

TOWN OF CHELSEA

Culvert Ordinance:

Section 1.

Purpose - The purpose of this ordinance is to promote the general welfare and safety of the citizens of the Town of Chelsea by regulating the installation of culverts on town, rights-of-way and town maintained rights-of-way belonging to the State of Maine; so that a public hazard, or nuisance shall not be created by blocking, impeding, or diverting surface water onto town maintained roadways or the surface water removal therefrom.

Section 2.

Scope - Hereafter, any person or business, within the Town of Chelsea, constructing or connecting any means of access to or from private or public property to an existing town right-of-way, town easement or town maintained State right-of-way will comply with this ordinance.

Section 3.

Width - No connection to and existing public right-of-way maintained by the town shall exceed forty feet in width, measured along the centerline of the town maintained road within the access to the town maintained right-of-way. This requirement shall be inapplicable to town or state roads that are at present, or are required by law to be of larger dimension.

Section 4.

Use of Culverts - It shall be unlawful for any person or business to construct a means of access to any public right of way in the Town of Chelsea from abutting private, or public property by the construction of a street, road, lane, driveway, parking lot walkway or other substantial form of entrance without providing adequate ditches or drainage structures. These ditches or structures, shall be so located and constructed as not to cause the blockage, impediment, or substantial diversion of established drainage patterns along the side of the existing town roads, or to prohibit or impede, the flowage of surface water off of the existing road surfaces.

Section 5.

1. **Permit Required:** a permit from the Town Manager or Road Commissioner shall be required before any culverts, drains, or structures are installed. The permit shall specify the size, material of construction, location, length, and form of drainage treatment required.

CULVERTS:

- A. Length** - culverts shall not exceed seventy feet in length.
- B. Materials** - Culverts shall be made of galvanized corrugated steel , plastic ABS or other M.D.O.T. approved construction for highways and driveways. Culverts shall be designed for the loading imposed upon them.
- C. Coupling Bands** - Coupling bands shall be constructed per manufacturers specifications with full circular corrugations. The ends of all culverts shall be fabricated with full circle corrugations, not spiral, to be compatible with the coupling bands.
- D. Beds** - culverts shall be laid in a bed at least one foot deep of rough granular material containing no stones larger than three inches in any dimension. This material shall provide a distance of one foot each side of the pipe and brought up to the spring line of the pipe. This bedding material shall be thoroughly tamped the entire length of the pipe.
- E. Buried** - culverts shall be buried with at least one and one half feet of granular material over the crown of the pipe. This material shall contain no stones larger than six inches in any dimension.
- F. Size** - The size of the culvert shall be determined by the Road Commissioner based on the drainage characteristics of the area to be serviced by the proposed culvert. In no cases shall the culvert pipe be less than the nominal fifteen-inch size and 24 feet length for galvanized pipe or twelve inches in diameter and 20 feet in length if constructed of PVC or similar synthetic pipe.
- G. Slope** - minimum slope of culverts shall be no less than 0.1ft/20ft length of pipe sloped in the direction of the existing drainage.
- H. Erosion Prevention** - all culverts shall have the following to prevent erosion; **(1).** - stone rip rap one foot thick or, **(2).** 4" reinforced concrete slab sections with weep holes and 6" granular free draining base.

Section 6.

Supervision

- A. Work done without permission** - The Road Commissioner shall be informed at least forty eight hours or two working days in advance the proposed installation of any culverts so that an inspector from the Town may be present during the work. Work performed without the Road Commissioner being notified may, at the Road Commissioner discretion be required to be uncovered, at the installers expense, for inspection or comply with whatever test the Road Commissioner may prescribe to determine the suitability of the completed work.
- B. Access to Work** - the Road Commissioner or his designated representative shall have full and free access to the work at all times.
- C. Barricades** - any holes or trenches left open overnight shall be barricaded and lighted with suitable warning devices.

Section 7.

Charge or Fees

- A. Applicant bears total cost** - the person or business requesting access to the public ways as described in this ordinance shall bear the entire cost of furnishing and installing, including any cost for design and plans, the culverts deemed necessary.
- B. Person responsible for compliance** – those persons installing the culvert shall be wholly responsible for the operation and maintenance of the work until accepted as completed according to specifications of the Road Commissioner.
- C. Ownership** - Once acceptance of the work by the Road Commissioner all ownership and maintenance of the structures shall be assumed by the Town.
- D. Assessment** – all expenses incurred by the Town of Chelsea under enforcement below shall be assessed against the owner of record of the property abutting the public right-of-way where the means of access connects.

Section 8.

Enforcement

A. Notice – person or businesses, found not complying with this ordinance by the Road Commissioner or the Town Manager will be given written notice that they shall have 30 days to comply with the ordinance. This notice shall be sent through regular mail or delivered by hand by the Road Commissioner or the Town Manager.

B. Failure to Comply - failure to comply after the 30 days notice has expired shall constitute grounds for the town or its delegated representatives to install the necessary drainage structures. The expense thus incurred by the town, plus all legal fees caused or made necessary by this action, will be assessed against the property owner of record as described in Section 7. If the costs billed the property owner are not paid within one year a lien shall be applied against the property in the same manner as a property tax lien.

State Law Reference - 30 MRSA S-237

23 3251-3255

**Approved February 28, 1989
Amended September 8, 1998
Amended June 27, 2012**

Attest: A True Copy:

Lisa Gilliam, Town Clerk

Telephone (207)-582-4802

Office of:
Selectmen
Town Manager
Enforcement Officer

Office of:
Tax Collector
Town Treasurer
Assessor

Town of Chelsea

560 Togus Road

Chelsea, ME 04330

CULVERT PERMIT

DATE: _____

APPLICANT: _____

LOCATION: _____

CULVERT LENGTH: _____

CONSTRUCTION MATERIAL: _____

DRAINAGE TREATMENT REQUIRED: _____

APPROVED/DISAPPROVED:

DATE: _____

Road Commissioner /Town Manager