

**Town of Lorraine  
Local Law 1 of 2019  
Driveway Installation Law**

**Section 1. Purpose**

The Town Board of the Town of Lorraine finds that the improper construction of private driveways intersecting town highways may be hazardous to the public and poses unnecessary expense to the town. Installation of driveways according to specific standards, as monitored by the Town of Lorraine Highway Superintendent, will be in the best interests of the health, safety and welfare of the citizens and property of the town.

**Section 2. Title**

This law shall be entitled the "Driveway Installation Law of the Town of Lorraine."

**Section 3. Permit required**

No person, owner and/or contractor shall hereafter install a driveway opening onto a town road without first obtaining a driveway installation permit from the Town of Lorraine Highway Superintendent.

**Section 4. Application procedures**

- A. An application in writing shall be filed with the Town of Lorraine Highway Superintendent upon application forms which he shall prescribe, which application shall state the nature, location, extent and purpose of the proposed driveway opening, and the use of the property as identified on any coincident zoning application.
- B. All applications shall include maps and plans which shall indicate the location and boundaries of the subject property for which a permit is requested and shall show the location, elevation, size and type of all existing and proposed driveways and buildings, underground utilities, service facilities, parking layouts and drainage facilities.
- C. It shall be the responsibility of the applicant to arrange a meeting with the town Highway Superintendent at the site of the driveway opening.

**Section 6. Zoning Permit**

- A. A driveway installation permit under this law shall be applied for coincidentally with the application for a zoning permit to commence the excavation for or the construction or erection of any structure regulated by the Town of Lorraine Development Law, as amended.
- B. No driveway installation permit shall be issued for any use on a minimum maintenance road as established in Local Law No. 1 of 2005, as amended, unless it is classified as a seasonal use pursuant to the Town of Lorraine Development Law.

**Section 7. Town Obligation**

- A. The Town of Lorraine Highway Department will supply up to a maximum of two (2) tandem axles loads of gravel/stone for new and/or replacement driveway culverts.
- B. The Town Highway Department is not obligated for driveway construction or material beyond the road ditch or Town right-of-way, which-ever is less.

**Section 8. Fees**

The application shall be accompanied by such fee or fees as the town board shall prescribe from time to time by resolution not exceeding the approximate reasonable cost of processing and reviewing the application and making any necessary inspections.

**Section 9. Violations and Penalties**

Any person, firm or corporation who or which shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than two hundred and fifty dollars (\$250.00) or the maximum allowable under NYS Penal Law.

**Section 10 Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 11 Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.