

## CHAPTER 3

### Driveways

#### SEC. 6-3-1 DRIVEWAYS.

(a) **PERMIT REQUIRED.**

- (1) Purpose. For the safety of the general public, the City of Menasha shall determine the location, size, construction and number of access points to public roadways within the City limits, through the administration of this Section by the Director of Public Works. It is the City'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.
- (2) Permit Requirements. Unless otherwise permitted by resolution of the Common Council, upon written application giving the reason therefor, no person shall construct, repair or reconstruct any driveway across or through any sidewalk or curbing without having first obtained a permit from the Building Inspector. The permit fee shall be recommended by the Director of Public Works to the Common Council. If the same is not amended by the Common Council, said fee shall stand. Recertification to the Common Council is not necessary in the following years and the fees remain unchanged. The original recommendation shall be to the Administration Committee.

(b) **INSTALLATION REQUIREMENTS.**

- (1) Street Openings. Openings for vehicular ingress and egress for residential properties shall be at least ten (10) feet wide at the property line but shall not exceed thirty-six (36) feet at the curb opening, unless such opening previously existed greater than thirty-six (36) feet, unless the Director of Public Works or his/her designee determines that it is appropriate for the driveway opening to be of a greater width.
- (2) Openings for vehicular ingress and egress for all nonresidential properties shall be at least sixteen (16) feet wide at the property line but shall not exceed thirty-six (36) feet at the curb opening, unless such opening previously existed greater than thirty-six (36) feet.
- (3) Exceptions.
  - a. Residential Properties. Requests for exceptions to Section 6-3-1(b)(1) shall be considered pursuant to Section 13-1-53.
  - b. Non-residential Properties. Requests for exceptions to Section 6-3-1(b)(2) shall be made in writing to the Director of Public Works. Any decision of the Director of Public Works may be appealed pursuant to Section 13-1-53.
- (4) Location. No driveway shall be closer than twenty (20) feet to the extended street line at an intersection or at a crosswalk. 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 Director of Public Works for effective traffic control or for highway signs or signals. The location of driveway openings on adjacent parcels or lots shall be such that an unbroken space of curb of not less than four (4) feet is maintained between openings.
- (5) Drainage. No driveway apron shall extend out into the street farther 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 so 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.

- (6) Gutter Reconstruction. When a curb opening is to be made, the property owner shall remove the entire curb and gutter and construct a new gutter, unless the Director of Public Works or his/her designee determines reconstruction is unnecessary.
- (c) **PERMIT APPLICATIONS**. Permit applications shall be made at least twenty-four (24) hours in advance of intended installation but this shall not be deemed to be a limitation of time within which a permit must be granted, and the Building Inspector shall have such time as reasonably necessary for examination and consideration of any application before granting the permit.

#### **SEC. 6-3-2 PERMITTEE LIABLE FOR DAMAGE OR INJURY.**

The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. When curb or gutter is removed, the new construction shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner.