

**RESOLUTION
R-10-98**

**ROAD ACCESS POLICY
PERTAINING TO ALL EXISTING AND PROPOSED ACCESSES
WINNEBAGO COUNTY, IOWA**

THE FOLLOWING ACCESS POLICY IS HEREBY ADOPTED BY THE BOARD OF SUPERVISORS FOR WINNEBAGO COUNTY SECONDARY ROADS THIS 17th DAY OF NOVEMBER, 1998, AND ALL PREVIOUSLY ADOPTED ACCESS POLICIES ARE HEREBY REPEALED:

A policy prescribing the minimum requirements and procedures for the modification of an existing, or the construction of a new entrance to a county road from abutting property.

BE IT RESOLVED by the Board of Supervisors of Winnebago County, Iowa, that the following policy relating to and prescribing procedures for private landowners to gain ingress and egress to Winnebago County Secondary Roads be adopted as follows:

ARTICLE I

Section I – Authority. Any person wishing to modify an existing or construct a new entrance to a Winnebago County Secondary Road shall first obtain a permit from the Winnebago County Engineer.

ARTICLE II

Section I – Permit Application. Permit applications may be obtained at the office of the County Engineer. Application must be completed by the applicant and submitted to the Engineer's Office not less than seven (7) days prior to desired application approval.

ARTICLE III

Section I – Construction Standards.

- 1.01 Culvert Size. Minimum culvert size shall be 15". Size and length shall be as specified by the County Engineer.
- 1.02 Culvert Material. Only new material may be used. Concrete, corrugated metal or dual wall plastic pipe shall be as specified in the Iowa Department of Transportation Standard Specifications for Highway and Bridge Construction with the exception that dual wall plastic pipe joints may be the gasketed bell and spigot type. Pipe shall be joined using manufacturer approved joining methods.

- 1.03 Width. Access width shall be no less than 24 feet and no more than 45 feet. The access width shall be 8 feet wider at the public roadway, tapering to the specified width at a point 8 feet from the road.
- 1.04 Side Slopes. Side slopes shall be constructed with a slope of 2 horizontal to 1 vertical on gravel secondary roads. On paved secondary roads, side slopes shall be constructed with a slope of 6 horizontal to 1 vertical, except where a culvert is not required; then a 10 horizontal to 1 vertical slope is required.
- 1.05 Fill Material. Fill material shall consist of earth capable of supporting vegetation. Rubble such as broken concrete and field stone may not be used. Fill material may be provided, if available, at the discretion of the County Engineer.
- 1.06 Joint Accesses. Joint accesses shall require mutual consent by permit application of both property owners.
- 1.07 Access Widening. In addition to the above requirements, the following shall govern when widening existing accesses;
- 107.1 When required, new culvert pipe diameter shall match existing pipe diameter. Proper jointing of existing and new culvert shall be required. Only manufacturer recommended jointing methods shall be allowed.
- 1.08 Access Removal. When existing accesses are removed, the immediate area shall be left in a condition that blends into surrounding area. Drainage shall be maintained.

Section II – Location.

- 2.01 Safety. Safety shall be the primary criteria for locating accesses. Site distance shall not be less than that specified in the latest edition of A Policy on Geometric Design of Highways and Streets, 1990, American Association of State Highway and Transportation Officials.
- 2.02 Number. No field accesses shall be placed at intervals of less than 1000 feet into property under one ownership except when that property is divided by barriers such as rivers and rail lines. Residences under one ownership shall not have accesses at intervals of less than 400 feet. No commercial accesses shall be placed at intervals of less than 600 feet.
- 2.03 Property Lines. Unless it is a joint access, no access can extend across an adjoining property line or the extension of same property line.

ARTICLE IV

General

Section I – Costs. The applicant is responsible for all costs associated with the modification of an existing or the construction of a new entrance.

Section II – Pre-Construction Inspection. The County Engineer or his authorized representative shall inspect the site prior to issuance of the permit to insure the requirements of this ordinance are met.

Section III – Post-Construction Inspection. The applicant shall notify the office of the County Engineer when the work is complete. The Engineer shall inspect the work for compliance with this ordinance.

Section IV – Maintenance.

- a. Property owners having access to a county road shall be responsible for the maintenance of their entrances, from the edge of the traveled way of the county road to the right-of-way line.
- b. Drainage structures located within the county road right-of-way shall be maintained by the county except for concrete box culverts and bridges constructed by a permit holder under authority of an entrance permit. These structures shall be maintained by the permit holder.

Section V – Non-Compliance. When work is certified by the Engineer to the applicant as not in compliance with this ordinance, the applicant will have 30 days from receipt of notice to bring the work into compliance. After that date, the County will have the work done and the applicant will be responsible to cover the costs thereof.

Section VI – Appeal. The County Engineer or his designated representative is hereby named the permit officer to administer the terms of this policy. Administrative decisions of pipe size and length, sight distance and other safety factors will be final. Other appeals of administrative decisions may be appealed to the Board of Supervisors in writing at any time or orally at the regular scheduled Board meeting. Board decisions shall be entered on its proceedings.

Section VII – Repealer. All ordinances, resolutions or parts of ordinances and resolutions in conflict with the provision of its ordinance are hereby repealed.

Section VIII – Severability. If any section, provision, or part of this ordinance shall be adjudged to be unconstitutional or otherwise invalid, such adjudication shall not effect the validity of the ordinance as a whole or any section thereof.