



**TOWN OF WATERTOWN, CONNECTICUT  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REGULATING BUILDING ON UNACCEPTED STREETS**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WATERTOWN, CONNECTICUT THAT THE TOWN OF WATERTOWN CODE OF ORDINANCES IS AMENDED AS FOLLOWS:**

**Sec. 6-2. Building on Unaccepted Streets**

a. Definitions:

1. "Accepted Street": A street accepted by the Town Council into the Town roadway system
2. "Accessory Building": A building subordinate to the principal building on the same lot and used for purposes customarily incidental to that of the principal building
3. "Common Driveway": A driveway serving more than one lot for motor vehicle access to a street
4. "Paper Street": A street appearing on a map which has been officially filed and recorded in the Town Clerk's Office and which street has not been physically improved or constructed. Such streets are deemed dedicated for public use but not accepted by the town.
5. "Private Street": A street remaining in individual or association ownership upon which the Town performs no maintenance upon the street.
6. "Unaccepted street": A street not accepted by the Town Council into the Town roadway system.
7. "Unimproved Dirt Street": A town street for which (a) the Town performs minimal maintenance, such as grading, culvert replacement or the like, and most often the street does not meet construction standards, or (b) the Town performs no maintenance upon a street, for example, rights-of-way or private streets.

b. Pursuant to General Statutes §8-27, except as provided herein, no building permit shall be issued for the erection of a building or structure on a lot abutting an unaccepted street.

c. Notwithstanding the foregoing, a building permit may be issued for the construction of a building or structure on a lot abutting an unaccepted street if (i) the street has been paved with a binder course of bituminous concrete pavement, and (ii) the Planning and Zoning Commission has approved a Ninety (90%) Percent reduction in the binder pavement bond

for that street and (iii) the binder pavement borders the greater of Fifty (50%) Percent of the lot frontage or so much of the lot frontage as to include the driveway serving the lot.

- d. The provisions of paragraph (b) of this section do not apply to, and a building permit may be issued for, a building or structure on a lot abutting a common driveway, a paper street, a private street, an unimproved dirt street, a right-of-way, a state highway, or an accepted street.
- e. Nothing in this ordinance shall prevent the issuance of a building permit for the construction of farm buildings or farm accessory buildings, which are not in violation of any lawful zoning or building regulations of the Town.
- f. Any building or structure erected in violation of this ordinance shall be deemed an unlawful structure, and the Town through the Town Building Inspector may bring action to enjoin the erection of such building or structure, or cause it to be vacated or removed.
- g. Any person, firm or corporation erecting a building or structure in violation of this ordinance may be fined two hundred dollars for each building or structure so erected in addition to any other relief available.
- h. Severability: This ordinance and its various parts are severable. If any part, sentence, section, or clause is determined to be invalid, the remainder of this ordinance shall not be affected, and shall remain in full force and effect.
- i. Repeal: All ordinances or parts of ordinances adopted prior to this ordinance inconsistent with the provisions of this ordinance are hereby repealed to the extent of their inconsistency.
- j. Effective Date: This ordinance which was adopted at a meeting of the Town Council of the Town of Watertown on \_\_\_\_\_, shall be published in full within ten days after such passage in a newspaper having circulation within the Town and shall become effective on the 21<sup>st</sup> day after such publication in accordance with the terms and provisions of Section 307 of the Charter of the Town of Watertown.

Dated at Watertown, Connecticut this \_\_\_\_ day of \_\_\_\_\_, 2011

\_\_\_\_\_  
 \_\_\_\_\_, Chairman  
 Watertown Town Council

Introduced: 10/17/2011  
 Public Hearing:  
 Approved:  
 Published:  
 Effective: