

**CITY OF WEST ALLIS
ORDINANCE O-2024-0002**

**ORDINANCE TO ALLOW BOARD OF PUBLIC WORKS TO APPROVE WIDER
DRIVEWAYS IN COMMERCIAL AREAS**

AMENDING SECTION 11.09

WHEREAS, the maximum driveway width of 30 feet may be insufficient to accommodate larger commercial developments in some circumstances;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “11.09 Driveways And Culverts” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.09 Driveways And Culverts

1. Construction and Repair. The provisions of Section 11.07 relating to sidewalks, so far as applicable, are hereby adopted by reference thereto and shall be complied with in the construction, improvement and repair of driveways on improved streets and alleys.
2. Driveway Construction Permit.
 - a. Permits Required. It shall be unlawful to construct or have constructed a driveway connecting with any improved or semi-improved street or alley in the City without obtaining a permit to do so from the City Engineer for one to three (3) family residences and from the Board of Public Works for any other land use.
 - b. Width of Driveway. The width of the driveway shall be consistent with the width of the side drive or attached garage, but in no case greater than thirty (30) feet, except ~~in industrial zoned areas where~~ a driveway in an area zoned industrial or commercial may be of greater width when approved by the Board of Public Works.
 - c. Permanent driveways shall be constructed of concrete or other suitable material approved by the City Engineer on any improved street or alley. No permanently improved driveway of concrete shall be constructed on any unimproved street or alley.
3. Semi-Improved Streets and Alleys.
 - a. Culvert to be installed. No driveway shall be constructed or maintained connecting with any semi-improved street or alley, unless a suitable culvert is first installed across the gutter of the semi-improved street or alley where necessary for the public welfare. Such culverts shall be constructed of

reinforced concrete or corrugated steel pipe, or other material approved by the City Engineer. The culverts shall have a cross section of not less than that of a twelve (12) inch pipe. The length of the culverts shall be fourteen (14) feet or more. Necessity for a culvert shall be determined by the City Engineer.

- b. Culvert Installations and Fees. An applicant shall be required to deposit with the City Engineer a fee equal to the cost of the culvert installation required. Culverts shall be installed under the direction of the City Engineer before the driveway is constructed.
- c. Culverts; Existing Driveways. Where the public welfare requires a suitable culvert for an existing driveway, the Director of Public Works shall notify, in writing, the property owner maintaining the driveway across any gutter in any street or alley that the Director will have a culvert installed by the City at the expense of the abutting property and that said property owner shall deposit a sum in an amount to be commensurate with the cost of installing said culvert within ten (10) days from the date of said notice. The owner shall have the right to appeal from the order to the Board of Public Works within the ten (10) day period; otherwise, it shall become conclusive. In the event that said deposit is not made, the Director shall have the culvert installed and the cost thereof charged to the abutting property owner. If the cost of installation is not paid to the City Treasurer on or before the first day of November in the year in which the culvert has been installed, the Director shall certify the cost to the City Clerk who shall enter the same on the tax roll as special taxes against the owner of the property, the same to be collected in all respects as are other City taxes.

4. Improved Streets and Alleys.

- a. Expansion Joint Required. When concrete driveways are constructed, they shall be separated from adjacent sidewalks or alley pavements by a one inch (1") expansion joint material extending the full depth and width of adjacent concrete. Expansion joint material shall be a nonextruding type of material and shall conform to the requirements for "Bituminous Fiber Type" expansion joint material, American Association of State Highway Officials Designation M-59.
- b. Cutting Electric Cables. Whenever, in constructing a driveway, it becomes necessary to cut electric cables at the curb line, the cost of cutting such cable, the laying of conduit and all other work required to protect such cable shall be done at the expense of the applicant for such permit and under the direction and supervision of the Director of Public Works. No permit shall be granted until after a deposit shall be made to the Director in the sum determined by him to cover the cost of protecting such cable. The owner or contractor shall notify the Public Works Department twenty-four (24) hours prior to the placing of concrete in said driveway, in order to permit the installation of electric cable conduit by the City.

5. Notifying Owner of Violation; Semi and Improved Streets and Alleys. The provisions of this section are intended to cover all that territory beyond the lot lines. Whenever

there shall be a violation of these provisions, the Director of Public Works shall order such driveways, or as much thereof as shall be necessary, to be removed and, upon the refusal of property owner, tenant, person, firm, corporation, their agent or employee to do so, shall cause the same to be done and charge the expense of removal to the property owner.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Ray Turner	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of
West Allis

Dan Devine, Mayor, City Of West
Allis