveways shall not be allowed within public right-of-way. Existing gravel driveways at the time of this ordinance creation are allowed unless the existence of the driveway has caused, or is continual cause of a public nuisance, violates other city code, and/or notification from the Director of Public Works is given to replace with a paved driveway. The adjacent property owner served by the driveway has 60 days to make improvements or be subject to penalties as provided in sub. (2) FEES above.

- (4) CONSTRUCTION COST. The Owner of the property served by the driveway approach shall pay all costs for constructing the driveway approach; required additional turn lanes; pavement widening; median construction or reconstruction; alteration of manholes, storm sewer inlets, water valves or fire hydrants; relocation of power poles or light poles; and alteration of any other public infrastructure affected by the construction of the driveway approach.
- (5) MAINTENANCE COST. All cost for private driveway maintenance within public right of way shall be borne by the adjacent property served by the private access point. Including any pavement,

gravel, drainage structures, driveway culverts, and any other incidental item outside of the roadway section.

(6) DESIGN CRITERIA. All driveways shall conform to the Driveway Standard Detail Drawing as provided by the Department of Public Works and as describe here within:

- a. Residential Width. Driveway entrance width for residential access shall be at least 10 feet wide and a maximum of 24 feet wide at the property line for 1 to 2-car garage and a maximum of 30 feet wide at the property line for 3-car garage.
- b. Commercial/Other Width. Driveway entrance width for commercial access shall be at least 12 feet wide and a maximum of 35 feet wide at the property line.
- c. Tapers. A 3.5-foot straight taper from property line to roadway is allowed on each side of the driveway. Radius flares are allowed in areas with no adjacent curb and gutter and with approval from the Director of Public Works or Street Superintendent.
- d. Pavement Slope. Max slope from pavement edge or curb pan to sidewalk shall be no greater than 10%. Typical sidewalk cross-slope shall be 1.5% and max cross-slope of sidewalk located within driveway shall be no greater than 2%. In cases where no sidewalk is present, maximum slope from pavement edge or curb pan shall be no greater than 10%.
- e. Preparing the Foundation. Form the foundation by excavating or filling to the required elevation. Tamp or compact the foundation to ensure stability. Unless specified otherwise, fill holes, ruts, and other depressions in the foundation with materials similar to those in the existing foundation.
- f. Sidewalks. City of Waupaca standard sidewalk width is 5 feet. Sidewalk width within driveways shall be 5 feet wide or match adjacent existing sidewalk width as directed by the Director of Public Works or Street Superintendent. Standard concrete sidewalk thickness within driveways is 7 inches thick with concrete mixture of 6 bags of cement to the cubic yard. A ½-inch expansion joint shall be installed separating 7-inch sidewalk to 5-inch sidewalk. All concrete sidewalks shall receive a broom finish, and sealer as approved by the Director of Public Works or Street Superintendent. Install transverse joints at right angles to the sidewalk centerline creating 5-foot slabs typical but no less than 3 feet and no greater than 8 feet.
- g. Finishing Concrete. Place the concrete on a moist foundation, deposit it to the required depth, and consolidate sufficiently to bring the mortar to the surface, then strike-off and finish to a true and even surface. Before the mortar sets, brush or lightly broom the surface.
- h. Concrete Pavement. Concrete pavement shall be 7 inches thick with concrete of mixture of 6 bags of cement to the cubic yard, with a broom finish. Base aggregate placement up to 6 inches as determined by subgrade conditions and as approved by the Director of Public Works or Street Superintendent.
- i. Asphaltic Pavement. Asphaltic pavement shall be 4 inches thick placed in two separate layers. Base aggregate placement up to 8 inches as determined by subgrade conditions and as approved by the Director of Public Works or Street Superintendent.
- j. Decorative or Other Pavement. Decorative pavement or pavers shall be installed per manufacturer's instructions and as approved by the Director of Public Works or Street Superintendent.

(7) RESTORATION. All boulevards and lawns disturbed by the contractor or utility's operation shall be restored, immediately after backfilling has been completed. All such restoration shall be subject to the direction of the Director of Public Works or Street Superintendent relating to amount of topsoil, type and quality of grass seed, use of matting, mulching, and amount and ratio of fertilizer. All utility locate flags shall be removed by the contractor or utility after work is

completed. If the replaced pavement, curbs, curb and gutter, sidewalk, or driveway apron settles or cracks within 1 year of the date of the permit and if failure of the replacement is due to improper backfill, compaction, or material usage; the Street Department shall replace all defective work and charge the contractor or persons responsible for the work the cost of such replacement.

This ordinance shall take effect upon passage and publication according to law.

Approved: April 3, 2019

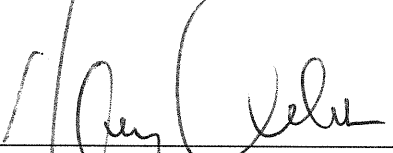


Brian Smith, Mayor

Adopted: April 3, 2019

Published: April 11, 2019

ATTEST:



Henry Veleker, City Administrator/Clerk