

TOWN OF MACHIAS
DRIVEWAY ORDINANCE

Art. 1. Driveways, §1 - 11

ARTICLE 1. DRIVEWAYS

Sec. 1. Applicability.

(a) This article shall only apply to State aid highways, State highways, and all accepted town ways within the limits of the Town of Machias.

(b) When such highways are being constructed or reconstructed by the Town of Machias or the State of Maine, the provisions of this article will not apply.

Sec. 2. Permit required to build, construct; application for permit.

No person shall build or construct a driveway providing access to a street without first obtaining a permit from the Planning Board, and application for such permit shall be submitted in such form as required by the Town of Machias.

Sec. 3. Construction, expense to be owner's responsibility; conformance with standards of workmanship.

All construction work on driveways within the street line shall be done by the property owner or occupant at his own expense and in conformance with proper standards of workmanship as prescribed by the Planning Board.

Sec. 4. Construction near intersection.

No driveway shall be built within forty (40) feet of the intersection of two (2) street lines, except upon recommendation by the Code Enforcement Officer, or Road Commissioner and approval of the Planning Board.

Sec. 5. Number of driveways for same property.

Not more than two (2) separate non-connecting driveways for the same property on the same street will be allowed per one hundred (100) feet of frontage. Property owners would require a variance and permit to connect the two driveways.

Sec. 6. Moving, removal, or establishment of drainage facilities.

Where driveways require the moving or removal of catch basins or other drainage facilities such change shall be made only upon approval of the Planning Board and at the expense of the applicant. Where ditches provide drainage along roadways, the applicant is responsible to provide a culvert to ensure unrestricted drainage for the roadway. The size and type of culvert will be determined by the Road Commissioner or the Public Works Director.

Sec. 7. Altering grades of walks.

When constructing driveways, the grade of existing walks may be altered when such change will not adversely affect or damage adjoining walks and property, and then only at a grade set by the Code Enforcement Officer (CEO).

Sec. 8. Width

The width of any driveway shall not exceed forty-two (42) feet at the curb, nor less than fourteen (14) feet in width.

Sec. 9. When safety islands required.

Where two (2) driveways are provided for the same property on the same street, a safety island of not less than ten (10) feet at the outer edge of the walk shall be provided.

Sec 10. Permit and Fee.

A permit will be required for the installation of a new driveway when the owner is not applying for a building permit. The fee for a driveway permit shall be established by the Planning Board and listed on the permit itself.

Sec. 11. Penalty

Any person who builds or constructs a driveway providing access to a street without first obtaining a permit required by this article, or who otherwise violates the provisions of this article commits a civil violation for which a forfeiture not to exceed one-hundred dollars (\$100.00) maybe adjudged. A period of sixty (60) days will be given for the violation to be corrected. Each day that such violation(s) continue after the seven day period shall earn a daily penalty of ten dollars (\$10) per day until the violation is resolved.

Adopted: _____

Signature of Planning Board members:

William Thompson

David Barker

Arthur McCurdy

Ed Pellon

Joseph Gurney