

AN ORDINANCE WHICH ESTABLISHES REQUIREMENTS FOR ROADS THAT MAY BE HERINAFTER INCORPORATED INTO THE CALLOWAY COUNTY ROAD MAINTENANCE SYSTEM

Ordinance No. 24-0619-B

WHEREAS, the Calloway County Fiscal Court has determined that the requirements for the inclusion of roads for upkeep and maintenance into the County Road System should be more explicit in order to adequately protect the public's interest; and

WHEREAS, no prior petitions, permits and/or processes exist to establish the guidelines for the Fiscal Court to adopt a new or existing road into the Calloway County Road maintenance system;

NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF CALLOWAY COUNTY, KENTUCKY, AS FOLLOWS:

1. Any person who desires that a **new road** (any road not covered in Part 2 of this Ordinance, including subdivisions) be adopted into and become a part of the Calloway County Road Maintenance System must satisfy the following minimum requirements and file an appropriate Petition (Appendix A) with the Calloway County Fiscal Court.

A. Minimum Road Construction Standards

1. The minimum right-of-way width of said road shall be forty (40) feet, to a maximum of fifty (50) feet. The width of right-of way may be stipulated as the physical geography at some locations may require a larger or smaller than normal right-of way to deal with conditions that could affect the roadway.
2. The minimum width of driving surface of said road shall be twenty (20) feet.
3. Said road shall be crowned and have a slope between 2%-4%; ($\frac{1}{4}$ – $\frac{1}{2}$ inch per foot of width).
4. The surface and base course of said road shall be of bituminous asphalt or cement concrete.
 - a. Surface Course - The material may be bituminous asphalt or cement concrete depending upon the nature of the construction.
 - i. Bituminous asphalt material (surface and base course) should be at least four (4) inches in depth. The surface course should be at least one and one-half ($1\frac{1}{2}$) inches of Class 2 Asphalt Surface 0.38D PG64-22 mix. The County may install the

- surface course within one year of the original Petition if the Petitioner pays the cost of same in advance.
- ii. Cement concrete material should be a minimum of five (5) inches of thickness. It should consist of rebar and wire mesh for structural support. Depending on thickness, transverse joints should be no more than ten (10) feet apart. Longitudinal joint is required down center line of road with no longitudinal joints more than 14 feet apart.
- b. Base course - It is below the surface course and its function is to distribute the stresses transmitted through the surface course evenly onto the layers below. For bituminous asphalt surfaced roads, it shall consist of bituminous asphalt base material (Class 2 Asphalt Base 0.75D PG64-22), which is at minimum two and one-half (2 ½) inches in depth. The full thickness of cement concrete constructed roads acts as the surface and base courses.
 - c. Sub-Base Course - It is just below the base course and provides additional help to the courses above it in distributing the loads. It should consist of an aggregate mix, which facilitates drainage of water from the pavement.
 - i. For roads constructed of bituminous material the minimum compacted gravel sub-base course on said road shall be of such gradation, quality, and quantity as to finish a stable base of twelve (12) inches thick. Verification of compaction may be required by providing a core sample at least every 100 feet.
 - ii. For roads constructed of cement concrete material the minimum compacted gravel sub-base course on said road shall be DGA material as to finish a stable base of six (6) inches thick. Verification of compaction may be required by providing a core sample at least every 100 feet.
5. Shoulders on said roads shall be at least two (2) feet wide consisting of similar material as used for the gravel base, and have a minimum slope of 2%-4%; (¼ – ½ inch to each foot).
 6. A cul-de-sac will be required on any dead-end road with a minimum diameter of 100 feet and without a center island.
 7. Right-of-way drainage, cross culverts, and adequate right-of-way ground cover to reduce erosion shall be provided according to accepted engineering practices, subject to the approval of another competent engineer or the Calloway County Road Supervisor (CCRS) or his designee. Cross culverts shall be designed and built to support 40 Tons (80,000 pounds).

8. Petitioner for a new road should contact the CCRS before any on-site construction takes place to ensure that the CCRS has full access to the site and an opportunity to inspect all phases of the construction.

B. Adjacent Driveway

1. Driveway entrance pipes shall be no less than twelve (12) inches in diameter and twenty (20) feet in length, may require approval by the CCRS to make sure all drainage in the right-of-way is adequate.
2. Driveways and approaches shall be constructed so that they shall not interfere with the drainage of the County Road.

2. Any person who desires that an **existing road** (any road not covered in Part 1 of this Ordinance, including subdivisions) be adopted into and become a part of the Calloway County Road Maintenance System must satisfy the following minimum requirements and file an appropriate Petition with the Calloway County Fiscal Court. Any roads adopted under this provision are strictly at the sole discretion of the Fiscal Court and the decision based on the surrounding circumstances.

A. Minimum Road Construction Standards

1. An aggregate, bituminous asphalt, or cement concrete surface capable of supporting the traffic, and has been in existence for five (5) years.
2. The minimum right-of-way width of said road shall be forty (40) feet, to a maximum of fifty (50) feet. The width of right-of way may be stipulated as the physical geography at some locations may require a larger than normal right-of way to deal with conditions that could affect the roadway.
3. Right-of-way drainage, cross culverts, and adequate right-of-way ground cover to reduce erosion shall be provided according to accepted engineering practices, subject to the approval of the CCRS or his designee.
4. Residents with adjacent driveways may be required to have installed an appropriately sized driveway culvert to satisfy right-of-way drainage requirements.
5. A cul-de-sac or turn-around will be required on any dead-end road. The size will be determined by the circumstances of that particular road to be approved by the CCRS.
6. If said existing road is showing signs of failing blacktop, the Petitioner may be required to repair any and all failing sections or areas by rebuilding those failing sections or areas to achieve an adequate gravel base, asphalt base, and final surface coat at the discretion of the CCRS.

B. Adjacent Driveways

1. Driveways and approaches shall be constructed so that they shall not interfere with the drainage of the County Road.

3. Any road, new or existing, adopted into the Calloway County Road Maintenance System shall be deeded to the Calloway County Fiscal Court by Quitclaim Deed unless it has already been platted and dedicated for public use.

4. Right-of-way shall be cleared of brush and trees.

5. Any road, new or existing, shall have a minimum of two (2) residences or businesses in existence along the petitioned roadway. And, the location of the qualifying residence or businesses can be at any point along the petitioned roadway as long as the minimum number of residences or businesses meet the average of one (1) per quarter mile. Qualifying residences or businesses shall include those that must traverse a portion of the petitioned roadway to gain access to said residence or business.

6. Road names shall not duplicate any existing road names within Calloway County except where a new road is a continuation of an existing road. All new roads shall be named with one of the following nomenclatures: "Road" or "Drive" if it is a thru road, "Lane" or "Court" if it is a dead-end road, "Trail" if it meanders, "Circle" for roads that are a closed loop, "Boulevard" if the road has a median through the middle, or the name shall conform to local customs.

7. For any road, new or existing, being petitioned to be adopted into the Calloway County Road Maintenance System will be evaluated (Appendix) by the CCRS, the County Magistrate whose district said road is in, and one Fiscal Court appointed citizen observer.

8. All permanent signage shall be in conformance with the Manual on Uniform Traffic Control Devices (MUTCD), latest edition.

9. Any bridge which is constructed on a new road or has been constructed on an existing road shall have been designed by a Professional Engineer registered in the State of Kentucky in accordance with the Standard Specifications for Highway Bridges, latest edition, as prepared by the American Association of State Highway and Transportation Officials. A licensed and established contractor known for building bridges must have constructed the bridge by the design. Only structures of steel, or steel and concrete, shall be acceptable. Retaining walls shall be either reinforced concrete, bin walls, reinforced earth, or concrete crib walls. All retaining wall structures shall be designed by a Professional Engineer registered in the State of Kentucky. The load carrying capacity minimum shall be rated for 40 tons (80,000 pounds). The CCRS may request the bridge be inspected by the Kentucky Transportation Cabinet.

10. Guardrails may be necessary in certain areas depending upon the need for protecting the traveling public where the right-of-way consists of a steep embankment the drops off from the roadway. Guardrails should only be installed in locations in accordance with accepted engineering practices and should comply with the National Cooperative Highway Research Program (NCHRP) Report 350 and/ or American Association of State Highway and Transportation Officials (AASHTO), Manual for Assessing Safety Hardware (MASH) Guidelines.

11. Nothing in this Ordinance shall be construed as to affect those roads now in existence which have already been accepted into the Calloway County Road Maintenance System or those Petitions that have been filed prior to the adoption of this Ordinance.

12. The CCRS shall be hereby authorized to distribute to all interested parties such drawings and illustrations which convey the intent and meaning of this Ordinance so that those persons may obtain the necessary information to prepare their Petition, and prior to the construction of any new roads in Calloway County, Kentucky.

13. This Ordinance shall be in force and effect from and after its passage and shall remain in effect until such time as it is properly repealed or amended. If any provision of this Ordinance is ruled illegal, unconstitutional, or otherwise unenforceable by a Court, the remaining provisions shall continue in full force and effect. Any other ordinances of the County which are conflicting or inconsistent with this Ordinance are hereby repealed to the extent of any inconsistencies or conflicts.

This Ordinance shall be cumulative and in addition to any other laws in force.

Date of First Reading: 5-15-24

This Ordinance was published not more than seven (7) days nor more than twenty-one (21) days prior to passage on 6-19-24

Date of Publication: 6-7-24

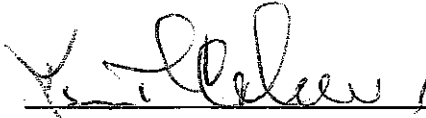
Date of Second Reading: 6-19-24

Motion By: Squire Rister

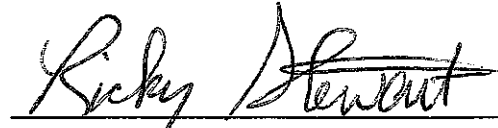
Seconded By: Squire Stewart

Vote: all ayes

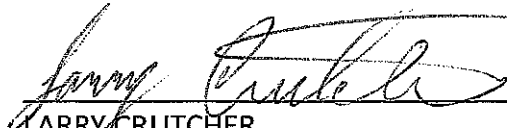
APPROVED, RESOLVED, ADOPTED AND EXECUTED ON THIS 19~~th~~ DAY OF June, 2024.



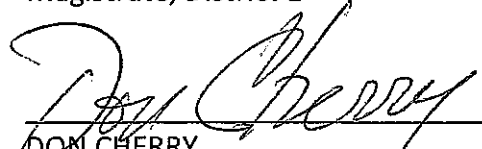
KENNETH C. IMES,
Calloway County Judge-Executive



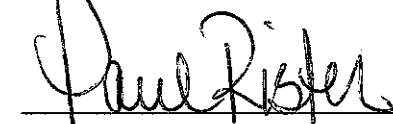
RICKY STEWART,
Magistrate, District 1



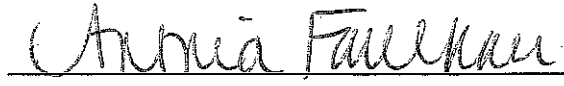
LARRY CRUTCHER,
Magistrate, District 2



DON CHERRY,
Magistrate, District 3



PAUL RISTER,
Magistrate, District 4



Attested to by: ANTONIA D. FAULKNER,
Clerk of Calloway County

Petition for Road Inclusion into the Calloway County Road System

Date: _____

Person requesting inclusion of road to County Road system: _____

New Road Existing Road

Road Name(s) _____

Road(s) Location _____

Property owner _____ Contact Number _____

Address _____

Property owner _____ Contact Number _____

Address _____

Property owner _____ Contact Number _____

Address _____

Property owner _____ Contact Number _____

Address _____

Property owner _____ Contact Number _____

Address _____

(place additional property owners, address and contact number on back)

Have all signing property owners read the Calloway County Ordinance requirements for adoption of a new or existing road, and agree with all requirements? (If not attached, it can be read from the list of Ordinances on the Calloway County Fiscal Court webpage, under Document & Forms

Yes No

Do you feel the requested road(s) meet and comply with the Fiscal Courts requirements?

Yes No

If "No," what do you feel the deficiencies are: _____

ROAD NAME					DATE			
LOCATION								
DISTRICT	1	2	3	4				
LENGTH								
EVALUTATOR								
NEW ROAD REQUIREMENTS - PAGE 1 of 2								
A(1). Right-of-Way minimum 30 feet or maximum 50 feet					YES	NO	DISTANCE	
Comment								
A(2). Driving surface 20 feet minimum					YES	NO	DISTANCE	
Comment								
A(3). Compacted gravel base 12 inch minimum					YES	NO	DEPTH	
Comment								
A(4). Crown slope 1/4 - 1/2 inch per foot of width					YES	NO	SLOPE	
Comment								
A(5). Road surface at least totalling 3 1/2 inch in depth (2 1/2 inch base & 1 inch surface coat)					YES	NO		
Comment								
A(6). Requires surface layer					YES	NO		
Comment								
A(7). Shoulders 1 foot minimum with slope					YES	NO	DISTANCE	
Comment								
A(8). Cul-de-sac on dead-end road 100 feet minimum diameter					YES	NO	DIAMETER	
Comment								
A(9). Appropriate right-of-way drainage, ground cover and cross culverts					YES	NO		
Comment								
B(1). Driveway culverts 12 inch minimum & 20 feet minimum					YES	NO		
Comment								
B(2). Driveways not causing runoff into road					YES	NO		
Comment								
4. Right of way cleared of bursh and trees					YES	NO		
Comment								

ROAD NAME	DATE
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NEW ROAD REQUIREMENTS - PAGE 2 of 2

5. Minimum 2 residents or businesses, with at least 1 per quarter mile	YES	NO	NUMBER
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Comment

6. Appropriate road name	YES	NO	
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Comment

8. Does signage meet MUTCD Standards	YES	NO	
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Comment

9. Does road have a bridge on it	YES	NO	
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Comment

10. Are there steep embankments that might require guardrails	YES	NO	
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Comment

Other Comments by Evaluator that should be considered.

ROAD NAME					DATE	
LOCATION						
DISTRICT	1	2	3	4		
LENGTH						
EVALUTATOR						
EXISTING ROAD REQUIREMENTS						
A(1). Road Surface and how long existing	AGGREGATE	ASPHALT	CHIP-SEAL	CONCRETE		YEARS
Comment						
2(A). Right-of-way minimum 30 feet or maximum 50 feet				YES	NO	DISTANCE
Comment						
A(3). Appropriate right-of-way drainage, ground cover and cross culverts				YES	NO	
Comment						
A(4). Are driveway culverts needed to satisfy drainage requirements, list addresses in comment				YES	NO	
Comment						
A(4). Cul-de-sac or turn-around area on deadend roads				YES	NO	
Comment						
B(1). Driveways not causing runoff into road				YES	NO	
Comment						
4. Right-of-way cleared of brush and trees				YES	NO	
Comment						
5. Minimum 2 residences or business with at least 1 every quarter mile				YES	NO	NUMBER
Comment						
6. Appropriate road name				YES	NO	
Comment						
8. Does signage meet MUTCD Standards				YES	NO	
Comment						
9. Does road have a bridge on it				YES	NO	
Comment						
10. Are there steep embankments that might require guardrails				YES	NO	
Comment						