

Chapter 12.16

DRIVEWAYS AND DRIVEWAY CULVERTS

Sections:

- 12.16.010 Public nuisances.
- 12.16.020 Expense of removal or correction.
- 12.16.030 Procedure for removal or correction.

12.16.010 Public nuisances. The following are, for the purposes hereof, defined to be public nuisances and may be removed or corrected *as* hereinafter provided:

- (a) Any collapsed, broken or damaged driveway culvert or driveway in a state of disrepair which causes a traffic hazard to exist or impedes the proper flow of roadside drainage;
- (b) Any driveway culvert which because of its size, shape or elevation impedes the proper flow of roadside drainage;
- (c) Any driveway without a culvert in a town street right-of-way where proper flow of roadside drainage required a culvert to be constructed.

The director of public works is hereby given the power to determine when such traffic hazard exists and when the proper flow of roadside drainage is so impeded. For purposes of this chapter, a driveway culvert is defined as a conduit of any material constructed under a driveway within a town right-of-way for the purpose of conducting water under the driveway. (Ord. 280 §1(part), 1968).

12.16.020 Expense of removal or correction. The removal or correction of a nuisance as above defined shall be at the expense of the property owner whose property is served by the driveway or driveway culvert in question. (Ord. 280 §1(part), 1968).

12.16.030 Procedure for removal or correction. Upon determination that a public nuisance exists by the director of public works, as provided in Section 12.16.010 hereof, the director of public works shall cause notice to issue and proceedings shall be conducted as provided in Chapter 9.04 of this code, and all provisions of the chapter shall be applicable to nuisances as defined in Section 12.16.010 hereof. (Ord. 280 §1(part), 1968).