

# Dead Lake Township

## Road Policies & Standards

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## Preamble

Minnesota State Statute 164 authorizes a town board, as a road authority, to establish and maintain town roads for benefit of the public. Establishing and maintaining roads is one of the most vital functions of town government and requires a considerable amount of the township's treasury. Because town roads are so important, they generate many questions and a high potential for disagreement. The goals of these road policies and standards are to provide clarification on the various road issues frequently encountered.

In developing this policy for how to best undertake road maintenance activities in the Town, the Board has had to balance a number of factors including, but not limited to, the following: public safety; the amount of funds available for these activities; the wish to maintain an efficient transportation system; enable the delivery of resources. A further explanation of some of these policy considerations follows:

1. **Budgetary:** The funds the Towns has available for road maintenance, road improvement, and snow plowing operations are derived from two sources. The first is the town road and bridge tax levy that is set by the town electors at the annual town meeting held in March. The second source of funds comes from the gas tax imposed and collected by the State, a small portion of which is distributed to towns to help maintain their roads. The Board has no direct control over either source of funding. The actual amount of the Town's road and bridge levy is determined solely by a vote of the electors.
2. **Road Maintenance Services:** The Town provides routine road maintenance staff and equipment for grading and snow removal. Other services may be provided by independent contractors. The Town indicates through this policy the services and work to be performed and the performance expectations.

The Town Board reserves the right to amend any portion of this document by motion at any town board meeting.

## **Definitions**

1. Town Road: A road taken over and maintained by the Township and recorded with the County as such.
2. Private Road: Generally long established roads used as private drives used by one or more dwellings. Legal status is unknown.

# Article 1 Township Road Standards and Specifications

## Section 1.1 Design Specifications

1. All roads must have a 66-foot right-of-way and must be platted at 66 feet minimum.
2. Dead-end roads are prohibited, but cul-de-sacs shall be permitted. Cul-de-sacs shall have a terminal turn around which shall be provided at the closed end, with a turn around of a minimum outside right-of-way diameter of one hundred fifty (150) feet and a radius of seventy-five (75) feet.
3. The grade of the road shall not be more than eight (8) percent.
4. All dedicated roadways shall have a roadbed of not less than thirty-two (32) feet in width. All cul-de-sacs shall have a minimum traveled surface diameter of one hundred (100) feet.
5. All entrances constructed to provide access to adjacent lots shall have a minimum finished top width of twenty (20) feet. Side slope ratios shall be 1:4 (vertical: horizontal) or flatter.
6. Ditches must be present on both sides of the road, which provide for appropriate drainage. This includes consideration of culverts under driveways. The minimum depth shall be two (2) feet below the grade of the road. Side slope ratios shall be 1:4 (vertical: horizontal) or flatter.
7. All roadbed embankments across lowland area shall be constructed to a height of at least three (3) feet above natural ground elevation.
8. The minimum gravel thickness shall be three (3) inches compacted for four (4) inches loose. All gravel materials used for aggregate base and aggregate surfacing shall meet the requirements of 3138 of the MnDOT Standard Specifications for Construction Class 5 Aggregate Base. Salvaged bituminous mixture used in lieu of aggregate base shall be crushed sufficiently to achieve 100% passing a 1-1/2" screen. The gravel equivalent (G.E.) for salvaged bituminous material shall be 1.0.
9. All roads must have an adequate crown of approximately 1/2 inch for each foot of width measured from the center of the road to the edge of the driving surface.

## Section 1.2 Construction

1. Stumps and debris shall not be buried within the roadbed, fore slopes or ditch bottoms or be disposed of by pushing onto land adjacent to the platted roads.
2. No material from the upper one (1) foot of the natural soils shall be used in the upper two (2) feet of the roadbed.
3. All topsoil shall be salvaged and a minimum of three (3) inches of topsoil shall be spread on all new slopes and area disturbed during grading operations.

4. No rocks having a diameter of six (6) inches or larger shall be placed within the upper foot of the roadbed.
5. All embankments shall be constructed in relatively uniform layers approximately parallel to the final grade, and extending over the full width of the embankment. Layers in the upper two (2) feet of the embankment shall not be more than eight (8) inches in thickness (loose measurement) and those below the upper two (2) feet shall not be more than twelve (12) inches in thickness (loose measurement).

### **Section 1.3 Ditch Cover**

1. All new slopes and disturbed areas shall be seeded after the topsoil has been replaced.

### **Section 1.4 Culverts**

1. All centerline culverts shall have aprons and a minimum diameter of eighteen (18) inches.
2. All entrance culverts shall have aprons and a minimum diameter of twelve (12) inches.
3. The use of used metal culverts and aprons shall not be allowed. Used concrete culverts and aprons may be used with prior approval. The joints of all concrete pipes and aprons shall be tied and wrapped.
4. Each Line of culvert installed shall be made of only one type and design of material.
5. All culverts shall have a minimum of eighteen (18) inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve 1:4 slopes or flatter.
6. All concrete culverts shall meet the requirements of MnDOT Standard Specifications for Construction.
7. All metal culverts shall be galvanized corrugated steel and shall meet the following thickness (gauge) requirements:
  - 12" – 18" Diameter, 16 Gauge
  - 24" – 30" Diameter, 14 Gauge
  - 36" – 48" Diameter, 12 Gauge
8. All bridge and construction plans will be approved by the Otter Tail County Engineer. Minimum capacity shall be HS-25 loading. Minimum width shall be twenty-eight (28) feet, curb to curb.

## Article 2 General Maintenance Policy

### Section 2.1 Road Inspection

1. The Town Board formally inspects all roads in the spring to determine any maintenance needs to be carried out during the summer. Such needs include gravel, dust control, weed control, ditch cleaning, road repair, tree and brush trimming, and sign inspection.
2. Roads designated Minimum Maintenance will receive only enough maintenance to keep them in a safe and passable condition.

### Section 2.2 Typical Road Maintenance

Township roads are bladed approximately every two weeks when weather permits.

1. In the summer, additional layers of gravel are applied to road sections as determined by the Town Board. Township residents with special requests for gravel should contact the Town Board before June 1<sup>st</sup>.
2. Road ditches are mowed approximately six (6) feet out from the shoulder twice during the growing season, and wider in spots deemed necessary by the Town Board.
3. The Town Board may contract to have road ditches sprayed with herbicides to control noxious weeds and brush. Any residents not wanting ditches sprayed because of the proximity to sensitive crops or dwellings should inform the Town Board of their wishes.
4. Additional road maintenance needs are addressed as they arise.

### Section 2.3 Objects Within the Right-of-Ways

Public road right-of-ways are used for a variety of purposes that are outside of the direct control of the Town. The Township shall not be responsible for damages caused by the Township equipment to mailboxes, lawn sprinklers, utility structures, sod, landscaping materials, vegetation, or other personal or real property. Damage to items of personal property left in the road right-of-way shall be the responsibility of the property owner, not the Township.

It is the responsibility of the owners to keep the road right-of-ways clear of vehicles, trailers, trashcans, and other items of personal property. If the Board determines personal property left in the road right-of-way poses an unreasonable risk to public safety, or significantly interferes with maintenance operations, the Board will have the item removed from the right-of-way at the owner's expense. While reasonable efforts will be made to avoid damaging private property, road maintenance operations may result in damage to the property of others. Where private property damages do occur, it is the policy of the Town to handle damages on a case-by-case basis.

## **Section 2.4 Complaints and Requests**

Complaints and requests for further services should be directed to the Board, not the employee or equipment operator. Complaints and requests for further road maintenance services or damage will be taken during normal Town Board meetings and handled on a case-by-case basis.

## Article 3 Snow Plowing Policy & Snow Removal Procedures

### **Section 3.1 Dispatching of Snowplow:**

To determine when plowing operations will begin, the following criteria shall be considered:

1. An evaluation of the immediate and anticipated weather conditions.
2. The likely effectiveness of operations.
3. Safety of employees.
4. If an unreasonable risk of damaging equipment exist.
5. Snow accumulation of three (3) inches or more and snow has stopped.
6. Accumulation of drifting snow.
7. Severe icy conditions that seriously affect travel.
8. Requests of Emergency Services

### **Section 3.2 Safety, Equipment Damage and Effectiveness:**

Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of operators or pose an unreasonable risk of damaging equipment. Once initiated, operation will be suspended if conditions deteriorate to the point that it becomes unsafe for operators because of factors including, but not limited to, severe cold, significant winds, limited visibility, accumulation of ice or rapid accumulation of snow. Plowing will also be delayed or suspended if existing or anticipated conditions indicate the operations will not be effective.

### **Section 3.3 Section Snowplowing Routes:**

1. The Township will plow roads on a rotating basis to be fair to all residents of the Township.
2. Under normal conditions, one plowing per snowfall will be considered sufficient.
3. Snowplowing under severe conditions will consist of opening roads first and widening roads at a later time, if needed.
4. In the event of equipment failure, extreme snowfall, or other unanticipated events including the availability or need to rest snowplow operators, deviation from these standards may be appropriate.

### **Section 3.4 Environmental Protection:**

Because the Township is concerned about the potential negative environmental effects of salt, use will be minimized. Sanding at critical locations such as curves, hills, intersections and other hazardous locations may be performed if deemed necessary by supervisors or the person in charge of snowplowing operations.



### **Section 3.5 Resident/Private Plowing:**

The Township policy forbids Township equipment and drivers from plowing private roads or driveways.

### **Section 3.6 Personal Properties:**

1. Mailboxes damaged during snow removal will be evaluated case by case. Only metal mailboxes properly located and installed on approved supports that were damaged by actual contact with Township equipment will be repaired at the Township expense. The Township is not responsible for garbage cans that are knocked over or damaged either by direct contact with Township equipment or pushed by the snowplow from the road.
2. Township residents are reminded that it is unlawful to plow snow from driveways onto or across public roads. Minnesota State Statute 160.27, subd. 5, advises that pushing snow from driveways and sidewalks onto public roads and road right-of-ways may be punishable as a misdemeanor. Accidents and damages caused by snow piles left in or on the side of the roadway may result in liability to the property owner.
3. When requested by the County Sheriff's Department, the Township will provide emergency snowplowing.

## Article 4 Paving Policy

### **Section 4.1 Blacktop Paving Policy:**

1. It is the policy of Dead Lake Township not to initiate the blacktopping of roads due to initial cost and upkeep.
2. The Township has full authority to accept or reject any requests for blacktopping Township roads.
3. The Township will hire the Engineer to evaluate and submit a proposal that will result in a road equal to or better than the County specifications for a 7-ton road. The cost of the Engineer will be borne by those petitioning for the paved road.

### **Section 4.2 Paving Requests By Petition:**

If the landowners along a township road desire to have their road blacktopped, the following requirements must be met:

1. Road must have a minimum 66' right-of-way with no obstructions.
  2. Road must be platted and dedicated to the Township.
  3. All requests must be submitted by petition.
  4. Petition requests for blacktopping must be submitted to the Town Board in one of two ways:
    - a. One hundred percent (100%) of the landowners have signed the petition and agree to pay for all costs for the proposed project prior to Town Board action.
- OR
- b. Seventy- five percent (75%) of the affected landowners have signed a petition requesting a special assessment tax district.

### **Section 4.3 Standards For Proper Assessment:**

1. The property benefits from the improvement; and
2. The assessment does not exceed the increase in value of the property due to the improvement; and
3. The assessment is uniform; and
4. Agricultural property is exempt for 25 years, unless use of the land changes when at that time, the full amount of the assessment will be assessed. If use changes after 25 years, the original assessment will not be assessed.

**Section 4.4 Future Maintenance Costs:**

Once a road is paved, the Town Board shall authorize the maintenance of such pavement as it deems necessary. Costs related to crack-sealing, seal-coating, patching, striping, and shouldering shall be borne by the Township Road and Bridge fund. Costs related to bituminous overlay, major reconstruction and other maintenance costs not generally applicable to a gravel road shall be assessed to the benefitting landowners.

Major reconstruction is defined as repairs that are as long, or longer, than the road is wide, and/or there is more than one section of repair needed on the same road at the same time.

## Article 5 Subdivision Road and Street Standards

Otter Tail County Governs This Section

## Article 6 Dedicated Road Acceptance

### **Section 6.1 Dedicted Road Acceptance:**

1. The roads within the p lat shall not be dedicated by the developers to the Township, but Shall remain "public roads" for the use of the occupants of said plat until established as "town roads" pursuant to the procedures then required by Minnesota Statutes.
2. The developers agree to indemnify and hold harmless the Township from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of the establishment and construction of said roads and for all claims or causes of action arising from the date of this agreement until two years from the date of said roads are deemed to be established in accordance with the County Road Specifications.
3. The Town Board reserves the right to require the road to be paved with bituminous asphalt in accordance with Article 1, Section 1.4 Bituminous Pavement of the Dead Lake Township Road Policies and Standards prior to acceptance.

## Article 7 Existing Road Acceptance Policy

1. All roads must have a 66' right-of-way and must be platted at 66'.
2. All 66' of the road may not have to be cleared, but the minimum clearance should be at least 66'.
3. The cleared road must be as close to the center of the 66' right-of-way as possible.
4. Dead-end roads are prohibited, but cul-de-sacs shall be permitted. There must be a way for emergency vehicles to turn around. Cul-de-sacs shall have a terminal turn-around which shall be provided at the closed end, with a turn-around of a minimum outside right-of-way diameter of one hundred fifty (150) feet and a radius of seventy-five (75) feet.
5. A road taken over for maintenance by the Township must have adequate sub-grade with a minimum of 3" of class five gravel over the sub-grade. A road taken over the the Township shall have no gravel added for the first two years.
6. Road Grade - In general, the grade of the road should not be more than ten (10) percent. Proper consideration should be given as to whether an emergency vehicle can get started from a stopped position on the grade.
7. Appropriate ditches must be present on both sides of the road, which provide for the appropriate drainage. This includes culverts under driveways.
8. The road to be taken over must have an adequate crown of 1/3 to 1/2 inch For each foot of width measured from the center of the road to the edge of the driving surface. An appropriate crown or slant to the road must be provided to allow for proper water run-off from the roadway.
9. The Township Board reserves the right to require the road be paved with bituminous asphalt.
10. Regular grading and snowplowing can begin immediately upon takeover.
11. The decision whether to take over a road or not will not be made at the site, but will be tabled for the next regular meeting of the Township Board.

## Article 8 Approach and Driveway Policy

This page has been replaced by a new policy dated 11-12-13.

Revision was approved at the Township Monthly Board meeting held on 11-12-13 and is noted in those minutes. Cheryl Harris, Clerk

### **Section 8.1 Design and Construction:**

1. All new approaches and driveways to Township roads must be approved by the Town Board prior to construction to assure adequate line of sight and for determination of necessary drainage.
2. The cost of constructing or rebuilding an approach or driveway shall be the owner's responsibility.
3. No foreign material such as dirt, gravel or bituminous material shall be left or deposited on the road during the construction of an access, driveway or installation of drainage facilities.
4. Roadside must be cleaned up after work is completed.
5. Approaches and driveways fill slopes shall be constructed 4:1 (4' horizontal to 1' vertical) where existing roadside slopes are 4:1 or better and shall be hand finished and seeded.
6. Approaches and driveways shall be so constructed so that they have a minimum hard surface top of no less than 20' and shall slope down and away from the shoulder line of the highway for a distance of at least 15' with a fall of at least 6".
7. All new or improved agricultural approaches shall have a minimum of 26' top.
8. Culverts, where deemed necessary by the Township Board, are to be proved by the property owner.
9. Only new concrete, corrugated metal or corrugated plastic shall be used.
10. All culverts shall have a minimum diameter of 15".
11. Each line of culvert installed shall be made of only one type and design of material.
12. All hard-surfaced driveways that abut a gravel Township road must stop the hard surface material at the road right-of-way and have gravel meet the gravel road.

## Article 8 Approach and Driveway Policy

### **Section 8.1 Approval of New Approaches:**

The Township Board of Supervisors reserves the right to approve or deny an approach request off of a Township road prior to construction. Any determination of an approach must be done at a monthly Township Board meeting.

### **Section 8.2 Design and Construction:**

1. All new approaches and driveways to Township roads must be approved by the Town Board prior to construction to assure adequate line of sight and for determination of necessary drainage.
2. The cost of constructing or rebuilding an approach or driveway shall be the owner's responsibility.
3. No foreign material such as dirt, gravel or bituminous material shall be left or deposited on the road during the construction of an access, driveway or installation of drainage facilities.
4. Roadside must be free of all hazards and debris after work is completed.
5. Approaches and driveways fill slopes shall be constructed 4:1 (4' horizontal to 1' vertical) where existing roadside slopes are 4:1 or better and shall be hand finished and seeded.
6. Approaches and driveways shall be so constructed so that they have a minimum surface top of no less than 20' and shall slope down and away from the shoulder line of the highway for a distance of at least 15' with a fall of at least 6".
7. All new or improved agricultural approaches shall have a minimum of 26' top.
8. Culverts, where deemed necessary by the Township Board, are to be proved by the property owner. Only new concrete, corrugated metal or corrugated plastic culverts shall be used and all culverts shall have a minimum diameter of 15". Each line of culvert installed shall be made of only one type and design of material.
9. All hard-surfaced driveways that abut a gravel Township road must stop at the surface material at the road right-of-way and have gravel meet the gravel road.



## Article 9 Minimum Maintenance Policy

In the interest of conserving the Town road funds so that monies can be better put to use maintaining roads with high traffic volumes, certain roads in Dead Lake Township may be designated as Minimum Maintenance Roads. The authority to designate a road as minimum maintenance is at the discretion of the Town Board by passing a resolution when it has been determined that the road is used only occasionally or intermittently for passenger and commercial travel.

### **Section 9.1 Minimum Maintenance Qualifications**

1. There are no residents or developed properties with primary access accessing the road.
2. There are not objections from adjacent landowners.
3. School buses or mail carriers do not routinely use the road.
4. Minimum maintenance standards would not create a public safety hazard.
5. The road is used infrequently.

### **Section 9.2 Minimum Maintenance Standards**

1. Minimum maintenance roads shall be inspected annually.
2. Gravel may applied at the discretion of the Town Board.
3. Road surface may be bladed at lease once per year or at the discretion of the Town Board.
4. Road ditches may not be mowed.
5. Snow will only be plowed at the discretion of the Town Board.

# Article 10 Township Roads Inventory

