

Amendment to Union County Road Ordinance Number 11, FY-77-78

Union County Road Ordinance Number 11, FY 77-78 is hereby amended by striking it in its entirety and inserting in lie thereof the following:

Whereas, It is the responsibility of the Union County Council to insure the proper maintenance of Union County roads and,
Whereas, The Union County Council has the basic responsibility to formulate policies, rules and regulations so that the Union County roads shall be maintained and developed on a county wide system of roads to adequately meet the needs of the county as a whole, and in furtherance of that objective.

Now, therefore, be it enacted: The following rules, definitions and procedures shall be adhered to.

Section I. Definition of Public Road

- (1) Any road serving two (2) or more separate property owners where right of way has been acquired by the county, either by donation, purchase, adverse possession or condemnation.
- (2) Any road connecting two (2) other public roads, which are maintained by either the county or by the state highway department.

Section II. Statement of Policy

- (a) The adding and paving of subdivision streets and roads, which have developed gradually over the years probably, will not conform to the requirements of this chapter. Under extreme conditions the county council will consider partial and sub-development additions where the lots are seventy-five (75%) percent individually owned. The property owners will be required to participate in the cost of improving these roads with the amount to be predetermined by the county council and posted in advance with the county treasurer. The county may absorb a portion of the cost dependent on the service rendered to the general public by improvement. Such determination will be made by county council.
- (b) It shall be the responsibility of the county road department to install one (1) drainage pipe twenty (20) feet long in drainage ditches and prepare and maintain aprons to driveways of individuals and businesses to the limits of the county's right of way as listed for each particular county road, and to establish the above for any new residence or business on a county road which previously did not have them.

Section III. Minimum Standards for County Roads

- (1) The right of way of county roads is hereby established as sixty-six (66) feet, measured thirty-three (33) feet either side of the centerline.
- (2) For paved roads, there shall be a minimum travel way width of at least twenty (20) feet exclusive of side ditches. In extreme cases this width may be reduced to a width applicable to the situation.
- (3) Any new road accepted for maintenance by the county shall have been graded, drained and have six (6) inches of pit gravel or four (4) inches of topsoil.

Section IV. Addition of Roads to County System
and Required Standards for Continued Maintenance

- (1) Property owners wishing to add a road to the county system must dedicate, free of charge, to the county a sixty- six (66) foot right of way, thirty-three (33) feet on either side of the center line if such right of way is physically available.
- (2) Roads one-half (1/2) mile or less in length proposed to be added to the county system must have at least two (2) or more separate property owners with a minimum of two (2) occupied residences fronting the road or with direct entrance to the road. These residences fronting the road or with direct entrance to the road must be all year residences. Property owners wishing to add a road to the county system must present signed easements, a certified survey of easement, and will be responsible for all legal requirements. Roads one-half (1/2) mile or longer must have two (2) residents per one-tenth (1/10) of a mile beyond the initial half mile.
- (3) Roads maintained by the county will not be of equal level of maintenance because of the varying degree of service provided by the county.
- (4) Any new roads that are added to the county road system must be physically viewed by not fewer than four (4) members of the county council and voted upon and approved by a majority of the county council at the regular monthly public meeting of the county council.
- (5) If any part of these requirements cannot be met at any time after being accepted by the county, then the road would revert back to the property owners and would cease to be maintained by Union County.

Section V. Addition of Roads or Streets in Subdivisions or Mobile Home Parks

(a) "Subdivision" for purposes of this section means all divisions of a tract or parcel of land into two (2) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, legacy or building development and includes all division of land involving a new street or a change in existing streets and includes re-subdivision and where appropriate, refers to the process of subdividing or to the land or area subdivided; however, the following exceptions are excluded from this definition for the purpose of this section.

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority and
- (2) The division of land into parcels of five (5) acres or more where no new street is involved.

(b) Developers or property owners in subdivisions wishing to add a road to the county system must dedicate a right of way of sixty-six (66) feet, measured thirty-three (33) feet either side of the center line of the road, free of charge to the county. Developers or property owners in subdivisions wishing to add a road to the county system must present signed easements, a certified survey of easements, copies of plats and be responsible for all legal requirements.

(c) Sixty (60%) percent of the lots bordering the road must be individually owned by different individuals before the road is accepted.

(d) There must be at least two (2) occupied residences for each one-tenth (1/10) mile. The county will not consider additions or portions of any subdivision street, block or adding any subdivision street serving fewer than four (4) occupied houses.

(e) Any subdivision road or street will have to be in an acceptable state of maintenance prior to the acceptance by the county. For the purpose of this section, an acceptable state of maintenance is defined as follows:

- (1) Roadway base. All roadways shall be improved with a compacted base course of the required width and shall meet the requirements listed below:
 - a. Topsoil base not less than four (4) inches in thickness or
 - b. Pit gravel base not less than six (6) inches in thickness or
 - c. Asphalt surface not less than two (2) inches compacted in thickness
- (2) Drainage. An adequate draining system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets & etc. shall be provided for the proper drainage of all surface water.
 - a. Pipe. All pipe used within street rights of way shall be concrete and stamped as being acceptable by the state highway department. The pipe shall be of adequate size and capacity to carry all storm waters in its drainage area. The minimum size pipe shall not be less than eighteen (18) inches in diameter and shall be laid on a grade to maintain velocity of two (2) feet per second.
 - b. Cross Drains. Storm drainpipe shall be placed at all low points in the street grade to transmit storm water, transversely across the street with catch basins or headwalls being constructed as necessary to control erosion.

Section VI. Abandonment of Roads by County

Refer to section IV.

This amendment to County Ordinance Number 11, FY 77-78, shall take effect upon adoption by the Union County Council.

Adopted this 20th day of January 1999.

Union County Council
Donnie R. Betenbaugh, Chairman
Jimmy L. Gault, District 1
Dora T. Martin, District 2
Iverson G. Vanderford, District 3

Attest:
Linda G. Jolly
Clerk to Council

1st Reading 7/8/98
2nd Reading 9/9/98
3rd Reading 1/20/99