

Chapter 165

CULVERTS AND DRIVEWAYS

§ 165-1. Definitions.

§ 165-5. Temporary culverts and driveways.

§ 165-2. Culvert and driveway required.

§ 165-3. Permits required.

§ 165-6. Violations and penalties; enforcement.

§ 165-4. Specifications.

[HISTORY: Adopted by the Town Board of the Town of Port Washington 12-1-1997 by Ord. NO. 97-8. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction – See Ch. 150.

Zoning and subdivision – See Ch. 340.

§ 165-1. Definitions.

When used in this chapter the following words and phrases shall have the specific meaning as hereinafter set forth:

CULVERT - A conduit or drain of a pipe-like construction, typically metal, brick, stone or concrete, that passes under a highway, road, driveway, railroad track or footpath, or through an embankment.

DRIVEWAY – That portion of a parcel or property intended to be used or actually used for a delineated access, paved or unpaved, from the adjoining access highway, street, or road to a building or structure.

HIGHWAY - A public or private right-of-way used or intended to be used to provide primary access to an adjoining parcel or property; includes streets or roads.

PERSON - An individual, firm, association, partnership, trust, corporation, limited liability company and/or a limited liability partnership.

§ 165-2. Culvert and driveway required.

No person shall, by means of any vehicle, enter or exit, or cause any other person to enter or exit, any adjoining parcel or property from or onto any highway in the Town unless a culvert and gravel driveway have been provided for said parcel or property and except where a culvert or driveway has been determined to be unnecessary by the Town Building Inspector or Town Engineer.

§ 165-3. Permits required.

No person shall construct, install, repair, maintain, or reconstruct any culvert or driveway without first obtaining permits for such culvert or driveway from the Town Building Inspector, the fees for which shall be established by the Town Board. Such permit shall be issued in a timely manner using a form provided by the Town.

PORT WASHINGTON CODE

§ 165-4. Specifications.

All culverts shall be a minimum of 15 inches in diameter round or 17 inches by 13 inches metal pipe arch, unless a larger culvert is required by the Town Building Inspector or Town Engineer. Culverts shall be a minimum of 20 feet in length. Culverts must meet ASHTO M36-87 or AASHTO M190-80 specifications. All banding and joining methods must meet AASHTO specifications or be AASHTO approved. All culverts shall have metal apron end walls or tapered sloped end walls having a slope not greater than four to one. Lateral dimensions and elevations of culvert installations shall be as established by the Town Building Inspector or Town Engineer. Driveway pavement materials within the right-of-way shall be limited to crushed gravel, crushed rock, or bituminous products. Concrete pavement shall end a minimum of 10 feet from the highway pavement. Oil or petroleum shall not be used in right-of-way areas where it can be tracked onto and affect the highway pavement. The bottom course of any driveway in the right-of-way shall be constructed of large-sized crushed stone or rock, as determined necessary by the Town Building Inspector or Town Engineer, except along that portion of the driveway immediately adjacent to the culvert pipe. The upper course of any driveway shall consist of medium-sized, well-graded crushed gravel or fine-to medium-sized well-graded crushed rock, as determined necessary by the Town Building Inspector or Town Engineer. In no event shall the granular material or subsequent permeant surface of any driveway be constructed higher than the adjacent highway pavement. At no time shall slag, foundry sand, or other corrosive materials be used on or in the highway right-of-way area.

§ 165-5. Temporary culverts and driveways.

Temporary culverts and temporary driveways are permissible for construction purposes; provided, however, that permits shall be obtained from the Town Building Inspector prior to commencement of such construction. Any such temporary culvert or temporary driveway must be removed and replaced with a permeant covert or driveway constructed in accordance with this chapter prior to the issuance of an occupancy, zoning, or use permit for the building or structure located upon the parcel or property served by such culvert or driveway.

§ 165-6. Violations and penalties; enforcement.

Any person who violates this chapter shall pay a forfeiture in an amount equal to twice the fee required for the culvert or driveway permit and, further, shall remove, alter, reconstruct or correct the culvert or driveway as ordered by the Town. If the person does not remedy such violation as and within the time ordered by the Town, the Town may, in addition to any other methods of enforcement, including injunctive relief an revocation any permits, engage qualified contractors to remedy such violation, and the expense thereof shall be chard to such person as a special assessment after notice and hearing, or otherwise collect such forfeiture as provided by law. Any permits issued in conflict with the provision of this chapter shall be null and void.

