

Title 6 ► Chapter 3

Driveways

- 6-3-1** Driveway Permit Required
- 6-3-2** Driveway and Culvert Location, Design and Construction Requirements

Sec. 6-3-1 Driveway Permit Required.

- (a) **Purpose.** For the safety of the general public, the Village of Bangor shall determine the location, size, construction and number of access points to public roadways within the Village limits. It is the Village's intent to provide safe access to properties abutting public roadways suitable for the property to be developed to its highest and best use, provided that access is not deficient or dangerous to the general public.
- (b) **Permit Required to Construct, Reconstruct, Alter or Enlarge.** No person, firm or corporation shall construct, reconstruct, alter or enlarge any private driveway within the limits of the dedicated portion of any public street under the control and jurisdiction of the Village of Bangor without first obtaining a driveway permit therefor as provided by this Chapter from the Director of Public Works. A driveway permit is not required when a new driveway is to be constructed in conjunction with the construction of a new principal structure; the driveway is included in the building permit process in such cases. For bond and insurance requirements, see provisions of Section 6-2-3(g) and (h).
- (c) **Application.**
 - (1) Application for such permit shall be made to the Village Administrator for referral to the Director of Public Works on a form provided by the Village and shall be accompanied by a drawing accurately depicting the portion of the proposed private driveway to be constructed, reconstructed, altered or enlarged lying within the dedicated portion of the public street, the dimensions thereof and a statement of the materials proposed to be used. The applicant shall pay a fee as prescribed in Section 1-3-1. Upon receipt of the application and the fee if required, unless the proposed private driveway is a part of construction for a building or other structure for which a building permit has been applied for, in which case no additional fee is required, the Director of Public Works shall approve such application if the proposed driveway complies with the terms and conditions of this and any other applicable Village of Bangor ordinance.

- (2) All applications for permits shall be made on a form prescribed by the Director of Public Works and be accompanied by a sketch in duplicate showing exact location of any naming:
 - a. Driveway and approaches.
 - b. Property lines.
 - c. Right-of-way lines.
 - d. Intersecting roads, streets or roadways within three hundred (300) feet.
 - e. Width of right-of-way.
 - f. Width and type of road surface.
 - g. Distance from right-of-way line to gasoline pumps and other structures on the site.
 - h. Type of surface and width of driveways and approaches.
 - i. Proposed turning radii.
 - j. Other pertinent information as may be required.
- (d) **Application Provisions.** All driveway permit applications shall contain the applicant's statement that:
 - (1) The applicant represents all parties in interest, and that such proposed driveway is for the bona fide purpose of securing access to his/her property and not for the purpose of parking or servicing vehicles, advertising, storage or merchandising of goods within the dedicated portion of the Village street, or for any other purpose.
 - (2) The Village of Bangor, notwithstanding the construction of such driveway, reserves the right to make any changes, additions, repairs or relocations within the dedicated portion of the Village street at any time, including relocation, reconstruction, widening and maintaining the street without compensating the owner of such private driveway for the damage or destruction of such private roadway.
 - (3) The permittee, his/her successors or assigns, agrees to indemnify and hold harmless the Village of Bangor, its officials, officers, agents or employees, against any claim or any cause of action for personal injury or property damage sustained by reason of the exercise of such permit.
 - (4) The Village of Bangor does not assume any responsibility for the removal or clearance of snow, ice or sleet or the opening of any windrows of such material upon such portion of such driveway within the dedicated portion of the Village street.

Sec. 6-3-2 Driveway and Culvert Location, Design and Construction Requirements.

- (a) **General Requirements.** The location, design and construction of driveways shall be in accordance with the following:
 - (1) **General Design.**
 - a. Private driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street of the property served.

- b. Driveways shall not provide direct ingress or egress to or from any street intersection area and shall not encroach upon or occupy areas of the street right-of-way required for effective traffic control or for street signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the street.
 - c. Driveway approaches shall be at least ten (10) feet apart except by special written permission from the Director of Public Works, and driveways shall in all cases be placed whenever possible as not to interfere with utilities in place.
- (2) **Number of Driveways.** The number of driveways serving an individual property fronting on a street shall be one (1), except where deemed necessary and feasible by the Village Board for reasonable and adequate service to the property, considering the safety, convenience and utility of the street and unique lot characteristics.
- (3) **Island Area.** The island area in the street right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way shall constitute a restricted area and may be filled in and graded only as provided in Subsection (a)(6).
- (4) **Drainage; Street Obstructions.**
- a. The surface of the driveway connecting with street cross sections shall slope downward and away from the street/highway shoulder a sufficient distance to minimize ordinary surface water drainage from flowing onto the street roadbed.
 - b. No driveway apron shall extend out into the street right-of-way further than the face of the curb, and under no circumstances shall such driveway apron extend into the street gutter area. Where a street does not have curb and gutter, no driveway apron shall extend out into the street right-of-way further than the street pavement edge. 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. [See also Subsection (e) below.]
- (5) **Reconstruction of Sidewalks and Curb and Gutter.**
- a. When the construction or reconstruction of a driveway requires the removal of a curb or gutter, the new connections shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat, workmanlike manner. The driveway apron surface shall be connected with the street/highway pavement and the sidewalk, if any, in a neat, workmanlike manner.
 - b. The driveway construction shall include the replacement of such sidewalk areas which are inadequate or which are or may have been damaged by means of vehicle travel across the sidewalk. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code of

Ordinances insofar as such requirements are applicable, including thickness requirements. Standard thickness of residential driveway approaches will be six (6) inches thick unless otherwise provided in Section 6-2-2.

- (6) **Restricted Areas Between Successive Driveways.** The restricted area between successive driveways may be filled in and graded only when the following requirements are complied with:
- a. The filling or draining shall be to grades approved by the Director of Public Works and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the street roadbed in a suitable manner.
 - b. Culvert extensions under the restricted area shall be of the same size and of equivalent acceptable material as the culvert under the driveway, except where the Director of Public Works deems it necessary for a larger culvert is necessary to correct inadequate drainage.
 - c. Intermediate manholes adequate for cleanout purposes may be required when deemed necessary by the Director of Public Works due to total culvert length.
 - d. Where no street side ditch separates the restricted area from the street roadbed, permanent provision may be required to separate the area from the street roadbed to prevent its use for driveway or parking purposes by construction of a border, curb, rail or posts as may be required by the Director of Public Works.
- (7) **Relocation of Utilities.** Any costs of relocating utilities shall be the responsibility of the property owner, with approval of the Director of Public Works necessary before any utility may be relocated and the driveway installed.
- (8) **Construction Across Sidewalks.** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code of Ordinances insofar as such requirements are applicable, including thickness requirements.
- (9) **Special Requirements for Driveways Over 150 Feet in Length; Special Situations.**
- a. In addition to those driveway requirements prescribed herein, private driveways one hundred and fifty (150) feet and over in length, measured from the edge of the traveled surface of the intersecting street/highway to the structure, shall meet the following standards to permit access to principal buildings by the Fire Department and/or other public safety authorities:
 1. A minimum of a twenty-four (24) foot right-of-way;
 2. A minimum clear-cut width of twenty (20) feet;
 3. A minimum driving surface of sixteen (16) feet;
 4. A minimum height clearance of fifteen (15) feet; and
 5. A minimum width of twenty (20) feet for all aprons and approaches.
 - b. Driveways of one hundred fifty (150) feet and over accessing parcels on which there are no structural improvements are exempt from the requirements of this

Subsection. However, if a structure is subsequently built, all standards and requirements for driveways and culverts prescribed by this Section shall then be fully complied with.

- c. The Director of Public Works, based on recommendations of the Fire Department, may require additional clear-cut width clearances and extra driving surface widths to alleviate concerns caused by narrowness, sharp curves, steep inclines or other situations which could interfere with emergency vehicles properly and safely utilizing the driveway.
- (10) **Variances.** Any of the above requirements may be varied by the Village Board in such instances where the unique characteristics of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical. Such variance shall be applied for and approved prior to the construction of a nonconforming driveway.
- (b) **Special Requirements for Commercial and Industrial Driveways.** The following regulations are applicable to driveways serving commercial or industrial establishments:
- (1) **Width of Drive.** The maximum permitted width of a commercial or industrial driveway approach shall be thirty-five (35) feet at the curb line, except as increased by permissible radii. In instances where the unique nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Village Board, in its discretion, may permit a driveway of additional width. Such variance shall be applied for and approved prior to the construction of a nonconforming driveway.
 - (2) **Angular Placement of Driveway.** The angle between the center line of the driveway and the curb line shall not be less than 45°.
 - (3) **Island Areas.**
 - a. Where the public sidewalk is adjacent to the curb, an island of a minimum length of six (6) feet measured along the curb line shall be placed between each entrance to a Village street. The curb shall be left intact for the length of this island.
 - b. Where the public sidewalk is remote from the curb, an island of a minimum length of ten (10) feet measured along the right-of-way line shall be maintained along each entrance to the Village street.
 - c. All flares shall be tangent to the curb line.
 - d. A curb length of not less than three (3) feet shall be left undisturbed adjacent to each property line to serve as an island area in the event an adjoining property owner applies for a driveway permit to serve his/her property.
- (c) **Special Dimensional Requirements for Residential Driveways.** The following regulations are applicable to driveways serving residential property:
- (1) **Width.** Unless special permission is first received from the Village Board, the driveway width for a residential single-type driveway shall be:
 - a. For residential lots zoned R-2 or R-3 served by a single-type driveway, no greater than twenty-four (24) feet wide or less than ten (10) feet wide at the curb line or outer or street edge of the sidewalk.

- b. For residential lots zoned R-2 or R-3 served by a double-type driveway, no greater than twenty-four (24) feet wide or less than eighteen (18) feet wide at the curb line or the outer or street edge of the sidewalk.
 - c. For residential lots zoned R-1, R-4, R-5 or R-6 served by a single-type driveway, no greater than thirty-six (36) feet wide or less than ten (10) feet wide at the curb line or outer or street edge of the sidewalk.
 - d. For residential lots zoned R-1, R-4, R-5 or R-6 served by a double-type driveway, no greater than thirty-six (36) feet wide or less than eighteen (18) feet wide at the curb line or outer or street edge of the sidewalk.
- (2) **Angular Placement.** The center line of the driveway may be parallel to the property line of the lot where access is required or at right angles to the curb line.
- (d) **Appeal from Permit Refusal.** Any person feeling himself/herself aggrieved by the refusal of the Director of Public Works to issue a permit for a private driveway may appeal, in writing, such refusal to the Village Board within fourteen (14) days after such refusal to issue such permit is made.
- (e) **Prohibited Driveways.**
- (1) **Prohibited Obstructions.** No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the Village of Bangor except as permitted by this Section. As used herein the word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is in non-conformance with this Chapter.
 - (2) **Intersections and Traffic Control Devices Limitations.** No driveway shall be closer than thirty-five (35) feet to the extended street line at an intersection. 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 by the Village for effective traffic control or for highway signs or signals.
 - (3) **Grade.** The grade of that portion of any private driveway or pedestrian path located within the limits of any public road, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway. Whenever possible, the driveway area located within the right-of-way area shall consist of at least four (4) feet of flat surface area from the pavement edge.
 - (4) **Prohibited Driveway Apron Extensions.** No driveway apron shall extend out into the street further than the facing of the curb and under no circumstances shall such driveway apron extend into any gutter area. All driveway entrances and approaches shall be constructed as not to interfere with the drainage of streets, side ditches or roadside areas, or with any existing structure on the right-of-way.
 - (5) **Improper Private Curbs or Retaining Walls.** No portion of any curb, parapet or retaining wall, rising above the grade of the driveway, erected by the owner of the premises involved shall extend beyond the culvert spanning the water course located in such public way.

(f) **Culvert Construction and Standards.**

- (1) **Culvert Requirement.** The Village Board may require the property owner to provide for adequate surface water drainage along the street, and the property owner shall provide any necessary culvert pipe at his/her expense.
- (2) **Culvert Permit Required.**
 - a. No person shall lay, remove, replace or repair any culvert within the Village of Bangor unless he/she is under contract with the Village to do such work or has obtained a permit therefor from the Director of Public Works at least three (3) business days before work is undertaken. The Director of Public Works shall determine the diameter of the culvert to be installed which shall not be less than twelve (12) inches and shall approve of the laying of said culvert so as to provide proper drainage.
 - b. No person, not under contract to the Village of Bangor, shall lay, remove, replace or repair any culvert until a permit has been obtained from the Director of Public Works at least three (3) business days before work is undertaken. The fee for such permit shall be as prescribed in Section 1-3-1. The Director of Public Works shall view the site for installation of the culvert and determine the position and diameter of the culvert necessary to provide adequate drainage.
- (3) **Existing Driveway Situations.**
 - a. The owner of a driveway existing at the time this Section originally became effective may be required to install a culvert if such existing driveway impedes the flow of surface waters. The Director of Public Works shall advise the Village Board of any driveway which intersects with a public street that impedes the flow of surface water, and the Village Board shall order the owner thereof to install a proper culvert as directed by the Director of Public Works.
 - b. The cost of such installation shall be borne by the owner. If the owner refuses or neglects to install a culvert within the time designated by the Village, the Village shall, after notice to the owner, proceed to make such installation and charge the cost therefor to the owner. If such costs are not paid by November 1st, the Village Administrator shall place such charges on the tax roll in the same manner as a special charge to be collected with real estate taxes.
- (4) **Size.** Culverts shall be installed prior to construction work being commenced on the property served. No culvert pipe smaller than twelve (12) inches in diameter (or equivalent elliptical or arch pipe) will be allowed. All culverts shall be constructed of galvanized steel or reinforced concrete, and shall be made of new manufacture, unless specifically excepted by the Director of Public Works or Village Engineer in the case of quality used culverts. PVC plastic culverts may only be used in situations if the Director of Public Works determines there is adequate cover to protect such culvert.
- (5) **Gauge.** The minimum wall thickness for the galvanized steel pipe culverts shall be in accordance with the following:

Pipe Diameter	Gauge
15 to 24 inch	16
30 to 36 inch	14
42 to 54 inch	12
60 to 72 inch	10
78 to 84 inch	8

The class of reinforced concrete pipe shall be in accordance with the following:

Height of Cover (in feet)	Class of Pipe
0-2	IV
2-3	III
3-6	II

- (6) **Drainage.** The culverts shall be placed in the ditchline at elevations that will assure proper drainage.
- (7) **Endwalls.** Culverts shall be provided with earthen, concrete or metal apron endwalls as directed by the Village Engineer or Director of Public Works.
- (8) **Backfill Material.** Material used for backfill shall be of quantity and quality acceptable to the Village Engineer or Director of Public Works and shall be free from frozen lumps, wood, debris or other extraneous or perishable materials. The minimum cover, measured from the top of the culvert pipe to the top of the subgrade, shall be six (6) inches.
- (9) **Erosion Control.** Erosion control measures shall be implemented as necessary to control erosion, or as directed by the Village Engineer or Director of Public Works.
- (10) **Distance.** The distance between culverts under successive driveways shall not be less than ten (10) feet except as such restricted area is permitted to be filled pursuant to Subsection (a)(6).
- (11) **Cost.** The property owner shall install the culvert and be responsible for the cost thereof. The property owner shall keep his/her culverts unobstructed and clean.
- (12) **Appeals.** Persons may request a variance from the culvert requirements of this Section by filing a written appeals request with the Director of Public Works or Village Administrator, who shall place the matter as an agenda item for the Village Board's next meeting. The Village Board may only waive the requirement for a culvert upon a finding that unique physical characteristics of the location in question render a culvert unnecessary. The Village Engineer or Director of Public Works may be asked to render an opinion on the request.