

TOWN OF SAN ANSELMO ORDINANCE NO. 358

AN ORDINANCE REGULATING AND LIMITING THE WIDTH OF DRIVEWAY ENTRANCES IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE TOWN OF SAN ANSELMO, CALIFORNIA, AND PROVIDING FOR SIDEWALKS IN AND ABOUT SAID DRIVEWAY AREAS, AND PROVIDING FOR CONFORMANCE WITH THIS ORDINANCE BY ALL PRESENT NON-CONFORMING DRIVEWAYS AND SIDEWALKS, AND PRESCRIBING PENALTIES FOR VIOLATION HEREOF.

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THE CITY COUNCIL OF THE TOWN OF SAN ANSELMO, CALIFORNIA, DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. It is hereby ordained, found and determined that public interest, health, safety, convenience and necessity and the normal and ordinary use of the streets and sidewalks in said city, particularly in the Commercial and Industrial Districts therein, require that the width of driveway entrances in said districts be regulated and limited.

SECTION 2. It is hereby declared to be unlawful for any person, firm or corporation to erect, construct or maintain within the Commercial District and/or Industrial District in said city, any driveway entrance or approach leading from the street into any property, premises, structure or building fronting thereon, to a greater width than forty (40) feet measured at the widest part or portion of said driveway over the sidewalk area, nor shall the entrance at the curb line exceed forty (40) feet in width.

SECTION 3. No additional driveway entrance or approach shall be constructed or maintained into or from the same premises at any distance closer than eighteen (18) feet to any existing driveway entrance, and in all cases where two (2) or more driveway entrances are constructed at or about the same time, they shall be so constructed as to be separated by a sidewalk area or island not less than

eighteen (18) feet in width at the narrowest point.

SECTION 4. Any driveway constructed in the Commercial and/or Industrial District of the Town of San Anselmo shall be so designed and constructed so as not to impair the sidewalk area for pedestrian travel, and such sidewalks shall be constructed pursuant to any and all Ordinances of the Town of San Anselmo regulating the size, grade, type of materials of any and all other Ordinances on the subject of sidewalks.

SECTION 5. All non-conforming driveways and sidewalks in and about said non-conforming driveways shall be made to conform to this Ordinance within the space of one (1) year from the date of final passage of this Ordinance. The Chief of Police of the Town of San Anselmo is hereby empowered, authorized and ordered to survey all existing driveways and sidewalks in and about said driveways within the Commercial and/or Industrial Districts within the Town of San Anselmo within the space of four (4) months from the date of final passage of this Ordinance, and report in writing to the City Council all driveways and/or sidewalk areas in and about said driveways which do not conform to this Ordinance with his recommendations for corrective action. The City Council of the Town of San Anselmo shall act on the said written report of the Chief of Police and shall cause written notice to be served by mail upon the owner of the property upon which exists the non-conforming driveway and/or sidewalk area to conform to this Ordinance within the space of one (1) year from the date of passage of this Ordinance. The failure of any owner to cause his said property to conform to this Ordinance pursuant to the provisions thereof, and as provided herein, shall constitute a violation of this Ordinance.

SECTION 6. The Building Inspector of the Town of San Anselmo shall refuse to grant a building permit to any person, firm or corporation, insofar as this Ordinance is concerned, unless and until any and

all driveways and sidewalks conform to this Ordinance. The Building Inspector is hereby authorized, empowered and directed to stop work on any construction within the Commercial and/or Industrial Districts of the Town of San Anselmo if the driveways and sidewalks in and about said driveways do not conform to this Ordinance.

SECTION 7. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction therefor shall be punishable by a fine not exceeding FIVE HUNDRED (\$500.00) DOLLARS, or by imprisonment in the County Jail of the County of Marin for a period not exceeding six (6) months, or by both such fine and imprisonment.

SECTION 8. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 9. This Ordinance is hereby declared to be an emergency Ordinance for the immediate preservation of the safety, health and welfare of the citizens of the Town of San Anselmo, and this Ordinance shall take effect therefore immediately upon its final passage; the facts constituting such emergency are as follows: There exist within the Town of San Anselmo in the Commercial and/or Industrial Districts many businesses, particularly service stations, which have totally or substantially no defined driveway area into said establishments, but have instead a general runway without curbs or gutters and without any clearly defined pedestrian area, all of which is conducive to vehicular traffic making entrance and exit at any given point making it dangerous for pedestrians who have occasion to use what should be the sidewalk area at said business establishment. That said condition needs immediate correction so that pedestrians can traverse said areas and have notice as to where vehicles are apt to enter and exit from said business and be able to traverse the said area in reasonable safety.

SECTION 10. This Ordinance shall be published once in full <sup>15 days after its</sup> ~~before its~~ final passage in the SAN ANSELMO TIMES, a weekly newspaper of general circulation, printed, published and circulated in said City, and shall be in full force and effect immediately.

The above and foregoing Ordinance was introduced and passed and adopted at a regular meeting of the City Council of the Town of San Anselmo held on Tuesday, the ~~8th~~ <sup>12th</sup> day of ~~December~~ <sup>January</sup>, 1953, and passed by the following vote:

AYES: *Smith, Skinner, Harrigan, Wadlewski, Cudworth*

NOES: *none*

ABSENT: *none*

Signed and approved this ~~8th~~ <sup>12th</sup> day of ~~December~~ <sup>January</sup>, 1953.

*Fraser H. Cudworth, Jr.*  
FRASER CUDWORTH  
Mayor of the Town of San Anselmo

ATTEST:

*Anita Gannon*  
ANITA GANNON  
Clerk of the Town of San Anselmo