

Ordinance Relating to Access to Town Roads & Highways

Article 1

DEFINITIONS

1. "Town Road" – A term Town Road as used in the ordinance shall include all highways, roads, and bridges subject to the jurisdiction of the Town of Wells including all class 1, class 2, class 3 and class 4 highways.
2. "Access Permit" shall within the context of this ordinance mean a written permit issued by the Selectboard or their duly appointed representative for access to a Town Highway by driveway, path, lane, road or other means which in any way involves construction, alteration, repair, or relocation on lands within the right-of-way limits of any Town Highway.
3. "Person" shall mean the record owner of any person, party, corporation or other entity having an interest in real estate abutting a Town Highway.

Article 2

PROHIBITION

No person shall construct or permit to be constructed any driveway, path, lane, road or other means of access onto a town highway or town road without receiving a permit therefore on a form to be obtained by the town which permit shall be issued by the Selectboard after reviewing the construction plans therefore and if necessary viewing the site. The Selectboard may impose such conditions upon such construction as they deem proper to protect the town road and the public safety.

4. "Specifications" Culvert size and install must meet all state standards.
5. Under no circumstance shall a driveway permit allow construction which will result in drainage or washing directly out to a town highway. In the event a driveway causes damage to a town highway through improper construction, maintenance, or grading, it shall be the responsibility of the property owner to make necessary repairs upon notification in writing by the town. In the event such repairs as are required are not made within 30 days, the Town shall take whatever steps are necessary to insure the interests of the Town and shall bill the property owner for any expenses involved.
6. The penalty for violation of Article II shall be \$100.00 for each violation. Additionally, the Selectboard may remove such construction and so such other work as they shall deem necessary to restore the town road to its original condition of which shall be at the expense of the owner of the land on which adjacent to which such construction was permitted.