

## CHAPTER 3

### Driveways

(Rev. 9/04', Ord. 2004-6, Rev. 5/22'. Ord. 2022-04)


#### SEC. 6-3-3 DRIVEWAY APRONS INSTALLATION/REPLACEMENT IMPROVEMENT POLICY. (Rev. 8/95', Ord. 1995-8)

- (a) **General requirements.** (Rev. 8/96', Ord. 1996-12) The design and construction of driveway aprons shall be in accordance with the following:
- (1) General Design. All new or replacement driveway aprons shall be concrete and of such width and so located that all of such apron and their appurtenances are within the limits of the frontage abutting the street of the property served.
  - (2) Encroachment on Right-of-Way. Aprons shall not extend out into the street, and under no circumstances shall such driveway apron extend into the gutter area. 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 structures on the right-of-way.
  - (3) Culverts. When required by the Director of Public Works or the Village Engineer to provide adequate surface water drainage along the street, the property owner shall install any necessary culvert pipe. The expense of obtaining and placing said culvert pipe shall be paid entirely by the property owner. Said pipe shall conform to standards determined by the Village Engineer.
  - (4) Surfacing Specifications. All concrete driveway aprons shall have a minimum thickness of six (6) inches.
- (b) **Concrete Aprons Required.** All new or replacement driveway aprons shall be concrete. The specifications for concrete driveway aprons shall be as determined by the Director of Public Works, after consultation with the Village Engineer.
- (c) **Specific Policies.**
- (1) When Curb and Gutter is already Installed. In areas where curb and gutter is already installed, and the Village has not begun scheduled replacement or improvement of curb and gutter and/or sidewalks, the following policy shall be enforced:
    - a. All missing driveway aprons or driveway aprons in poor condition shall be removed, replaced and/or installed at the owner's expense within a time period set by the Director of Public Works or his/her designee, which time period shall not be less than 30 days nor more than 12 months.
    - b. Special assessments shall not be imposed and shall not be available for the costs incurred for driveway aprons removed, replaced and/or installed pursuant to this Subsection (c) (1).
  - (2) Whenever the Village Requires Installation, Replacement or Improvement of Curb and Gutter and/or Sidewalks. Whenever the Village requires installation, replacement, or improvement of curb and gutter and/or sidewalk, all missing driveway aprons, driveway aprons that are in poor condition and driveway aprons that are not concrete shall be replaced with concrete driveway aprons. The following policy shall be enforced:
    - a. Removal, replacement and/or installation shall occur concurrently with the curb and gutter and/or sidewalk project, as indicated by

- resolution of the Village Board.
- b. All missing driveway aprons or driveway aprons in poor condition shall be removed, replaced and/or installed. at the owner's expense. The owner will be responsible for 75% of the cost and the Village will pay 25%.
  - c. All driveway aprons that are in good condition but are not concrete shall be removed, replaced and/or installed at the Village's expense.
  - d. If the Village's project for installation, replacement, or improvement of curb and gutter and/or sidewalk includes the imposition of a special assessment, the cost of the driveway apron may be included in the special assessment in the manner indicated in the preliminary resolution, special assessment report and final resolution that imposes the special assessment for curb and gutter and/or sidewalk.
- (d) **Determination of Condition.** The Director of the Department of Public Works shall inspect driveway aprons and determine whether the driveway apron is in "good" or "poor" condition or whether the driveway apron is missing. The Director of the Department of Public Works, or his/her designee, shall provide notice of driveways in poor condition by either mail or by personal delivery to the address of the property served by the driveway. The notice shall specify the time period within which the apron or aprons shall be removed, replaced or installed. If an owner requests an extension of this time period, the owner shall submit a timely written request to the Director of Public Works or his/her designee describing the reasons an extension is necessary. The time for submission of a request for an extension shall be indicated in any notice given pursuant to this section, and failure to timely file a request for an extension shall constitute a waiver of the extension.

Passed this 10<sup>th</sup> day of May, 2022 by the Village Board of the Village of Marshall, Dane County, Wisconsin 7 YES 0 NO 0 ABSTAIN

VILLAGE OF MARSHALL by:

  
Chris Campbell, Village President

  
Lindsey Johnson, Village Clerk