

**GAINES TOWNSHIP
ORDINANCE NO. 80**

**AN ORDINANCE TO REPEAL ORDINANCE NO. 62 AND TO ENACT A NEW
ORDINANCE ENTITLED "THE GAINES TOWNSHIP PRIVATE DRIVEWAY
ORDINANCE," PROVIDING MINIMUM STANDARDS FOR PRIVATE DRIVEWAYS
AND DISTINGUISHING PRIVATE DRIVEWAYS FROM PRIVATE ROADS.**

The Township of Gaines hereby ORDAINS:

Section 1. Minimum Requirements for Driveways.

All private driveways providing access to structures in Gaines Township shall be constructed and maintained in such a way as to meet all of the following requirements

- a. A private driveway shall have a drivable surface of no less than twelve (12) feet in width;
- b. A private driveway shall have an overhead clearance of no less than twelve (12) above the travel surface;
- c. All bridges, tressels, culverts and tubes which are a part of the private driveway, or over which a private driveway passes, shall be capable of carrying a minimum weight load of fifteen (15) tons;
- d. All private driveways shall have a turning radius no less than forty five (45) degrees;
- e. All private driveways over five hundred (500) feet in length shall provide a turn-around area no less than twenty (20) long and thirty (30) feet wide, at the end of the driveway nearest the structure(s) it serves;
- f. The surface of a private driveway shall be adequately maintained at all times to allow for the passage of emergency vehicles thereon;
- g. No private driveway shall be used to provide access to more than two (2) residential structures. Each residential structure served by a driveway shall have the minimum road frontage required by Township ordinances. Any such "driveway" providing vehicular access to more than two (2) residential structures shall be deemed a "private road" and shall comply with such requirements of the Township for private roads as shall be established from time to time by ordinance enacted by the Township Board.

Section 2. Requirements for Occupancy Permits.

No occupancy permit shall be issued for a structure requiring a private driveway for access unless the requirements of this ordinance have been met.

Section 3. Repeal of Ordinance No. 62.

Ordinance No. 62 is hereby repealed and, upon the effective date of this Ordinance, shall be of no effect.

Section 4. Penalty.

A violation of this Ordinance shall be a municipal civil infraction and the person or firm violating same shall be subject to the sanctions set forth in Gaines Township Ordinance No.74.

Section 5. Effective Date.

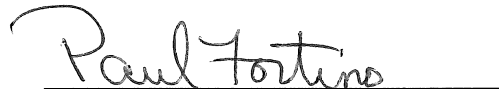
This Ordinance shall take effect thirty (30) days after publication as required by law.

At a regular meeting of the Board of Trustees for the Township of Gaines held on the 7 th day of September, 2005, **Susan Somers** moved for adoption of the foregoing ordinance and **Diane Hyrman** supported the motion.

Voting for: **Susan Somers, Diane Hyrman, Paul Fortino, Michael Dowler**

Voting against: **None**

The Supervisor declared the ordinance adopted.



Paul Fortino
Supervisor



Michael Dowler
Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No.80 which was enacted by the board of trustees of Gaines Township at a regular meeting of said board of trustees held on the 7 th day of September, 2005.



Michael Dowler, Clerk