

ORDINANCE NO. 15

COPY

An Ordinance establishing road and bridge standards for county roads, requirements for reclassification of Area Service Roads, and requirements for additions to the Area Service System.

Be it enacted by the Board of Supervisors of Keokuk County, Iowa:

Section 1. **Purpose.** The purpose of this ordinance is to set road and bridge standards for Area Service roads, and establish requirements for Area Service road reclassifications and additions to the Area Service system.

Section 2. **Definitions.** For use in this ordinance certain terms or words used herein shall be defined as follows:

1. Area Service "A" roads – shall mean area service roads maintained in conformance with applicable State statutes.
2. Area Service "B" roads – shall mean area service roads with a reduced level of maintenance effort in accordance with Keokuk County Ordinance #13.
3. Area Service system – shall mean those public roads outside of municipalities not otherwise classified.

Section 3. **Road and Bridge Standards.** Keokuk County road and bridge standards for new or complete reconstruction projects shall be according to the current Iowa Department of Transportation Instructional Memorandum Number 3.210. I.M. 3.210 sets minimum design criteria and Keokuk County hereby sets their own standards for the following design elements:

1. **Surfacing:** Granular surfacing shall be applied at a rate of 1800 ton per mile (approximately 4" deep). This may be applied in two applications not more than 1 year apart.
2. **Foreslope:** The typical foreslope will be 3:1 or flatter.
3. **Backslope:** The typical backslope will be 3:1 or flatter with isolated locations no steeper than 2:1.
4. **Ditch Depth:** The typical ditch depth will be 3 feet or more.
5. **Right of Way:** The minimum right of way will be 33 feet from centerline on each side. Additional right-of-way may be required to meet design standard in this Section.

Section 4. **Powers of the Board.** All jurisdiction and control over Area Service roads shall rest with the Board, pursuant to the Iowa Code Section 390.67 (1997).

Section 5. **Exemption from Liability.** As provided in Iowa Code Section 309.57 (1997), the County and officers, agents and employees of the County are not liable for injury to any person or for damage to any vehicle or equipment which occurs proximately as a result of the maintenance of a road which is classified as Area Service "B", if the road has been maintained to the level of maintenance effort described in the establishing ordinance.

Section 6. **Reclassification to Area Service "A".** The Board may consider reclassifying an Area Service "B" road to Area Service "A" classification and additions to the Area Service system as follows:

1. Petitions for reclassification and additions shall follow the procedures detailed in the preceding sections.
2. Petitions shall be signed by affected property owners which contains the following statement:

The undersigned petitioners shall pay all costs of improving an established Area Service "B" or new road to the minimum standards as detailed in Section 3, including but not limited to providing right of way for said improvement, materials, and labor.

3. Upon the favorable consideration for reclassification or addition by the Board after the completion of satisfactory improvements in compliance with Area Service "A" standards, and the County Engineer's approval thereof, the Board will reclassify the road to Area Service "A" or accept the road in the Area Service system.
4. It is understood that any property owner who wishes to develop a rural lot in Keokuk County should first be aware of the existing Secondary Road situation serving that tract of land, and act under the presumption that said road in all probability will continue in its present condition, unless private interests, or adjacent landowners wish to underwrite the costs to improve or construct said road up to minimum standards detailed in Section 3, and otherwise comply with the terms and conditions therein.

Consideration will be given to the prospect of all agreeing that said road be closed by Keokuk County, and maintained by the residents owning land abutting on said road to their own standards as a private lane, upon the written agreement and access arrangements by and between the abutting landowners and those otherwise denied access to their property to do so.

Section 7. Improvements to other Area Service Roads. A reclassification to Area Service "A" or an addition to the Area Service system may necessitate improvement to other Area Service roads. If said cost of improvements exceed \$5,000, the reclassification or addition will be placed on hold and the cost over \$5,000 will be budgeted in the next fiscal year's budget.

First Meeting Date:
March 30, 1998

Second Meeting Date:
April 6, 1998

Third Meeting Date:
April 13, 1998

Ayes:

Nays:

<i>Richard Denny</i>	_____
<i>Kenneth L. Weber</i>	_____
<i>Ben Kestrop</i>	_____
<i>Richard Denny</i>	_____
<i>Kenneth L. Weber</i>	_____
<i>Ben Kestrop</i>	_____
<i>Richard Denny</i>	_____
<i>Kenneth L. Weber</i>	_____
<i>Ben Kestrop</i>	_____

Dated this 13th day of April, 1998.

Richard Denny
Richard Denny, Chairman
Keokuk County Board of Supervisors

ATTEST: *Marilyn D. Wells*
Marilyn D. Wells
Keokuk County Auditor