

7/11/2020 *Rebecca J. Baum* - Town clerk
Town of Pittston
Entrance Ordinance

Section 1

Purpose

The purpose of this ordinance is to promote the general welfare and safety of the citizens of the Town of Pittston by regulating the installation of culverts on Town roads, right of ways, and Town maintained right of ways belonging to the State of Maine; so that a public hazard, or nuisance shall not be created by blocking, or diverting surface water onto Town maintained roadways or the surface water removal there from.

Section 2

Scope

Hereafter, any person or business, within the Town of Pittston, constructing or connecting any means of access to or from private to an existing town right of way, Town easement or Town maintained State right of way will comply with this ordinance.

Section 3

Length

No connection to an existing public right of way maintained by the Town shall be less than a minimum of 24 feet in length, measured along the centerline of the Town maintained road within the right of way. This distance refers to the paved or used portion of the work constructed for access to the Town maintained right of way. This requirement shall be inapplicable to Town or State roads that are at present, or are required by law to be of larger dimension.

Section 4

Use of Culverts

It shall be unlawful for any person or business to construct a means of access to any public right of way in the Town of Pittston from abutting private, or public property by the construction of a street, road, lane, driveway, parking lot, walkway or other substantial form of entrance without providing adequate ditches or drainage structures. These ditches or structures, shall be so located and constructed as not to cause the blockage, impediment, or substantial diversion of established drainage patterns along the side of the existing town roads, or to prohibit or impede, the flowage of surface water off of the existing road surface.

Section 5

Size

Permit required; a letter of-permit from the Town Select Board or Road Commissioner shall be required before any culverts, drains, or structures are installed. The letter of-permit shall specify the size material of construction, location, length, and form of drainage treatment required.

CULVERTS:

1. Length; culverts shall not be less than 24 feet in length.
2. Materials; Culverts shall be made of plastic, ATSM, PVC or similar synthetic pipe or other M.D.O.T. approved construction for highways and driveways. Culverts shall be designed for the loading imposed upon them.
3. Coupling Bands; Coupling bands shall be constructed of material compatible with plastic, PVC or other similar synthetic pipe with full circular corrugations. The ends of all culverts shall be fabricated with full circle corrugations, not spiral, to be compatible with the coupling bands.
4. Beds; Culverts shall be laid in a bed at least one foot deep of fine granular material containing no stones larger than two inches in any dimension. This material shall provide a distance of one foot each side of the pipe and brought up to the spring line of the pipe. This bedding material shall be thoroughly tamped the entire length of the pipe.
5. Buried; Culverts shall be buried with at least one and one half feet of granular material over the crown of the pipe. This material shall contain no stones larger than two inches in any dimension.
6. Size; The size of the culvert shall be determined by the Road Commissioner based on the drainage characteristics of the area to be serviced by the proposed culvert. In no case shall the culvert pipe be less than the nominal diameter of fifteen inches size and not less than 24 feet length for plastic, PVC or similar synthetic pipe.
7. Slope; Minimum slope of culverts shall be no less than 0.1:/20 feet length of pipe sloped in the direction of the existing drainage.
8. Erosion Prevention; All culverts shall have the following to prevent erosion; (1) – stone rip rap one foot thick or, (2) 4” reinforced concrete slab sections with weep holes and 6” granular free draining base.

Section 6

Supervision

- A. **Work done without permission-** The Road Commissioner shall be informed at least forty eight hours or two working days in advance of the proposed installation of any culverts so that an inspector of the Town may be present during the work. Work performed without the Road Commissioner being

notified may, at the Road Commissioner's discretion, be required to be uncovered, at the installer's expense, for inspection or to comply with whatever test the Road Commissioner may prescribe to determine the suitability of the completed work.

- B. **Access to Work-** The Road Commissioner or the designated representative shall have full and free access to the work at all times.
- C. **Barricades-** Any holes or trenches left open overnight shall be barricaded and lighted with suitable warning devices.

Section 7 **Charges and Fees**

- A. **Applicant bears total cost-** The person or business requesting access to the Town Road, as described in this ordinance, shall bear the entire cost of furnishing and installing, including any cost for design and plans.
- B. **Person responsible for compliance-** Those persons installing the culvert shall be wholly responsible for the permit, operation and maintenance of the work until accepted as completed by the Road Commissioner.
- C. **Ownership-** Once acceptance of the work by the Road Commissioner all ownership and maintenance of the structures shall be assumed by the Town.
- D. **Assessment-** All expenses incurred by the Town of Pittston under enforcement (Section 8) below shall be assessed against the owner of record of the property abutting the Town Road where the means of access connects.

Section 8 **Enforcement**

- A. **Notice-** Person or business, found not complying with this ordinance by the Road Commissioner or the Board of Selectman will be given written notice that they shall have 30 days to comply with the ordinance. This notice shall be sent by certified mail.
- B. **Failure to Comply-** Failure to comply after 30 days, shall constitute grounds for the Town or its delegated representatives to install the necessary drainage structures. The expenses thus incurred by the Town, plus all legal fees caused or made necessary by this action, will be assessed against the property owner(s) of record described in section 7. If the costs billed to the property owner(s) are not paid within one year a lien shall be applied against the property in the same manner as a property tax lien.

Section 9

Sight

Sight distances for driveways shall be designed on profile, grading and located to provide the required sight distances measured in each direction. Sight distances shall be measured from the driver's seat of a vehicle standing on the portion of the exit driveway with the front of the vehicle, at the stop line of the driveway, with the height of the eye 3-1/2 feet, to the top of an object 4 1/2 feet above the pavement. The required sight distances are listed below for various posted speed limits. Where streets intersect with public roads, sight distances, as measured along the public way which traffic will be entering, shall be based upon the posted speed limit and conform to the following:

Distance Standard MDOT

Posted speed	Sight distance Standard Vehicles	Sight distance Large Vehicles
25	200'	300'
30	250'	375'
35	305'	455'
40	360'	540'
45	425'	635'
50	495'	740'

State Law Reference-
Title 23: Highways
Part 3 Chapter 305
Subchapter subsection 3251-3255

**This ordinance will replace the original ordinance voted on
March 18, 2006 at Town Meeting**

Amendments approved _____