

Chapter 143

DRIVEWAYS

§ 143-1. Permit required.

§ 143-4. Permittee liable for damage or injury.

§ 143-2. Installation requirements.

§ 143-3. Permit applications.

[HISTORY: Adopted by the Village Board of the Village of Black Creek as Title 4, Ch. 3, of the 1987 Village Code. Amendments noted where applicable.]

§ 143-1. Permit required.

- A. For the safety of the general public, the Village shall determine the location, size, construction, and number of access points to public roadways within the Village limits through the administration of this chapter by the Director of Public Works. It is the Village'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.
- B. Unless otherwise especially permitted by resolution of the Village Board, upon written application giving the reason therefore, no person shall construct, repair or reconstruct any driveway across or through any sidewalk or curbing without having first obtained a permit from the Director of Public Works. Refer to the Building Permit Fee Schedule for the amount of permit.¹ Such permit shall be issued upon an application form provided by the Village and shall contain such information as the Village Board shall deem necessary. [Amended 10-8-2012]

§ 143-2. Installation requirements.

- A. Openings for vehicular ingress and egress shall be at least 10 feet wide at the property line for residential properties and a minimum of 16 feet wide at the property line for all other uses, but shall not exceed 24 feet at the property line and 30 feet at the curb opening.
- B. No driveway shall be closer than 10 feet to the extended street line at an intersection. 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 Village Board for effective traffic control or for highway signs or signals. Vehicular entrances and exits to drive-in theaters, banks, and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages; or public parking lots shall be not less than 200 feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park, playground, library, public emergency shelter, or other place of public assembly.

1. Editor's Note: Said fee schedule is on file in the Village offices.

- C. No driveway apron shall extend out into the street further 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 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. When required by the Director of Public Works, so as to provide for adequate surface water drainage along the abutting street, the property owner shall provide any necessary culvert pipe at such owner's expense.
- D. No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without the impairment of safety, convenience and utility of the street by the Director of Public Works. Driveway approaches shall be at least 10 feet apart except by special permission from the Director of Public Works, and driveways shall in all cases be placed wherever possible as not to interfere with utilities in place. Any costs of relocating utilities shall be the responsibility of the property owner, with approval of the Village Board necessary before any utility may be relocated and the driveway installed.
- E. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in § 308-5C of this Code insofar as such requirements are applicable, including thickness requirements in § 308-5C.²

§ 143-3. Permit applications.

Permit applications shall be made at least 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 Director of Public Works shall have such time as reasonably necessary for examination and consideration of any application before granting the permit, subject always to specific direction of the Village Board.

§ 143-4. 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.

2. Editor's Note: So in original. Section should apparently refer to § 308-6C.