

DIVISION 4. - MINIMUM MAINTENANCE ROADS

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Sec. 32-151. - Purpose.

This division is enacted to provide a means of assisting with maintenance of existing roadways which meet certain criteria but do not meet the requirements of division 2 herein.

Sec. 32-152. - Criteria.

Existing roadways will be eligible for acceptance into the county maintenance system providing they meet the following requirements:

- (1) The roadway must have been in existence and in continuous use by the general public for ten years prior to date of acceptance.
- (2) The roadway must border along property owned by at least two separate property owners or serve at least two property owners.
- (3) The roadway must connect to at least one federal, state, county or municipal roadway.
- (4) The roadway must have served, for a period of at least ten years, at least four homes used as permanent homes owned by separate individuals. The number of homes served by the road should average at least two homes per one-tenth of a mile.
- (5) A request for maintenance to any qualifying roadway must represent the sentiments of all homeowners/landowners along the roadway. The request must be in writing and undersigned by 100 percent of the property owners. All necessary information, including maps, plats, affidavits and right-of-way easements, must accompany initial request or petition.
- (6) A 25-foot easement (25 feet from center of roadway in either direction) must be tendered by all property owners along the roadway. At the end of the county maintenance, a 50-foot radius easement for cul-de-sac shall also be required. In the event a 25-foot easement is not obtainable due to topographical conditions or the location of existing homes, county council may make exceptions at their discretion.

CODE OF ORDINANCES
Chapter 32 - ROADS AND BRIDGES
ARTICLE IV. - PROCEDURES FOR ACCEPTANCE INTO COUNTY MAINTENANCE SYSTEM
DIVISION 4. - MINIMUM MAINTENANCE ROADS

Sec. 32-153. - Determination.

In addition to the required aforementioned criteria, the following factors will be used as justification in determining the county's involvement in maintaining the roadway.

- (1) Dead end or connector road - does it connect to more than one publicly maintained roadway?
- (2) Is the road presently used or proposed to be used as a school bus route?
- (3) Is the road being used by mail carrier?
- (4) Consideration will be given for additional occupied residences above required minimum set forth in subsection 32-152(d).

Sec. 32-154. - Restrictions.

On dead end roads, at the point the roadway ceases to serve more than one residence or enters solely upon the property of a single property owner situated at the end of the road, the county will determine the exact termination of county maintenance. No county maintained roadway may be barricaded in any way and may not be posted with any type sign such as "private", "posted", "keep out" or any other similar sign. The roadway shall remain open at all times for use by the public at large as to local, state and federal laws.

Sec. 32-155. - General procedures.

- (a) Acceptance of existing roads under this policy shall require action of county council after study and favorable recommendation by the director of roads and bridges and the public service committee of county council.
- (b) Roadways accepted into the county road maintenance system by this policy shall be designated as "minimum maintenance roads". These roads will be classified separately from all other roads within the system and all roads accepted through provision of division 2 herein.
- (c) Minimum maintenance designation shall remain until such time as the property owners themselves pay the cost for the improvements needed to meet the requirements of division 2 herein.
- (d) The "minimum maintenance roads" will be of the lowest priority for receiving attention by county maintenance crews. Expenses for materials and labor shall be kept at a bare minimum.
- (e) All property owners on these roads must agree to accept these conditions and understand that the response to their request for maintenance cannot be immediate.
- (f) The petitioners are solely responsible for all necessary surveys, deeds and costs associated with rights-of-way and agreements.