

## ORDINANCE NO. 521

AN ORDINANCE REQUIRING PERMITS FOR THE CONSTRUCTION OF STREET ACCESSES, REQUIRING FINAL APPROVAL OF SUCH ACCESS, ESTABLISHING A PERMIT FEE, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND REPEALING ORDINANCE NO. 435.

THE CITY OF COLUMBIA CITY ORDAINS AS FOLLOWS:

Section 1. [Permit Required.] No person shall construct, have constructed, attempt to construct or attempt to have constructed an access to a city street or alley within Columbia City without first obtaining a permit from the Superintendent of Public Works.

Section 2. [Permit Process.] The Superintendent of Public Works of Columbia City, upon receiving an application for a permit to construct an access to a city street shall inspect the plans and the proposed street access for purposes of determining whether or not the proposed access will damage, alter or obstruct the city street or will create a hazard to the health, peace or safety of the community. If, in the judgement of the Superintendent of Public Works the proposed access would materially hinder, alter, change or interfere with the city street as existing, or as reasonably expected or planned to exist, or, if, in the judgement of the Superintendent of Public Works, the proposed access would create an unreasonable danger or hazard to the health, peace or safety of the general community, the permit may be denied.

Section 3. [Street Apron Requirements.] The portion of the access between the property line and the paved portion of the street shall be called the "apron." If the street or alley is paved at the time of the permit application, the apron shall also be paved. If the street or alley is not paved, the apron shall be paved at such time as the street or alley is paved. Paving of the apron shall consist of laying 2" of  $\frac{3}{4}$ "-minus compacted rock on top of 4" of 1½" rock followed by 2" of asphalt concrete. In unusual circumstances, the Superintendent of Public Works may vary the requirements of paving if the intents and purposes of the ordinance will still be fulfilled.

Section 4. [Storm Water Movement.] As a condition of approval, the Superintendent may require that culverts, catch basins and under the driveway and/or the "apron" be installed to allow storm water movement. Unless otherwise required by the Superintendent, a minimum of 12" diameter culvert shall be used. The size, placement and installation, shall be determined by the Superintendent of Public Works before a permit is granted.

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Section 5. [Final Approval Required.] Upon completion of the street access, the applicant must obtain final approval of the Superintendent of Public Works. In the event of the failure of the applicant to obtain such approval, the Superintendent of Public Works may order the applicant to modify the newly constructed access or may revoke the permit and order that the portion of the access within the city street right-of-way be removed.

Section 6. [Permit Fee.] A fee of \$15.00 shall be charged and is hereby established as the fee which must be paid by the applicant before a permit may be granted.

Section 7. [Penalty.] A violation of this ordinance is punishable by a fine of not more than \$200.00.

Section 8. [Repealer.] Ordinance No. 435 is hereby repealed.

Passed by the council and approved by the mayor July 16, 1998.