

Title 12STREETS, SIDEWALKS AND PUBLIC PLACESChapters:

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Chapter 12.04DRIVEWAY CONSTRUCTION, REPAIR AND MAINTENANCESections:

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12.04.010 Definitions. For the purposes of this chapter, the words set out in this section shall have the following meanings:

- A. "Change of use" means any change of purpose for which any land, building or structure is occupied, maintained, arranged, designed or intended.
- B. "Driveway" means any area, construction or facility between the roadway of a street and private property to provide access for vehicles from the roadway of a street to private property.
- C. "Parking strip" means the space between the street roadway or curblin and the property line, with the exception of the sidewalk area.
- D. "Roadway" means the paved, improved or proper driving portion of a street, designed or ordinarily used for vehicular travel.
- E. "Sidewalk area" means that portion of the space lying between the street roadway or curb line and the property line which is reserved for sidewalks, either existing or proposed.
- F. "Street" includes any street, alley, or other public place within the town of Hanna. (Ord. 36 §2, 1971)

12.04.020 Access from public roadway to private property. Any access from a public roadway to private property hereafter provided, constructed, altered or repaired, shall be through driveways constructed according to the provisions of this chapter. (Ord. 36 §1, 1971)

12.04.030 Permit requirements. A. Except when included in a building permit, no person, firm or corporation shall commence work on the construction, alteration, repair or removal of any driveway or the paving of any parking strip on any street, alley or other public place in the town of Hanna without a written permit first having been obtained from the town council.

B. Any party requesting such permit shall file a written application therefore with the town council. Such application shall be made on a standard city form provided for that purpose, and shall include:

1. The name and address of the applicant;
2. The name and address of the owner of the property abutting the street where the work is proposed;
3. The exact location of the proposed work, giving the street address or legal description of the property involved;
4. A detailed plan showing the exact dimensions of the abutting property and the exact dimensions and location of all existing or proposed driveways and other pertinent features within the limits of the frontage of the property;
5. The plan shall also show the location of buildings, loading platforms or off-street parking facilities being served or to be served by such driveways.

C. The town engineer may require, at his discretion, the filing of any other information when in his opinion such information is necessary to properly enforce the provisions of this chapter.

D. No plan shall be approved nor a permit issued where it appears that the proposed work, or any part thereof, conflicts with the provisions of this chapter or of any code or other ordinance of the town of Hanna, nor shall issuance of a permit be construed as a waiver of the zoning ordinance or other ordinance requirements, concerning the plan. (Ord. 36 §3, 1971)

12.04.040 Conformance to standard plans and specifications. All construction outlined in this chapter shall be performed in accordance with the town of Hanna standard plans and specifications available and on file in the office of the town clerk and shall be performed to the satisfaction of the town engineer or his duly authorized representatives. (Ord. 36 §4, 1971)

12.04.050 Specifications. Every driveway hereafter constructed or altered in street right-of-way shall conform to the following regulations:

A. Location.

1. No driveway shall be so located as to create a hazard to pedestrians or motorists, or invite or compel illegal or unsafe traffic movements.
2. Unless otherwise approved by the town engineer, all driveways including the returns, shall be constructed within lines at right angles to the curblines and passing through the front property corners.
3. No driveway shall be constructed in such manner as to create a hazard to any existing street lighting standard, utility pole, traffic regulating device, or fire hydrant. The cost of relocating any such street or structure, when necessary to do so, shall be born by the applicant. Relocation of any street structure shall be performed only by or through the person holding authority for the particular structure involved.

B. Size and Number.

1. Except as otherwise provided in this chapter, the width of any driveway shall not exceed forty feet exclusive of the radii of the returns, the measurement being made parallel to the centerline of the street roadway. Where driveways are to enter on course or alleys having a right of way width of forty feet or less, the width of the driveways may exceed forty feet and the limitation of the percentage of property frontage in driveways may be waived provided the overall plan of the location of such driveways shall meet the approval of the town engineer.
2. The width of any driveway shall not be less than ten feet exclusive of the radii of the returns, the measurement being made at right angles to the centerline of the driveway.
3. Except as otherwise provided in subdivision 1 of this subsection, the total width of all driveways for any one ownership on a street shall not exceed fifty percent of the frontage of that ownership along the street. Any driveway which has become abandoned or unused through a change of the conditions for which it was originally intended, or which for any other reason has become unnecessary, may be closed and the owner required to replace provisions of ordinances then in effect.

Whenever in a single ownership the total width of existing driveways on a street is over fifty percent of the frontage of the ownership of that street, such existing driveways shall be made to conform to the provisions of this chapter in the event of any of the following changes;

- a. Any alteration or repair of such existing driveways in excess of twenty-five percent of the frontage of the ownership on that street, or any widening of any such existing driveways;

b. Any construction of additional driveways in the ownership or the alteration or repair of any driveways in the ownership in excess of twenty-five percent of the frontage on which the driveways are to be altered or repaired, when the ownership has frontage on two or more streets;

c. Any change of use of the ownership as defined in Section 12.04.020.

Upon the alteration or repair of any one or more of the driveways as aforesaid, the town council may require such changes in any or all of the driveways of that ownership necessitated for better movement of traffic or to provide better protection to pedestrians.

Where a single ownership is developed into more than one unit of operation each sufficient in itself to meet the requirements of off-street parking and/or loading, as may be required by the zoning ordinance and where the safety of pedestrians or vehicular traffic is not endangered, then and in those events the requirements outlined above may be construed to apply to each separate unit of operation rather than to the entire ownership.

4. There shall be no more than two driveways on one street for any one ownership except where a single ownership is developed into more than one unit of operation, each sufficient in itself to meet the requirements of off-street parking and/or loading as may be required by the zoning ordinance, and where the necessity for separate access to the street is evident. In such cases there shall be not more than two driveways on one street for any one unit of operation.

5. The radius of any driveway return shall be five feet unless otherwise directed by the town engineer.

6. The angle between any driveway and the street roadway or curblin shall not be less than forty-five degrees.(Ord. 153, 1982; Ord. 36 §5, 1971)

12.04.060 Exceptions to specifications. In the event the town council determines that, in the application of the provisions of Section 12.04.050 to the use of any property, there is created an undue hardship, the council may, through action in regular meeting, grant an exception to the property owner insofar as complying with the provisions of Section 12.04.050 is concerned. (Ord. 36 §6, 1971)

12.04.070 Violation--Penalty. Any person, persons, firm or corporation violating the provisions of this chapter shall, upon conviction thereof, be fined in any sum not more than one hundred dollars. (Ord, 36 §7, 1971)

Chapter 12.08INJURY OR DAMAGE TO PUBLIC STREETSSections:

- 12.08.010 Operation of lugs and cleats on tires--Prohibited--Exceptions.
- 12.08.020 Flushing, dumping or spilling on streets.
- 12.08.030 Damage to streets unlawful--Liability for willful or negligent damage.
- 12.08.040 Through truck traffic within the town.
- 12.08.050 Shoveling into streets prohibited.

12.08.010 Operation of lugs and cleats on tires--Prohibited--Exceptions. Motor vehicles, trailers and all other vehicles, contrivances or devices having metal tires shall not be operated over any oil, asphalt or concrete surface streets of the town, if such vehicle has on the periphery of any of the road wheels, any lug, flange, cleat, ridge, bolt, or any projection of metal or wood which projects radially on the tread or traffic surface of the tire, unless the highway is protected by putting down solid planks or other suitable material, or by attachments to the wheels so as to prevent such vehicles from damaging the street. This prohibition shall also apply to tractors or traction engines which are equipped with what is known as caterpillar treads except when such caterpillar does not contain any projection of any kind likely to injure the surface of the street. It shall be permissible to move farm machinery that will not injury the highway, and permissible to use tire chains of reasonable proportions upon any vehicle when required because of snow, ice or other conditions tending to cause the vehicle to slide or skid. (Ord. 95 §1, 1979)

12.08.020 Flushing, dumping or spilling on streets. It is unlawful and punishable as a misdemeanor for any person to wash, flush, drain, or otherwise clean any cement truck upon the streets of the town and it is unlawful to leave any residue from a cement truck or other contrivance or machine for the mixing or pouring of cement upon any street in the town. Spilling dirt, gravel or coal or otherwise depositing ammonium nitrate or any other chemical harmful to asphalt is likewise unlawful and punishable as a misdemeanor. (Ord. 95 §2, 1979)

12.08.030 Damage to streets unlawful—Liability for willful or neglect damage. Any person who except in case of emergency by any means willfully injures or damages or causes to be injured or damaged any street, highway, bridge, curb, gutter, sidewalk or appurtenances thereto or other structures in connection therewith, such as culverts, guardrails, fences, signs, traffic signals, traffic lights, fire hydrants, locks on gates, and similar facilities shall be guilty of a misdemeanor and punishable as hereinafter provided. In any case such person shall be liable for the cost of repair or replacement thereof. Any person who by any means negligently injures or damages or causes to be injured or damaged any street, highway, bridge, curb, gutter, sidewalk or appurtenances thereto, or other structures in connection therewith such as culverts, guardrails, fences, signs, traffic signals, traffic lights, fire hydrants, locks on gates and similar facilities is liable for the repair or replacement thereof. (Ord. 95 §3, 1979)

12.08.040 Through truck traffic within town. Through truck traffic in the town of Hanna is restricted to travel on Jefferson Street and that portion of Second Street west of Highway 72 at the viaduct and all state highways. Use of any other street for through truck traffic shall be punishable as a misdemeanor. (Ord. 237A §1, 1990: Ord. 95 §4, 1979)

12.08.050 Shoveling into streets prohibited. It is a misdemeanor punishable as provided in the recodified ordinances of the town of Hanna, for any person to shovel or otherwise transport any snow from any driveway or sidewalk into the streets of the town of Hanna. (Ord. 98 §1, 1980)

Chapter 12.12

STREET NUMBERS*

Sections:

- 12.12.010 Street numbers.
- 12.12.020 Persons responsible for posting.
- 12.12.030 Penalty.

12.12.010 Street numbers. From and after the effective date of the ordinance codified in this chapter, a street number issued by the town clerk visible to the street shall be posted on the primary structure of each lot within the town of Hanna. Trailer lot numbers visible to the street used shall be posted on each trailer lot within each trailer park. All numbers must be at least two and one-half inches tall and must face the street listed on the street address. (Ord. 137 §1, 1982)

* Prior ordinance history: Ord. 107.

12.12.020 Persons responsible for posting. The occupant of the premises shall be responsible for posting the appropriate street number. In the case of multiple dwellings, all occupants thereof are severally responsible for posting the appropriate street number. (Ord. 137 §1, 1982)

12.12.030 Violation--Penalty. Violation of any provision of this chapter shall be a misdemeanor in the town of Hanna as to the occupant of the property and each day of violation thereafter shall constitute a separate offense. (Ord. 137 §1, 1982)