

**A Local Law of the Town of Sanford Regulating
Driveway Design Standards**

Be it enacted by the Town Board of the Town of Sanford as follows:

SECTION 1. Definitions.

BMP: Best Management Practices

Town: The Town of Sanford, Broome County, New York

SECTION 2. Application.

The requirements of this local law shall apply to all new driveways accessing Town in roads in the Town of Sanford. Driveways proposed onto State highways require approval from the State Department of Transportation (DOT) and driveways proposed onto County Highways require approval from the Broome County Department of Public Works (DPW).

SECTION 3. Design Standards.

1 Access:

- a. The angle of all driveways Town roads shall be between eighty(80) and ninety(90) degrees for a distance of twenty(20) feet from the edge of the Town roads driving surface.
- b. The return radius between the edge of the driveway and the edge of the existing town road's driving surface shall be a minimum of fifteen (15) feet on each side of the driveway.
- c. Driveways shall have an adequate sight distance in each direction meeting the requirements of the Manual of Uniform Traffic Control devices measured twenty (20) feet back from the edge of the town road's pavement at a forty two (42) -inch eye a height.
- d. Sight easements shall be provided across all driveway corners. No obstructions to vision such as shrubbery, brush, trees, earth, fencing or structure shall be permitted at the road intersections within the-triangle-formed-by the intersection-of the road-center lines and a-line drawn between points along such lines thirty (30) feet distance from their point of intersection and ten (10) feet back from the edge of the pavement of the road. This restriction does not apply to U.S. Postal Service mailboxes.

- 2 Finished Grade
 - a All access grades within twenty (20) feet of the town road's driving surface shall be no more than 1 ½ %. Any grade beyond this twenty (20)-foot point shall not exceed 20 per cent.
 - b Access grades shall be constructed to slope downward from the edge of the highway pavement to the existing drainage ditch line at a rate of three-quarter (3/4) inch per foot.
 - c Ditching will be adequate along driveway to accommodate runoff and not affect adjoining properties or highways.

SECTION 4. Construction Specifications.

1. Culvert pipe(s) shall be new and supplied by the property owner. Prior to construction, applicants shall contact the Town Highway Superintendent for specifications of the size of pipe and materials. The Highway Department shall be responsible for the proper installation of all culvert pipes for residences only (except for stream crossings).
2. Minimum length of culvert pipe shall be thirty (30) feet with a maximum length of forty (40) feet. All culvert pipe shall have a minimum diameter of fifteen (15) inches.
3. For any driveway, the Town Highway Superintendent reserves the right to review the site and advise BMPs that shall be set in place before and during construction.

SECTION 5. Maintenance.

1. Driveways must be kept in good driving condition.
2. Privately owned ditches must be maintained in a manner that prevents storm runoff from private drives from entering onto a Town Road. The Town will hold individual property owner(s) financially responsible for any damage to Town roads relating from private drive runoff (i.e. washouts, debris, failure of proper ditch maintenance, etc.).

SECTION 6. Application for Driveway Building Permits.

- 1 Application for Driveway Building Permit shall be filed with the Town Code Enforcement Officer through the Town's general building permit. A Driveway Permit Application inspection fee of \$25 for residential properties and \$100 for non-residential properties will be required if the applicant has not secured a building permit.
2. Prior to construction, applicants shall arrange a time for the Town Highway Superintendent to conduct an initial inspection to review the location of the proposed driveway. Before a Driveway Building Permit can be approved, a final inspection will be necessary to verify the specifications of this regulation have been met to the satisfaction of the Highway Superintendent.
3. No Building Permit Application for on-site construction shall be considered by the Code Enforcement Officer until an initial driveway inspection has been performed and an acceptable location has been sited. In order for the Code Enforcement Officer to perform necessary inspections, a passable driveway also must be

constructed in the sited location prior to the issuance of any Building Permit Application for additional on-site construction.

4. No Certificate of Occupancy shall be issued by the Code Enforcement Officer until the driveway is completed, inspected and approved by the Highway Superintendent.
5. The person to whom such permit is issued shall be responsible for all damages caused to the road itself, any public utilities in the road, any cracked or damaged sewer and water pipe shall be replaced with new pipe, under the supervision of the Highway Superintendent. Before the Certificate of Occupancy can be issued any damaged ditches, curbs, sidewalks, or other improvements shall be repaired or replaced in as good condition as before the construction commenced.
6. No debris shall be left in the Town Road at the end of each workday.
7. If any excavation is caused in any Town street or highway relating to the driveway construction, it shall be restored within the time granted in the permit, with approved bank run gravel and shall be kept and maintained level with the unexcavated portion thereof, for a period of one year from the date of the permit, so that said excavated portion shall be left in as good, substantial and permanent condition as before the excavation; and if not so restored and maintained, the work shall be done under the direction of the Superintendent of Highways and the cost thereof shall be a lawful charge against the person to whom the permit was issued and it shall be the duty of the Superintendent of Highways to sue for and recover such cost. No person, persons, firm or corporation making or having made any such excavation in or upon any street or highway aforesaid, shall permit such excavation to remain open or uncovered either day or night, without having or causing the same to be properly barricaded by day and night and in addition thereto, shall place at such location, flares, red lanterns or other warning devices, by night, so as to properly warn all persons of the danger of such hole or excavation.

SECTION 7. Access for Proposed New Lots.

An applicant proposing a subdivision shall not receive final approval without first meeting with the Town Highway Superintendent regarding the accessibility of each lot. The applicant shall provide the Code Enforcement Officer with a signed letter from the Highway Superintendent on his letterhead verifying that he has inspected the site and has determined that each new lot can be adequately accessed from a Town road

SECTION 8. Certificates of Insurance.

A. The permittee on all non-residential properties shall present to the Town certificates of insurance evidencing the acquisition of liability insurance coverage, naming the Town as an additional insured on a non-contributory basis with the minimum limits of coverage for bodily injury equal to \$1,000,000.00 for each person injured, \$2,000,000.00 for aggregate bodily injury resulting from each occurrence, and \$500,000.00 property damage.

B. Said insurance shall be maintained throughout the term of the permit and the aforementioned certificates shall provide for thirty (30) days' notice to the Town prior to cancellation of coverage.

C. All persons performing work under this permit are to be covered by Workmen's Compensation Insurance and Disability Benefits insurances as required by New York law.

SECTION 9. Maintenance Bond and Letter of Credit.

The permittee on all non-residential properties shall present to the Town a maintenance bond and/or a bank letter of credit in favor of the Town in such amount as the Highway Superintendent with the advice of the Engineer serving the Town and/or the Attorney serving the Town shall recommend to the Code Enforcement Officer dependent upon the number and extent of the driveways being constructed pursuant to such permit. guaranteeing compliance with the provisions of the permit. At such time, if ever, that said bond or letter of credit is expended, the permittee shall replace the same within 5 days written notice of the Town, failing which the permit shall be subject to revocation.

SECTION 10. Indemity and Save Harmless.

The permittee on all non-residential properties shall agree to fully indemnify, defend, save and hold harmless the Town and all of its departments, bureaus, divisions, boards, officers and employees from and against any and all claims, costs, damages, expenses, charges, risks, losses, lawsuits, judgments, executions, penalties, fines, assessments or any other liability of any type arising out of, occurring in connection with, or resulting from any and all activity to be performed by permittee pursuant to said permit.

SECTION 11. Title.

This local law shall be known and cited as the "Driveway Design Standards Local Law".

SECTION 12. Separability.

Should any section, paragraph, sentence, clause or phrase of this Local Law be declared unconstitutional or unjust for any reason by a Court of competent jurisdiction, the remainder of this Local Law shall not be affected thereby.

SECTION 13. Inconsistency.

All Resolutions or Ordinances or Local Laws or portions thereof of the Town of Sanford not consistent with this Local Law in whole or in part shall be repealed.

SECTION 14. Penalties.

A. A violation of this local law is an offense, punishable by a fine not exceeding two hundred fifty dollars or imprisonment for not more than fifteen days, or both.

B. In addition to the above prescribed penalties, the Town Board may in its discretion revoke any permit previously issued after a public hearing at which the applicant shall have an opportunity to be heard, or in the alternative, may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with this local law by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the Town for costs incurred by the Town in remedying each violation, including but not limited to reasonable attorney's fees.

SECTION 15. Effective Date.

This local law shall take effective immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.