

ARTICLE VII. - EMERGENCY VEHICLE DRIVEWAY ACCESS

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Sec. 18-150. - Preamble.

The township finds and declares that the interests of public health, safety and welfare of the citizens of the township require that long residential driveways be constructed so as to ensure adequate access to public safety vehicles.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-151. - Definitions.

The following words and terms, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Driveway shall mean any residential driveway that is 125 feet or longer, as measured from the edge of the improved portion of the road right-of-way (i.e. gravel, asphalt, concrete), that provides access to a single parcel. This article shall not apply to commercial driveways, including driveways servicing multi-family dwellings, subject to site plan approval under the zoning ordinance, nor shall it apply to private roads as the term is defined in [chapter 28](#), article V of the Code of Ordinances.

Fire chief shall mean the fire chief for the township, the assistant fire chief, the person appointed by the fire chief as the code official for the fire department, or any other designee of the fire chief.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-152. - Design standards.

Whenever a building permit is required (i) to construct a new residential structure or (ii) to improve, repair or remodel an existing residential structure, including an attached

garage and/or detached garage greater than 672 square feet, in the amount greater than 50 percent of the state equalized value (25 percent of true cash value), any new or existing driveway servicing said structure shall be constructed and maintained in accordance with the following standards contained in this article, unless the standardized fire code then in effect requires a higher specific standard, in which case said specific standard in the standardized fire code shall apply.

(1)

The driveway entrance at the road or private road shall be a minimum of 20 feet wide for the first 50 feet. The driveway shall be a minimum of 14 feet wide for the entire length of the driveway. The width of the driveway shall not include the width of any gutters or unimproved shoulder.

(2)

All driveways shall be constructed so as to support the weight of fire apparatus. The driveway shall be paved unless the township engineer determines that a gravel bed or the existing or proposed soil composition is sufficient to support fire apparatus.

(3)

The grade shall not exceed ten percent.

(4)

If the driveway exceeds 400 feet in length, the driveway shall have a passing lane. Any driveway that exceeds 400 feet in length may require additional passing lanes to be determined by the fire chief so as to ensure an adequate number of passing lanes to allow uninterrupted fire department operations. Each required passing lane shall be no less than 20 feet wide including the width of the driveway and no less than 60 feet long, and the location of the passing lane(s) shall be prescribed by the fire chief.

(5)

All driveways shall have a minimum vertical clearance of 13½ feet.

(6)

All driveways shall have a 30-foot by 40-foot turnaround not including the width of the driveway at or near the terminus of the driveway. The terminus of the driveway shall be located at or near the location of the principal structure.

(7)

The driveway shall be constructed and maintained in accordance with all other applicable federal, state and local requirements, including all other applicable township ordinances.

(8)

The driveway shall comply with the above standards as specified in the building permit and approved site plan prior to the issuance of a certificate of

occupancy for new construction and/or final approvals and closing out of a building permit for remodeling or additions, and written approval (issuance of an emergency vehicle driveway access permit) by the fire chief.

(9)

Where a driveway is adjacent to slopes of greater than ten percent, the fire chief may require the inspection of the township engineer for drainage and may also require safety protections such as guardrails, signage, and other safety measures.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-153. - Review process.

An application for an emergency vehicles driveway access permit shall be submitted by the property owner, or his or her agent, on forms supplied by the township no later than the time a building permit application is submitted. The application shall include a site plan with sufficient detail to allow the fire chief to determine whether the proposed driveway meets the requirements of this article, and shall specifically include the construction type, location and square footage of the proposed structure(s), the location and length of the driveway, and whether the structure(s) are to be sprinkled throughout. The application shall be reviewed by the fire chief. The fire chief shall approve (issue an emergency vehicle driveway access permit), disapprove, or approve with conditions (issue an emergency vehicles driveway access permit with conditions) the application, and shall forward his or her written decision to the applicant within four working days of submittal of a completed application. Any denial of an emergency vehicles driveway access permit shall state the reason(s) for said denial.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-154. - Variance.

The fire chief may modify the standards set forth in this article if the property owner can demonstrate that a variance is necessary to alleviate undue hardship caused by the unique physical characteristics of the property. In doing so, the fire chief may impose additional conditions to make sure the objectives of this article are met. In addition to any other relevant factors, the following factors shall be taken into consideration when considering the grant of a variance.

(1)

Terrain difficulties;

(2)

Nature of materials: soil and geology;

(3)

Significant vegetation to be preserved;

(4)

- (5) Aspect, i.e., north facing, south facing etc.;
 - (6) Size of lot;
 - (7) Drainage considerations;
 - (8) Number, width and spacing of pullouts;
 - (9) The existence of other safety mitigation factors; and
- The size and scope of the variance requested.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-155. - Appeal process. 

Any person affected by a decision of the fire chief regarding this article shall have the right to appeal the decision to the township board within ten days of the mailing of the adverse decision. Such appeal shall be filed with the township clerk in writing and shall state the reasons for the appeal and include any documents in support thereof. The township board shall establish a time for hearing the appeal, which shall be no later than 30 days after filing of the appeal. Written notice of such hearing by first class mail shall be provided to person filing the appeal no less than five days before the hearing. The decision of the township board shall be set forth in writing and be delivered to the applicant within three calendar days following the hearing. The decision of the township board shall be final.

(Ord. No. 842, § 1, 6-6-2011)

Sec. 18-156. - Penalty. 

Any person who violates or refuses to comply with any provision of this article shall be responsible for a municipal civil infraction. In addition to or in lieu of pursuing a municipal civil infraction, the township may pursue any and all other remedies permitted by law including, but not limited to, seeking an injunction or denying a final occupancy permit until there is full compliance with this article.

(Ord. No. 842, § 1, 6-6-2011)