

STUTSMAN COUNTY
COMMISSION POLICY

SUBJECT: POLICY ON COUNTY ROAD ACCESS
ADOPTED DATE: APRIL 21, 1998

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This policy sets forth the criteria for construction and maintenance of approaches accessing county highways.

The County will not pay the cost of providing access or maintaining access to county roads. All costs for new culverts and drives are the responsibility of the party(s) requesting the drive. It is the responsibility of the landowner to maintain the private approaches including replacement of culverts or drainage / structures when necessary. It is also the responsibility of the requestor to complete the work or contract to have the work completed. The requestor may ask the County to perform the work. The County may, at its discretion, perform the work on a reimbursable basis charging all labor, material, and equipment, as well as an appropriate overhead mark-up. Regardless of the method of accomplishing the work, all construction must be in accordance with County standards. The enclosed drive permit must be completed and approved prior to the start of work. Any approach installed along a county road not meeting the specifications as outlined in the permit, after a written notice to make the necessary corrections within 30 days, will be removed at the expense of the requestor by order of the county commission.

During road grading projects, existing necessary drives will be replaced as part of the construction project at no expense to the property owner.

Drives for field access should be limited to quarter section lines. When possible, an approach on one side of the highway should align with the approach on the opposite side of the highway. In cases where natural barriers or unique circumstances exist, additional approaches may be allowed as determined by the County Highway Superintendent or Engineer.

Existing and new farm residences will be allowed necessary approach(s). For purpose of this policy, a farm is defined as a single tract or contiguous tracts of agricultural land containing a minimum of 10 acres and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, with not less than fifty percent of his / her annual net income.

New individual dwellings other than farming dwellings will be reviewed on a case-by-case basis. Direct access to county roads is discouraged but may be allowed when circumstances warrant. Any multiple-dwelling subdivision platted after adoption of this policy will require a frontage road. Single lot surveys also known as auditor's lots may be granted direct access to county roads only upon a review and approval by the County Highway Superintendent or Engineer. Alternate means of access will be given priority.

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Industry or commercial developments on county roads will be reviewed on a case-by-case basis. Direct access for industrial or commercial development is discouraged but may be allowed when circumstances warrant. When direct access points are allowed for industrial or commercial developments, the access point should be spaced at least 1/8 mile apart.

Determinations made by the County Highway Superintendent or Engineer can be appealed to the County Commission.

TYPICAL APPROACH

