

**Lapeer County, Michigan**

**Goodland Township**

**Private Driveway  
Ordinance No. 1304**

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TOWNSHIP OF GOODLAND  
PRIVATE DRIVEWAY ORDINANCE

Ordinance No. 1304

An ordinance to regulate the design, construction, inspection, approval, and maintenance of private driveways within the township

THE TOWNSHIP OF GOODLAND ORDAINS:

Section 1: GENERAL REQUIREMENTS.

- a.) This Ordinance shall apply to all land, which is divided into parcels or lots,
- b.) No private driveway shall be constructed within the township unless it is in compliance with the requirements of this ordinance.
- c.) No certificate of occupancy for any structure shall be issued within the township unless the parcel or lot fronts on a private driveway improved to the standards of this ordinance or on a private road, or on a public road. Each lot or parcel shall have public or private road frontage equal to the minimum lot width required by the applicable provisions of the zoning ordinance or shall be served by an approved private driveway.

Section 2: DEFINITIONS.

- a.) Personal Driveway shall mean any privately owned and maintained property which is used for access by vehicular traffic to one (1) parcel, which parcel has the minimum required frontage on a public or private road, and which parcel contains no more than one dwelling.
- b.) Private Driveway shall mean any privately owned and maintained property which is used for access by vehicular traffic to more than one parcel of private property, or to more than one dwelling, or to a parcel which does not meet the minimum required frontage on a public or private road.

Section 3: REQUIREMENTS FOR PRIVATE DRIVEWAY APPROVAL.

- a.) A private driveway meeting the minimum design standards in Section 4 of this ordinance shall be required under the following conditions:
  - 1.) If the driveway is used to provide vehicular access to more than one residence on one (1) parcel.

- 2.) If the driveway is used to provide vehicular access to more than one (1) parcel.
- 3.) If the driveway is used to provide vehicular access to any parcel of land, which otherwise meets all township zoning requirements, but has no frontage on a public road.
  - b.) A private driveway shall not be used to provide access to more than two (2) residences.
  - c.) A private driveway shall not be used to provide access to more than two (2) parcels. If a private driveway is used for access to two (2) parcels, one (1) of the parcels must have the minimum required road frontage on a public road.
  - d.) An application for a private driveway shall be filed with the township planning commission. The application shall include a scale drawing, which shows the location, dimensions, and setbacks of all buildings and driveways, proposed or existing, on the subject property and within 100 feet of the subject property. The scale drawing shall also indicate the location and dimensions of any easement on which the driveway is proposed to be located.
  - e.) The planning commission shall have the authority to modify the drawing as a condition of approval, so as to minimize any adverse effects on the surrounding properties and residential building sites.
  - f.) Any private driveway easement approved under this ordinance shall connect directly on to a public road.
  - g.) All private driveways shall be located on a legally valid and recorded easement or other permanent interest in land at least sixty-six (66) feet in width.
  - h.) A Maintenance Agreement in a form approved by the Goodland Township Board, shall be recorded as a part of the deed or land contract for every parcel of property to which the private driveway provides access. The Maintenance Agreement shall be binding on all parties and shall provide a financial mechanism for and actual, regular maintenance of the private driveway by all benefited property owners. Neither Goodland Township nor the Lapeer County Road Commission has any responsibility or legal authority to maintain private driveways.
  - i.) In order to reduce additional ingresses and egresses to public roads, any parcel or lot traversed by a private driveway easement

shall use such easement as the ingress/egress to said parcel. The Planning Commission shall have the discretion to waive this requirement if there is already an existing residence and driveway.

Section 4: MINIMUM DESIGN STANDARDS FOR PERSONAL DRIVEWAYS AND PRIVATE DRIVEWAYS.

- a.) All trees and brush shall be kept cleared for a minimum width of fourteen (14) feet for the full length of all personal and private drives.
- b.) All topsoil, stumps, and unstable soil shall be removed from a minimum twelve (12) feet driveway width and the area shall be backfilled at least to original grade with appropriate granular material. The driveway shall then be surfaced with a minimum of four (4) inches of gravel, crushed limestone, finely crushed concrete or similar material for the minimum width of twelve (12) feet for the full length of the driveway.
- c.) The surface of the driveway shall drain properly so that water damage and frost heave will not impede access by emergency vehicles.
- d.) Driveways shall provide a minimum centerline radius of forty (40) feet for all curves to insure access by fire fighting equipment. In addition, the driveway shall provide minimum clearance from trees and bushes of eighteen (18) feet through all curved sections.
- e.) No bridges shall be permitted as part of driveway construction unless they are certified by a registered Civil Engineer as capable of supporting a 30-ton fire truck.
- f.) A culvert, installed to County Road Commission standards, shall be provided where a driveway crosses the ditch centerline of a private road. Culverts shall be a minimum twelve (12) inches in diameter and thirty (30) feet in length. Larger culverts shall be installed to Lapeer County Drain Commission standards where conditions require.
- g.) All culverts installed in a private drive shall be covered with a minimum of four (4) inches of gravel.
- h.) No structures shall be placed over or across any driveway unless they maintain not less than fourteen (14) feet vertical and horizontal clearance.
- i.) No driveway may enter a road right-of-way at less than a sixty (60) degree angle.

Section 5: INSPECTIONS AND FEES.

All driveways shall be inspected and approved by a designated Township agent prior to a certificate of occupancy being granted for any residential structure to be served by the driveway. Any fees or bonds applicable to a driveway approval shall be the responsibility of the property owner. The Township Board shall set the inspection fee.

Section 6: PENALTY.

Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Civil Infraction Ordinance, Ordinance number 1801.

The undersigned Supervisor and Clerk of the Township of Goodland hereby certify that this Ordinance was duly adopted by the Goodland Township Board at a meeting held on the 9th day of October, 2001, and as published in The Tri-City Times on the \_\_th day of \_\_\_\_\_, 2001. Said Ordinance shall become effective thirty (30) days after said date of publication.

\_\_\_\_\_  
Ron Cischke, Supervisor

\_\_\_\_\_  
Anna Maria Calianno, Clerk

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**CERTIFICATION BY CLERK**

I hereby certify that the foregoing Goodland Township Private Road Ordinance was duly adopted by the Goodland Township Board at a regular meeting thereof held on October 9, 2001, and a Notice of Adoption was ordered published by the Goodland Township Board.

\_\_\_\_\_  
Anna Maria Calianno, Clerk  
Township of Goodland

