ORDINANCE **2014-04**

**AN ORDINANCE AMENDING ORDINANCE 2009-02B RELATING TO DRIVEWAY PERMITS**

**WHEREAS,** the Town Board finds that it is necessary and in the public interest to regulate the design, location and construction of private driveways and vehicular access points onto public highways in order to ensure that proposed and constructed improvements are consistent with the public safety and welfare and will not cause unnecessary damage to public facilities or undue expense to the Town in connection with future maintenance of the adjacent drainage facilities or highways; and

**WHEREAS,** the Town Board finds that it is reasonable, appropriate and in the public interest to require that property owners constructing new or replacement driveways reimburse the Town for all of the costs it incurs in reviewing plans, inspecting construction and in otherwise regulating the driveway construction; and

**WHEREAS,** the Town Board previously enacted Ordinance 2002-1 establishing standards for driveway design and construction and creating a permitting procedure for driveway construction; and

**WHEREAS**, the Town Board previously amended Ordinance 2002-1 with Ordinance 2009-02B to include language allowing for the Town to be reimbursed for costs associated with reviewing plans, inspection construction and in otherwise regulating the driveway construction; and

**WHEREAS,** the Town Board finds that the current amended ordinance does not adequately define the authority of the Town's Project Manager or another designee appointed by the Town Board to determine that minimum and maximum standards defined previously and in this document have been met to assure uniformity of design and public safety; and

**WHEREAS,** the Town Board further finds that the current ordinances do not adequately define terms and concepts some of which require: illustrations

**NOW, THEREFORE,** the Town Board of the Town of Verona, Wisconsin, does ordain that Ordinance 2009-02B enacted by the Town Board on November 3, 2009 is amended to read as follows:

**SECTION 1: <u>TITLE</u>**

This ordinance shall be known as the "Town of Verona Driveway Ordinance."

**SECTION 2: <u>AUTHORITY AND PURPOSE</u>**

This ordinance is adopted under the general authority granted pursuant to §§60.10 (2)(c), 60.22(3), 61.34(1) and 81.01 of the Wisconsin Statutes, to promote the public health, safety, and general welfare of the community and to further the safe and orderly layout of driveways that enter onto public roads within the Town.

**SECTION 3: <u>DEFINITIONS</u>**

In this ordinance, the following words and phrase have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

**(a)** **Agricultural Driveway**. A driveway that provides primary access to agricultural properties for business or private purposes.

**(b)** **Driveway.** A private driveway, road, field road, or other avenue of vehicular travel that runs through any part of a private parcel of land and that connects or will connect to a public highway.

**(c)** **Driveway Access.** That portion of a public highway located between the traveled portion of the roadway and the limits of the public right-of-way that provide access to a driveway.

**(d)** **Driveway, Commercial or Industrial**. A driveway that provides access for commercial or industrial use of property.

**(e)** **Driveway, Construction**. A temporary access to a building site on a property that is constructed in a manner to minimize the tracking of mud and gravel onto a public or private road during the construction process and to minimize damage to the public or private road.

**(f)** **Driveway, Residential**. A driveway providing access used for single or multifamily residential purposes only.

**(g)** **Easement.** An interest in real property that transfers rights of use, but not ownership, of a portion of the owner's property.

**(h)** **Field road.** An avenue of travel used exclusively for agricultural purposes or to access agricultural land. Field road entrances may not be used to access land for residential purposes.

**(i)** **Grade.** The inclination and declination of a driveway, which is determined as the change in the vertical distance of a driveway relative to the corresponding horizontal distance. The grade is measured in percent (%) units. For example, a 2 foot rise in the driveway, referenced from the point of intersection with the town maintained road, over a horizontal distance of 50 feet, would result in a driveway grade of +4%.

**(j)** **Improvement.** Any upgrade to, or reconstruction of, an existing driveway or driveway access, including, but not limited to the addition of a permanent surface, changes in the location, dimensions, grade or drainage of an existing driveway, or the addition, removal, relocation or replacement of a culvert or other structure within the public right-of-way; but not including routine repairs or replacement of an existing permanent surface unless the driveway is more than 100' in length as measured from the paved portion of the public highway to which it provides access.

**(k)** **Private Road.** A residential driveway s or a road, constructed to Town road standard, serving multiple parcels that has not been dedicated to the public and therefore is not maintained by the Town, County, or State.

**(l)** **Public Highway**. A vehicular thoroughfare dedicated to and maintained by the Town, the County, or the State.

**(m)** **Relocate.** To change the location of an access point of a driveway onto a Town highway, or to change the general design, length or drainage of driveway.

**(n)** **Right-of-Way.** A type of easement dedicated to the public that extends beyond the centerline of a public road, typically 66' in width. The Town has power established by Wisconsin Statute §196.58 for granting utility companies access to the property for the purpose of running gas, electric, and other utility lines and the Town or those it contracts with has the right to work in this area per §§60.50 (2), 82.03, and 82.50.

**(o)** **Sight Lines.** The triangular visual area at the intersection of two roads or a road and a driveway that must be maintained to allow vehicle drivers unobstructed views or sight lines of approaching traffic for a sufficient distance to assure adequate safety.

**(p)** **Slope.** The angle of inclination or declination of land expressed in degrees; e.g. a slope of +90° relative to a level surface would have a vertical rise.

**(q)** **Town.** The Town of Verona located in Dane County, Wisconsin.

## SECTION 4: APPLICATION REQUIREMENTS AND PROCEDURES

**(a)** **Permit Required.** No person or entity shall do any of the following without first obtaining a driveway construction permit from the Town Board:

1. Establish or construct a new driveway;
2. Construct any improvement to an existing driveway;
3. Construct or modify any improvement to a driveway access; and/or
4. Change the use of a driveway such that the driveway meets a new definition in §§3(c)-(f).

**(b)** **Application form.** Applications for driveway permits shall be made on a form approved by the Town Board and available from the Town Clerk/Treasurer. A completed "Driveway Permit Application" form shall be filed with the Clerk/Treasurer. An application shall be deemed complete only if it is accompanied by the application fee and escrow deposit required by this ordinance and the following additional information:

1. A scale drawing of the property parcel, showing the following information:

   a. The boundaries of the parcel;

   b. The location of all existing and proposed buildings and structures on the parcel;

   c. The location of any existing and the proposed driveway location.

   d. The grade of the existing or proposed driveway as it traverses the slope of the land;

   e. The dimensions and composition of all existing and proposed drainage structures;

   f. The direction of drainage flow on the parcel;

   g. Distances from the existing property lines to the centerline of the driveway; and

   h. The width of the driveway at the edge of roadway and at the Town (public) right-of-way.

2. A copy of an approved Dane County erosion control plan, which includes the drive or a copy of an approved erosion control plan for 1 & 2 family dwelling construction site plan.

**(c)** **Preconstruction Meeting**. Prior to issuance of the permit and commencement of any work requiring a permit under this ordinance, a preconstruction meeting shall be held between the owner, his or her agent or contractor and the Town staff to review the requirements and conditions of the permit as well as the applicable ordinances that may affect the construction process. The Town Administrator shall schedule a meeting upon request of the permittee. If the current standards cannot be met due to a demonstrated hardship, a variance request will need to be submitted and a public hearing required for consideration of the proposed variance. The Public Hearing shall be advertised by a Class 1 published Notice, posted in three physical locations, and landowners within 600' of any boundary of the subject property notified by first class mail of the Public Hearing a minimum of 14 days in advance of the meeting.

**(d)** **Application Review.** The Town public works project manager shall review the application and make a recommendation for approval, conditional approval or denial to the Town Board stating all reasons for recommending denial or any conditions for approval. The Town Board in its review of the recommendation may approve, deny, or approve with conditions. The applicant shall be afforded an opportunity to address the Town Board prior to action on the application. The Town Board's decision on the application shall be considered the final determination by the Town.

**(e)** **Permit Period.** A driveway construction permit is effective for twelve (12) months from the date of approval by the Town Board. If the driveway has not been completed within that permit period, the permit is deemed expired and a new application and accompanying fee must be submitted and approved. If new standards are in effect with the current review, the new standards shall apply to the application. Within 60 days after the expiration of a permit without completion of construction, the applicant shall cause the property to be restored to the condition it was in immediately prior to the commencement of the work authorized by the expired permit, unless a new permit is obtained within said 60-day period.

**(f)** **Driveway Inspection.** The applicant shall notify the Town Clerk/Treasurer within five (5) working days after the completion of the work authorized by the permit. The Town Project Manager or other designated Town representative shall:

1. conduct an inspection of the driveway to ensure full compliance with all provisions of this ordinance and terms of the permit;

2. require the applicant to make such modifications as are necessary for full compliance; and

3. specify a date when any required modifications shall be completed

**(h)** **Building Permits.** The Town Building Inspector shall determine whether the driveway construction or improvement must be completed prior to commencing construction of any building(s) on the parcel, and may condition any building permit on completion of the driveway, for any one or more of the following reasons:

- Construction activities are reasonably likely to cause the tracking of soil, gravel, vegetation or other material onto the public roadway unless the driveway is first constructed;

- Construction of the driveway is necessary to allow for the safe and efficient access of construction or other vehicles entering or leaving the construction site during construction of the building.

**(i)** **Fees.** The fees required in connection with each driveway permit application shall be determined as follows:

1. Application Fee. The fee for each driveway permit application shall be established by the Town Board and may be amended from time to time by resolution.

2. Additional Fees. Every applicant for a driveway permit shall pay, if applicable, in addition to the applicable application fee, all of the following fees (any such fees not paid to the Town as provided in paragraph (j) shall be paid within thirty (30) days of the date of an invoice from the Town):

A Engineering fees

i the applicant shall pay a fee equal to the actual cost to the Town for all engineering studies deemed necessary by the Town to ensure that the design and proposed construction methods are in compliance with the plans, specifications, and ordinances of the Town or any other governmental authority with jurisdiction over the improvements.

ii the applicant shall pay a fee equal to the actual cost to the Town for all engineering work incurred by the Town in connection with the application, including any required inspections.

B Legal fees

i the applicant shall pay a fee equal to the cost to the Town for any legal work that may be determined necessary by the Town in connection with the application including any enforcement of this ordinance or any permit issued pursuant hereto.

C Town Staff Costs

i the applicant shall pay a fee equal to the cost of Town employees' time while engaged in construction and construction supervision or performance of maintenance to ditch lines, culverts or driveway accesses based on the hourly rate paid to the employee multiplied by a factor determined by the Town Administrator to represent the Town's cost for employee benefits, insurance, sick leave, holidays, vacation and similar benefits, overhead and supervision, said factor not to exceed 2.0.

**(j)** **Fee Escrow.**

1. Deposit Required. The applicant shall deposit with the Town, in escrow, the amount established from time to time by the Town Board by ordinance or resolution to reimburse the Town for the expenses described in subparagraph (i). No application shall be deemed complete until the required escrow deposit is made.

2. Escrow replacement. In the event that amount deposited falls below twenty-five percent (25%) of the original amount required to be deposited, the Clerk Treasurer shall have the option to require the applicant to restore the escrow balance to the original amount required hereunder and shall specify the time within which an additional deposit shall be made.

3. Escrow refunds. In the event that funds remain in escrow over and above the Town's expenses after completion of the project or upon withdrawal or denial of the application, the remaining escrow balance shall be refunded to the applicant after Town Board review of the applicant's request for reimbursement, and confirmation that all expenses have been paid and a determination that all conditions have been met.

4. Escrow Interest. The escrow account shall not bear interest for the benefit of the applicant.

5. Withdrawals from Escrow. The Clerk/Treasurer is authorized to draw upon the escrowed funds to reimburse the Town for the fees and staff costs it has incurred in connection with the application on a monthly basis.

6. Accounting. An accounting of all fees incurred by the Town and the status of the escrow shall also be provided to the applicant within thirty (30) days after each withdrawal. Any dispute with respect to the property or amount of any withdrawal shall be subject to appeal to the Town Board.

7. Default. In the event the applicant defaults in restoring the escrow account, when required pursuant to par. 2, the permit to which the escrow account applies shall be automatically suspended until such time as the required deposit is made.

8. Exception. No escrow deposit shall be required if the fees required by sec. (i) have been guaranteed by the applicant, with adequate liquid security which the Town has the authority to draw upon, pursuant to a separate development agreement with the Town. At the time of execution of such an agreement, the Clerk/Treasurer shall refund any remaining escrow balance to the applicant.

9. Escrow accounts. The Clerk/Treasurer is hereby authorized and directed to establish and maintain separate accounting of all deposits to and withdrawals charged against each escrow deposit made pursuant to this ordinance. The Clerk/Treasurer shall provide the accounting to each applicant as provided in paragraph (6) hereof and shall provide a copy thereof to the Town Board.

**(k)** **Town Authority Preserved.** The Town of Verona, notwithstanding the issuance of any permit under this ordinance or construction of any driveway pursuant to such permit, reserves all of its rights and authority to make or cause any changes, additions, repairs, reconstruction or relocation of any part of a driveway located within the dedicated right-of-way at any time, including but not limited to, modifications that may be necessary or convenient in connection with the relocation, reconstruction, widening and/or maintaining the road or right-of-way, without compensating the owner of such private driveway for damage to, or the destruction of, such private driveway.

## SECTION 5: 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 standards:

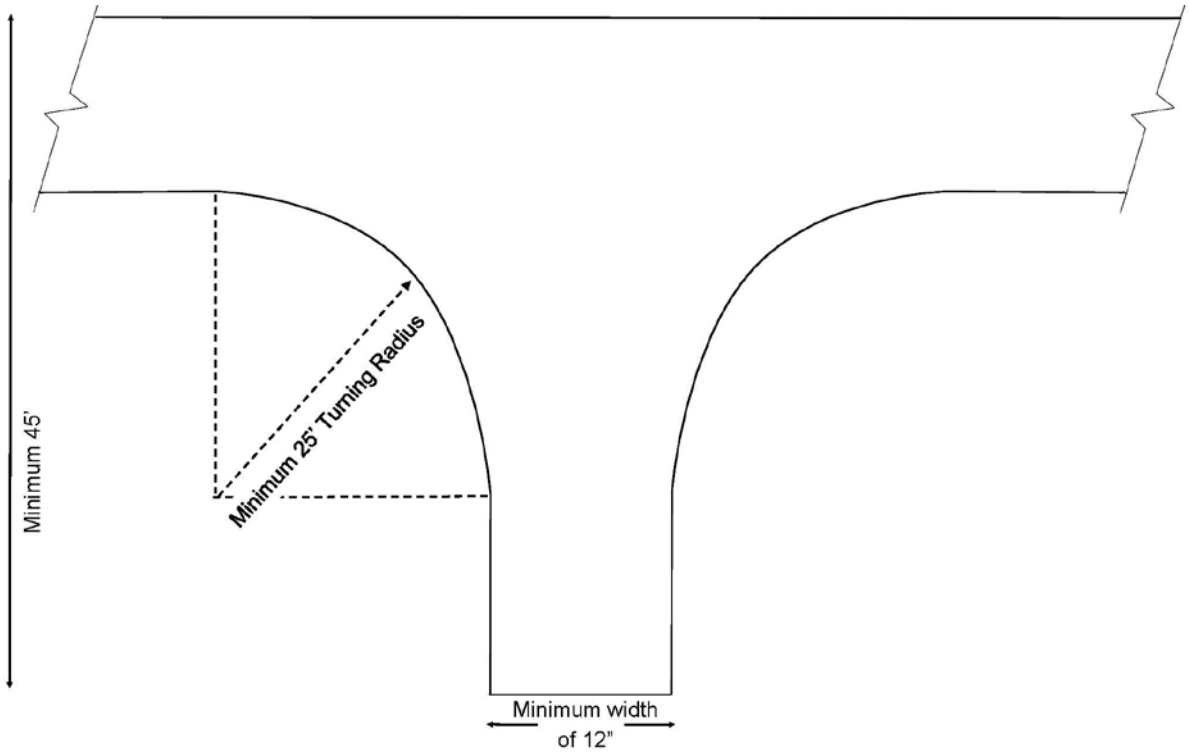
1. Location. No driveway shall provide direct ingress or egress to or from any street intersection, nor encroach upon or occupy areas of the street right-of-way required for effective traffic control or movements. A driveway shall be located a minimum of either 150' from the intersecting centerlines of roadways, or a maximum distance from the intersecting centerlines to the driveway that can be practicably achieved to provide access to an existing lot. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight line distance along the road. The Town's Project Manager shall determine minimum safe sight lines and shall determine what trimming and planting removal is required as a condition of permit approval. Driveways shall, wherever possible, be located and constructed so as not to interfere with utilities in place.

2. Design Requirements; Emergency Access. If the driveway length, from the paved portion of a Town road to any principal structure or any residential structure on the parcel is more than one hundred (100) feet, then the driveway permit application shall be reviewed by the Verona Fire Department for an assessment of proper and reasonable ingress and egress to the structure(s) by emergency vehicles prior to review by the Town Project Manager. The Town Board may deny any application for a driveway which will not provide adequate access for fire and other emergency purposes. In addition to the foregoing, such driveway shall be provided with adequate open space outside of the public right-of-way to allow for the

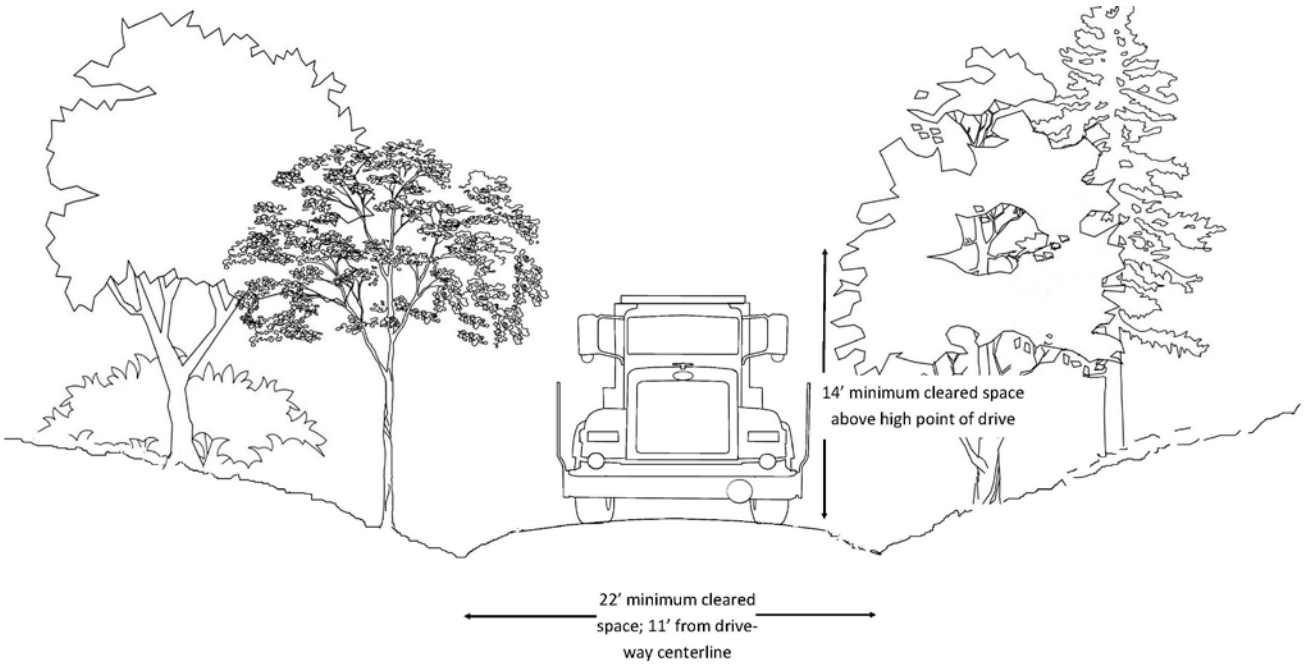
deposit of snow cleared from the driveway without obstructing the minimum necessary travel lanes for emergency vehicles. The following conditions shall be imposed to assure adequate emergency access on driveways exceeding 100 feet in total length unless determined unnecessary in a particular case by the Town Board:

i. A 50' long, 8' wide passing (pull off) lane shall be required for driveways 500' or longer; additional passing lanes are required for each additional 500' in length.

ii. A 90° hammerhead or loop turn around shall be constructed 100' from each building intended for human occupancy; loops shall have a minimum turning radius of 50'.




iii. Trees, shrubs, walls and any other obstructions on either side of driveway shall be removed to allow for safe passage of emergency vehicles and as a location for snow storage during the winter season; the minimum width of this cleared path shall be 22' with the driveway centered to the path. Trees, shrubs and other vegetation shall be trimmed or removed as necessary to maintain a minimum of 14' height clearance over the entire 22' path at all times.




iv. Curves in the driveway shall have an inside radius of not less than 36'

3. Number. Not more than one (1) driveway shall be permitted to serve an individual residential or commercial property. The Town Board may grant variance for an additional driveway if the owner demonstrates a legitimate hardship and if the Board determines that the additional driveway will not create any significant impairment of efficient traffic movements or cause any danger to the public.

4. Drainage. The surface of the driveway connecting with the road cross sections shall be sloped to preclude ordinary surface water drainage from flowing onto the roadbed. No driveway apron shall extend into the street further than the pavement edge or face of the curb. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of the road, side ditches or roadside areas or with any existing structure in the right-of-way. All driveways and parking areas shall be graded and constructed in such a manner that no storm water is discharged onto the roadway.

5. Grade. A driveway shall have a maximum grade at any given segment not exceeding twelve percent (12%).

6. Relocation of Utilities. Any costs of relocating utility structures or facilities shall be the responsibility of the property owner. Approval by the Town Board shall be obtained before any utility structure or facility is relocated within the right-of-way.

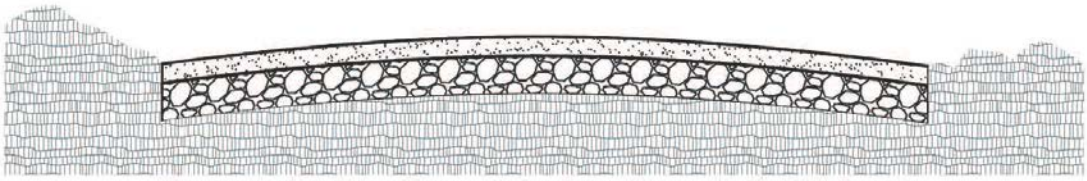
**(b) Specific Requirements for Field Roads, Agricultural, Commercial and Industrial Driveways.**

1. Width of Drive. A private commercial or industrial driveway located within the dedicated right-of-way shall, except as hereinafter provided, have a minimum width of twelve (12) feet and a maximum width of thirty-six (36) feet measured perpendicular to the centerline of said driveway. Each driveway shall include an apron extending to the paved portion of the adjacent roadway, which may be wider than the general driveway width provided that the maximum width shall not exceed thirty-six (36) feet at any point. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway or apron of greater width than herein specified, the Town Board may grant special permission for additional width provided that the applicant establishes that the additional width will not create any significant impairment of efficient traffic movements or cause any danger to the public. Additional standards may be required during the permitting process as defined by the Town Board and/or Project Manager.

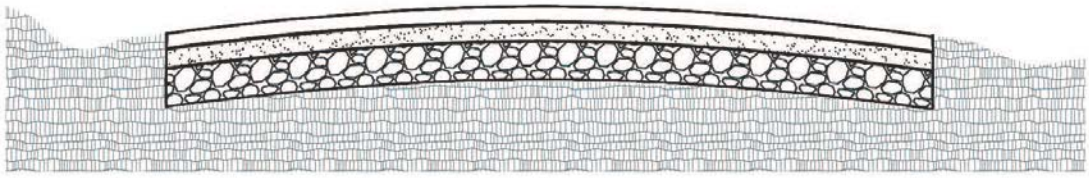
2. Angular Placement of Driveway. The angle between the centerline of any field road or agricultural, commercial or industrial driveway and edge of pavement of the roadway or curb line shall not be less than 70 degrees from the direction of travel on the public road.

3. Pavement. Commercial and Industrial driveways shall be paved with asphalt or concrete. The thickness of pavement shall be a minimum of 3.5 inches of asphalt over 12 inches of crushed aggregate base course for asphalt driveways, and a minimum of 6 inches of concrete over 10 inches of crushed aggregate base course for a concrete driveway.

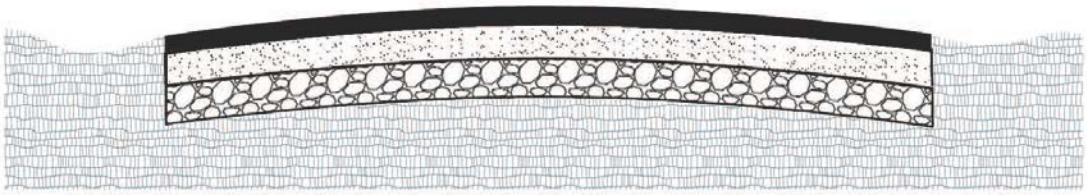
4. Field Roads and Agricultural Driveways. The Town Board with the advisement of the Project Manager will determine the appropriate standards for field roads and agricultural driveways on a case-by-case basis.



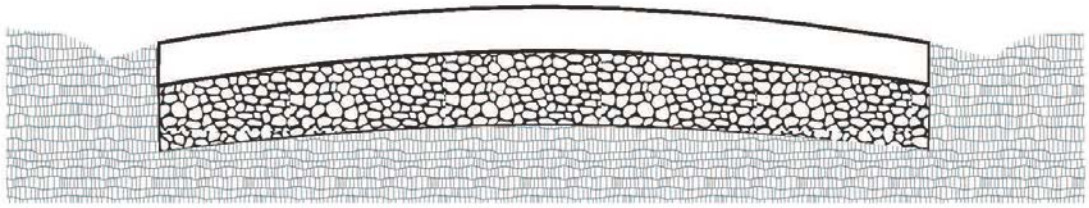
Preconstruction Drive: Compacted native soil beneath, 6" of 3" diameter breaker run, with 4" of 1 1/4" to 1 1/2" diameter aggregate and fines atop



Finished Gravel Drive: Compacted native soil beneath, compacted shoulders sloped for drainage, 6" of 3" diameter breaker run with an additional 2" of 1 1/4" to 1 1/2" diameter aggregate atop the 4" layer of aggregate for a total minimum depth of stone of 12"



Finished Asphalt Drive (Commercial Standard): Compacted native soil beneath, compacted shoulders sloped for drainage, 6" of 3" diameter breaker run base, with a minimum of 6" of 1 1/4" to 1 1/2" diameter aggregate and fines atop, with a minimum of 3 1/2" of asphalt

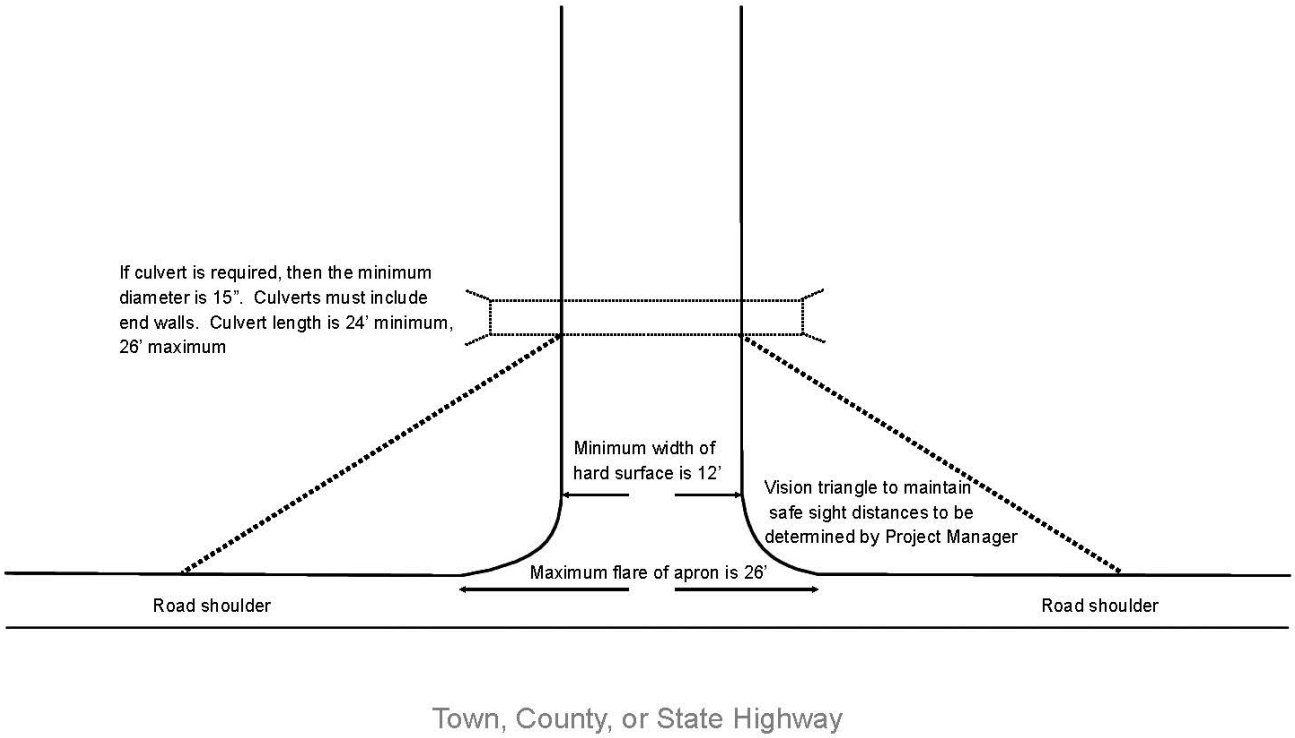


Finished Concrete Drive (Commercial Standard): Compacted soil beneath, compacted shoulders for drainage, 10" of crushed aggregate base, with a minimum of 6" of concrete atop

**(c) Specific Requirements for Residential Driveways.**

1. Width of Drive. The flared apron for a residential driveway shall be no greater than twenty-six (26) feet or less than twenty-four (24) feet wide at the edge of pavement of the roadway or curb line. The minimum width for the balance of the driveway, excluding the flared apron, shall be no less than fourteen (14) feet wide (a minimum of 12 feet of driveway width constructed to the full 12 inch depth described below in 5 (c) 3 with two shoulders 1 foot in width comprised of compacted soil with a minimum of 2 inches of compacted 1 ¼-1 ½ inch gravel and fines atop). The Town Board may grant special

permission for a driveway of additional width provided that the applicant establishes that the additional width will not create any significant impairment of efficient traffic movements or cause any danger to the public.




2. Angular Placement. The centerline of a residential driveway access shall be either parallel to the nearest side lot line of the lot it serves or at right angles to the edge of pavement of the roadway or curb line.

3. Construction. The minimum depth of sub road during the construction phase shall be no less than 6 inches of compacted 3 inch diameter breaker run overlaid with 4 inches of compacted 1 ¼-1 ½ inch gravel and fines. The finished driveway shall have a minimum additional 2 inches of compacted 1 1/4-1 ½ inch gravel and fines applied atop that is graded to facilitate drainage of storm water. These minimum standards shall also apply to driveways with a paved surface layer.

**(d) Culvert Construction Standards.**

1. General. Culverts shall be installed prior to construction work being commenced on the property. All culverts shall be constructed of galvanized steel, concrete, or plastic or other material approved by the Town Project Manager, and shall be of sufficient gauge to provide adequate bearing capacity for vehicles expected to use the driveway as determined by the TownProject Manager.

2. Length and Diameter. Culverts shall be sized to provide adequate conveyance of stormwater generated by a 25-year storm event, but in all cases shall be not less than twenty-four (24) and no greater than twenty-six (26) feet in length nor smaller than fifteen (15) inches in diameter, or equivalent. The Town Board may require a larger capacity culvert in any case where it is deemed necessary to minimize the risk of flooding of the Town right-of-way, to facilitate efficient maintenance, or otherwise to reduce the risk of harm to the public health, safety or welfare.

3. Placement. Culverts shall be placed in the ditch line at elevations approved by the Town staff so as to adequately convey water and assure proper drainage.

4. End walls. All culverts shall have flare end wall sections so that backfill and cover material will not erode into the bottom of the ditch and reduce the capacity of the ditch and culvert. End walls also serve a safety function in that vehicles that enter the ditch way inadvertently may not be stopped as abruptly by

the flared end wall. End walls or abutments constructed of timber or rock or similar material are prohibited.

5. Backfill and Cover Material. Culverts shall be covered with granular material compacted in place, or other material approved by the Town Project Manager. The minimum cover, measured from the top of the culvert to the top of the sub grade material shall be six (6) inches.

6. Construction/Reconstruction of Curbs. When construction of a driveway requires the removal of a curb and/or gutter, the same shall be replaced and restored with equivalent acceptable material per Town standards. Curb returns shall be provided or restored in a neat and professional manner.

**(e) Maintenance Responsibility.**
The property owner is responsible for maintaining the driveway approaches, culvert and ditch in such manner necessary to permit free and unobstructed flow of water. The Town of Verona does not assume any responsibility for the removal or clearance of snow and or ice, or the opening of windrows of such material, upon any portion of the driveway within the right-of-way. The Town shall not be responsible for repair or replacement of concrete or decorative pavement or decorative end walls/headwalls located in the right-of-way.

**(f) Existing Driveways.** Existing driveways shall be improved to the standards in effect at the time of significant changes in the permitted use of the land served, such as rezoning to a more intensive use district, or reconstruction or relocation of the driveway or private road, unless the Town Board determines that the change or modification will have an insignificant impact on public facilities and public safety. When washing or other conditions created by an existing driveway that does not meet the specification established by this ordinance obstruct or become a potential hazard to a public road, the Town Board shall notify the property owner of the conditions. Any property owner failing to correct such conditions within thirty (30) days after notice by the Town Board shall be subject to the penalties provided herein.

**(g) Additional Standards and Variances.**

1. The Town Board shall have the discretion to impose higher standards where in the opinion of the Town Board local conditions or anticipated traffic in quantity or quality will require higher standards to assure adequate protection of public facilities or the public safety.

2. The Town Board may grant variances from the minimum standards in situations where strict application of the minimum standards will result in practical difficulty or unnecessary hardship, provided that such a variance shall not be contrary to the public interest, health or safety.

3. Application for such variance shall be in writing by the landowner(s) stating fully all facts and shall be supplemented with maps, plans or other additional data which may aid the Town Board in the analysis of the proposed variance. The conditions upon which the request for a variance is based shall be unique to the property and not applicable generally to other property. The conditions shall not be mere inconvenience, financial hardship or self-imposed hardship.

4. Any costs incurred by the Town in the approval or denial of a proposed variance shall be reimbursed to the Town by the applicant(s) seeking the variance. This shall include but not be limited to additional engineering studies, attorney fees and/or per diems by Town Board members.

5. The Town Board, if it approves a variance, shall do so by motion or resolution and by majority vote. The reasons for approval or denial of a variance shall be entered in the minutes of the Town Board, and the Town Clerk shall notify the applicant of the decision.

6. Such variances shall be granted only if they do not impair the intent and purpose of this ordinance, the desirable general development of the Town in accordance with any Town plan, or the Zoning Ordinances of Dane County.

## SECTION 6: ENFORCEMENT

The Town Administrator, Project Manager or Building Inspector may post a stop work order if a driveway, culvert or other permitted construction, or any part thereof, is being installed contrary to the terms of this ordinance or without a permit. Every property owner shall comply with the terms of any stop work order so issued.

**SECTION 7: PENALTIES**

Any person who constructs or modifies any driveway without a permit as required by this ordinance, or who violates any stop work order issued under Section 6 shall forfeit $500.00 plus all applicable assessments, surcharges and court costs for each violation. Any person who shall construct, modify or fail to maintain a driveway, culvert or ditch in violation of any other provisions of this ordinance shall, unless the violation is corrected within thirty (30) days of date of written notice from the Town Board or Building Inspector, forfeit $500.00 plus all applicable assessments, surcharges and court costs for each violation. Each day that any violation continues shall constitute a separate offense. An unlawful driveway constitutes a public nuisance and may be subject to abatement by any applicable procedure.

**SECTION 8: EFFECTIVE DATE**

This ordinance shall take effect the day after its enactment and publication of this ordinance or an appropriate notice hereof as provided by law.

_____

David K. Combs, Town Chair

I, John Wright, Clerk/Treasurer of the Town of Verona, do hereby certify that the foregoing ordinance was duly enacted by the Verona Town Board at its October 7, 2014 meeting.

_____

John Wright, Clerk/Treasurer

Published: 10/30/2014
Effective: 10/31/2014
Revised: 08/24/2015