

**VILLAGE OF MATTAWAN
DRIVEWAY ORDINANCE
ORDINANCE 56**

AN ORDINANCE PROVIDING FOR REGULATION OF THE CONSTRUCTION, MAINTENANCE AND REMOVAL OF DRIVEWAY APPROACHES.

THE VILLAGE OF MATTAWAN, VAN BUREN COUNTY, MICHIGAN ORDAINS:

Permit Required -- No person shall begin to construct, reconstruct, alter any curb or curb cut on the public streets within the Village of Mattawan without first obtaining a permit from the Village Clerk as provided in this Ordinance.

Application -- An application for a permit hereunder shall file with the Village Clerk an application showing:

- A. Name and address of the owner, or agent in charge of the property abutting the proposed work area,
- B. Name and address of the party doing the work,
- C. Location of the work area,
- D. Attached plans showing details of the proposed work area,
- E. Estimated cost of the work,
- F. Such other information as the Village Clerk shall find reasonably necessary to the determination of whether a permit should be issued hereunder.

Permit Fee -- A permit fee, as set by the Village Council shall accompany each application.

Curb Cuts and Driveway Approaches -- Issuance of such permits shall be made only in accordance with the following regulations:

- A. Definitions: As used in this section, the following definitions apply:
 1. The term "approach" shall mean an area improved for vehicular traffic on a public street right-of-way, which connects the traveled portion of the street with a driveway.
 2. The term "curb cut" shall mean the section of curb removed to permit ingress and egress from the pavement to the adjacent property and shall be measured between the points of tangency of the opening radii with the normal street curbing.
 3. The term "opening" shall mean the point of connection of the driveway and approach at the street right-of-way line. Its width and location shall be determined by extending the driveway line to the street right-of-way line.
 4. The term "site" shall mean all contiguous land under the same ownership or one whole lot in the case of land for which a recorded plat exists.
 5. "Street frontage" shall mean the length of the property abutting one or more streets.

Traffic Hazards -- Any openings that are found to be a traffic hazard may be closed, modified or relocated by resolution of the Village Council.

Traffic Control Order -- The direction and turning movement of traffic entering and exiting through openings shall be subject to traffic control orders (Uniform Traffic Code).

Useless Curb Cuts -- If at any time a curb cut ceases to be functional, the curb shall be replaced and the approach removed by the adjoining property owner. If a useless curb is not replaced by curbing and approach removed, said work may be done by the Village. The cost of said work shall be assessed against the site formerly served by the curb cut.

Variations and Exceptions -- The Village Council shall have the authority to interpret this ordinance and may, in specific cases involving practical difficulty or unnecessary hardship, grant variations or exceptions from the requirements of this ordinance providing such variation or exception is in harmony with the general purpose of this ordinance.

Repeal -- All ordinances or parts of ordinances, which are in conflict herewith, are hereby repealed.

FOR RESIDENTIAL USE:

Design Criteria --

- A. The angle of the driveway approach to the street shall be 90 degrees, except as otherwise provided.
- B. Single-family dwellings may have only one opening. Two-family dwellings may have only two openings.
- C. Driveways for single- and two-family used shall be constructed as follows:
 - 1. Minimum permitted width of openings: 10 feet
 - 2. Maximum permitted width of openings: 24 feet
 - 3. Maximum permitted curb cut width: 30 feet
 - 4. Minimum turning radius: 15 feet.
- D. Any person owning or occupying buildings adjacent to paved streets shall construct the opening with stabilized, compacted gravel 8 inches thick. Slope paving 1/2 inch per foot to face of gutter pan.
- E. This opening must be maintained by the property owner such that it does not become a hazard or cause damage to the edge of the roadway. If not maintained by the property owner, the Village shall have the work done or do the work and shall assess the cost to the property owner.

FOR COMMERCIAL/INDUSTRIAL USE:

Designed Criteria—

- A. The angle of the driveway approach to the street shall be 90 degrees, except as otherwise provided.
- B. Commercial/industrial driveways shall be constructed as follows:
 - 1. Minimum permitted width of opening: 22 feet
 - 2. Maximum permitted width of opening: 30 feet
 - 3. Maximum permitted curb cut width: 40 feet
 - 4. Minimum permitted width of one-way drives: 14 feet
 - 5. Maximum permitted width of one-way drives: 28 feet
 - 6. Minimum turning radius at pavement edge: 15 feet
 - 7. Maximum turning radius at pavement edge: 30 feet

- C. Upon finding that traffic conditions would otherwise cause unnecessary congestion or practical difficulties, the Village Administrator or his designee may permit the following design features:

One of the driveway openings on each abutting street may be channelized with a separating island a minimum of ten (10) feet in width to form a separate opening for entrance and exit lanes, provided that the total of both lanes shall not exceed the maximum permitted width.

- D. Paving Requirement: Any person owning or occupying buildings adjacent to paved streets within the Village, serviced by a driveway, shall pave or cause to be paved the approach to such driveway with the specifications of 4.12 bituminous concrete on a 6 inch compacted granular base. Slope paving 1/2 inch per foot to face of gutter pan.
- E. This opening must be maintained by the property owner such that it does not become a hazard or cause damage to the edge of the roadway. If not maintained by the property owner, the Village shall have the work done or do the work and shall assess the cost to the property owner.

Standards for Parking Lots -- The following requirements shall apply to parking lots having more than four (4) car spaces:

- A. The minimum distance to intersections as measured from the extension of the street right-of-way line to the nearest edge of the driveway opening shall be 50 feet.
- B. Where two or more openings are permitted, signs shall be erected, making one or more openings one-way.
- C. No opening shall be so located as to conflict with an existing opening on the opposite side of the street.

GENERAL --

Penalty -- Any person convicted of violation of any provision of this ordinance shall be punished by a fine of not to exceed \$500 or by imprisonment for not to exceed 90 days or both such fine and imprisonment in the discretion of the court.

Severability -- The provisions of the ordinance are hereby declared to be severable and if any clause, sentence, paragraph section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion hereof. (Ord. No. 56 Effective 4-5-82)

Effective Date -- This ordinance shall be effective after publication and expiration of the time prescribed by law.