

## **TOWN OF HARWINTON DRIVEWAY ORDINANCE**

### **A. Definitions**

1. “Driveway” shall mean any permanent or temporary access for vehicles from a town highway to private property.
2. “Paving” shall mean bituminous concrete or portland cement concrete or any other impervious material.

### **B. Fee**

1. A \$25.00 fee shall accompany the application for a new construction.
2. No fee shall be required for repaving.

### **C. Permit**

1. No person shall construct, reconstruct, relocate, pave or repave a driveway within the Town of Harwinton without a permit issued by the Highway Supervisor.
2. Agricultural activities will be exempt from permits except for forest harvest.
3. Application for a permit shall be made on forms furnished by the Selectmen’s office and shall be submitted to the Highway Supervisor.
4. Omission of pertinent information shall be grounds to revoke or refuse a permit.
5. Permits shall be valid for a period of one year from date of issuance. Construction must be completed within this one-year period.
6. Notice to the Highway Supervisor of commencement of work shall be no less than 24 hours.
7. Applications for repaving shall be granted or denied within five (5) working days from date of application. In the case of new construction it shall be granted or denied within fifteen(15) working days from date of application.
8. Driveways entering state highways do not require a permit from the Town of Harwinton but must comply with all Conn-DOT requirements and regulations.
9. A permit may be revoked by the Highway Supervisor or his agent when he determines that the work is not being carried out in accordance with the approved plans, the terms of the permit or the provisions of this ordinance.
10. Permits for gravel removal and short-term construction shall be issued for a period of 12 months. The property owner shall restore the Town property and drainage system to its original condition at the end of this period or be required to obtain an extension of said permit. In no case shall original permit and extension or extensions exceed 24 months in total, at which time Town property shall be put back to its original condition.
11. The property owner shall be responsible for the maintenance and repair of all driveway improvements required by this ordinance and nothing in this ordinance shall require the Town of Harwinton to repair or improve such improvements or render the Town liable for any such repairs.



12. The property owner shall hold harmless the Town of Harwinton and its agents against any injury or property damage that may result from issuance of said permit or construction of the driveway.
13. It shall be the duty of the property owner to comply with all applicable laws and regulations during driveway construction within highway boundaries.
14. Any existing pavement and/or Town property or drainage that is damaged in any way during construction shall be restored to its original condition by the property owner. Failure to make such restoration shall give the Town and its designee the right to do so. The property owner shall be liable for the actual cost of restoration and administrative expenses. The Town shall have a cause of action for all fees and amounts paid out for such work together with attorney's fees.

D. Conditions

1. Water from the driveway must be diverted or intercepted in a manner satisfactory to the Highway Supervisor before reaching the traveled portion of the highway.
2. When determined by the Highway Supervisor that the driveway will interfere with drainage, minimum 15" driveway culverts with proper design and location shall be utilized and maintained by the property owner.
3. An apron of approximately 10' in length from the gutter line shall be paved with a minimum of 2" of pavement on improved roads only.
4. Where pavement is not required the driveway shall be stabilized to prevent material from being washed onto or otherwise deposited on the highway.
5. The view of the edge of the town highway being entered shall be unobstructed for a reasonable distance.
6. Soil and erosion control will be maintained at all times.
7. Conn-OSHA regulations shall be adhered to at all times while on Town property.
8. The maximum width for a residential driveway is 16 feet and the maximum width for non-residential driveway is 22 feet.
9. The minimum width for a residential driveway is 10 feet and the minimum width for a non-residential driveway is 14 feet.
10. All driveways shall be designed and constructed to prevent the flow of highway drainage waters onto the main portion of the driveway.
11. Any curb cuts required for driveway construction shall be saw-cut.

E. Bond and Insurance

A. \$1,000.00 cash bond or irrevocable letter of credit must be posted with the Town Treasurer for new driveway construction, unless a higher amount is required by the Board of Selectmen. In addition, liability insurance in the amount required by the Harwinton Board of Selectmen shall be maintained during construction and a certificate naming the Town as an additional insured shall be filed with the Selectmen's office or the Highway Supervisor's office at the time the permit application is made,

F. Liability of the Town

This ordinance shall not be construed as imposing upon the Town or any official or employee of the Town, liability or responsibility for damages to any person injured or property damaged by the performance of any excavation or construction work for which this permit is being issued, nor shall any official or employee be deemed to assume any liability or responsibility by reason of inspection of work being done.

VOTED: October 17, 1995

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