

Town of Union Legal Notice

The following Ordinances were voted on and approve at the Annual Town Meeting of the Town of Union, CT, held Thursday, May 18th, 2000.

1. Revisions to the Union Town Ordinance titled "Town of Union – Driveway Ordinance". Copies of the complete Ordinance are available at the Town Hall.
2. Be it ordained and enacted by the Town of Union:
 - a. An ordinance concerning property where taxes are past due -
 1. No building or zoning permit, certificate of occupancy or permit for excavation in a street or highway for purpose of installing a driveway shall be issued as to any real property on which there are past due real property taxes.
 2. This ordinance shall be come effective on July 1, 2000.
 - b. An ordinance concerning persons owing past due taxes to the Town of Union –
Be it ordained and enacted by the Town of Union:
 1. The Union Town Treasurer or Board of Selectmen, as the case may be, before making payment to any person for services rendered to or materials purchased by the Town, shall ascertain from the Union Tax Collector whether such person owes past due tax to the Town on real or personal property. Any such past due taxes and any interest and fees in respect thereto shall be deducted from the amount due and owing from the Town to any such person and shall be paid to the Town Tax Collector and applied to such past due taxes, interest and fees. The word "person" shall include taxpayers who are individuals, corporations, partnerships or other such entities.
 2. The provision of this ordinance shall not apply to the payment of wages.

Board of Selectmen
Town of Union
Albert L. Goodhall, Jr.
Nathan B. Swift
Thomas L. Fitzgerald

**DRIVEWAY ORDINANCE
(REVISION 2001)**

No person, corporation or firm shall construct a new driveway or alter an existing driveway in the Town of Union without first obtaining a permit from the Public Works Director, hereinafter referred to as the "Director".

Approval of an application for a permit for a driveway shall be subject to the following conditions:

- 1 The applicant is the owner of the property, or owner jointly with the contractor, and any driveway approach constructed by or for the applicant is for the bona fide purpose of securing access to his property and not for the purpose of parking or servicing vehicles on the highway right-of-way.
- 2 Any driveway, approach or improvement constructed under permit within the highway right-of-way shall be subject to inspection at any time by the Director or Planning and Zoning Commission, or its agent. The Director or the Planning and Zoning Commission reserves the right to require such changes, additions and relocation thereto, as in its' opinion, may be necessary for the relocation, reconstructing widening or maintenance of the highway or to provide protection of life and property on or adjacent to the highway.
- 3 No driveway, approach or other improvement constructed on the highway right-of-way, under permit, shall be altered without written permission of the Commission or its agent.
- 4 The applicant agrees to hold harmless the Town of Union or its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of the permit
- 5 The proposed location, design and construction of any driveway under permit shall be evaluated by the Director in accordance with the following criteria:
 - a. No driveway shall have a slope greater than four percent (4%) at any point within a distance of ten (10) feet of the highway right-of-way. Whenever any driveway rises in elevation from the level of the adjoining road, any portion of the driveway that has a slope greater than or equal to ten percent (10%) must be paved. All driveways shall be designed to prevent storm water and debris from entering the traveled portion of the adjoining highway.
 - b. The width of any driveway shall not exceed thirty (30) feet. The flare end of the driveway, where it meets the highway, is not to exceed forty (40) feet. The area within Town or State property between driveways shall not be improved to facilitate vehicular traffic or parking. This area shall be considered restricted, and may be developed only as hereinafter provided in Paragraph 1.
 - c. No driveway shall be so constructed that any part of such driveway, including necessary excavation, is less than ten (10) feet from the extended common boundary separating adjacent private properties.
 - d. The construction of parking areas on the highway right-of-way is prohibited. Places of business requiring parking space for their customers shall provide such facilities on their own premises. Residential driveways exceeding three hundred (300) feet in length shall have a turn around area at its end large enough to accommodate emergency vehicles in accordance with the recommendations of the Fire Chief or his designee.
 - e. Drainage discharged from any road or flowing within the right-of-way shall not be altered or impeded and the applicant must provide suitable drainage structures as directed by the Director or Planning and Zoning Commission.
 - f. When a curb and gutter are removed, the driveway shall be constructed so that the curbing along the highway shall be returned into the entrance and exit on a radius of not less than two (2) feet or not more than fifty (50) feet.
 - g. All driveways shall be so located that vehicle operators approaching or using them shall have an unobstructed line of sight of two hundred (200) feet in both

directions along the highway when set back ten (10) feet from the edge of the road. The permit applicant shall stabilize all slopes by loam and seeding or other methods directed by the Director or Planning and Zoning Commission. Slopes shall not exceed a pitch of 2 to 1. Variances may be granted at the discretion of the Board of Selectmen.

- h. All driveways constructed under permit shall be dug out twelve (12) inches and filled with six (6) to nine (9) inches of process gravel and surfaced with six (6) inches reinforced concrete or three (3) inches of Class 2 asphalt fifteen (15) feet inward from the edge of the roadway, or as directed by the Director or Planning and Zoning Commission. The remainder of the area graded to drain to the highway shall be stabilized to prevent erosion and washing of material into the highway. All costs of such paving shall be borne by the permittee. This pavement shall be joined in a straight line at its intersection with the highway shoulder and shaped, as the Director shall require, to accommodate highway drainage.
 - i. No driveway shall be constructed within twenty-five (25) feet of the point of intersection of any two highway (State or Town) rights-of way.
 - j. The area between the driveway and those portions of right-of-way which have been defined herein above in (c) as restricted areas may be filled in only when surface drainage is provided, so that all surface water on the improved area is carried away from the roadbed and shoulder in a suitable manner and when the drainage facility installed under any filled area is adequate to carry the water along the highway. The Director will determine whether berms, curbs or head walls are to be constructed.
 - k. Driveway entrances onto property that is lower than the highway surface shall be constructed so as to confine surface drainage to the roadway gutter.
 - l. Temporary driveway permits will be issued for a period of time not to exceed one (1) year. Temporary driveways shall be installed with a construction pad and meet all other requirements as per the Director. A performance bond of one thousand (\$1000.00) dollars may be required to insure that the temporary driveway is returned to its original condition when its need is concluded.
 - m. Driveways on State highways require a State of Connecticut permit. There must be compliance with all State highway driveway regulations before a Zoning occupancy and/or use permit is issued.
 - n. Driveway plans must be submitted to and approved by the Director and the Planning and Zoning Commission.
 - o. Any person, firm or corporation in violation of this ordinance shall be subject to a fine not more than ten (\$10.00) dollars per day while in violation.
 - p. All work is to be performed by an insured/licensed contractor and work is to be completed before icing conditions or no later than application for Certificate of Occupancy is filed with the Commission. A certificate of financial responsibility must be presented prior to the issuance of a driveway permit. If issued after icing conditions, a performance bond of one thousand (\$1000.00) dollars will be required prior to the issuance of occupancy and /or use permit.
- 6 The provisions of this ordinance shall not apply to driveways that are constructed or altered for the sole purpose of conducting farming activity.

Approved at a Town Meeting Held June 27, 2001
Effective July 1, 2001