

SHELBY COUNTY ORDINANCE NO. 1997-4

CLASS "A" AND "B" ROADS

TITLE - An Ordinance Establishing the Area Service Level "B" System Road Classification in Shelby County, Iowa.

WHEREAS, the Shelby County Board of Supervisors is empowered under authority of Chapter 309 of the 1997 Code of Iowa to classify roads on the Area Service system to provide for a reduced level of maintenance on some of these roads, and

WHEREAS, the Shelby County Board has established an Area Service Level "B" System, and

WHEREAS, it is the intent of the Board of Supervisors to continue to maintain County dirt roads in a reasonable manner and also utilize the provisions of Section 309.57 of the 1997 Code of Iowa,

THEREFORE, be it Enacted by the Board of Supervisors of Shelby County, Iowa:

SECTION 1. Purpose - The purpose of this Ordinance is to classify certain roads on the Area Service system in Shelby County to provide for a reduced level of maintenance.

SECTION 2. DEFINITIONS - For use in this Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

"Area Service System" includes those public roads outside of municipalities not otherwise classified.

"Area Service Level "A" System" roads shall be maintained in conformance with applicable State statutes.

"Area Service Level "B" System" roads shall not require standards of maintenance equal to Trunk, Trunk Collector, or Area Service Level "A" System roads. Area Service Level "B" System roads shall not mean what is construed in the normal sense as a driveway or a private lane to a farm building or dwelling.

"Board" shall mean the Board of Supervisors of Shelby County.

"Engineer" shall mean the County Engineer of Shelby County.

SECTION 3. Powers of the Board - All jurisdiction and control over Area Service Level "B" System roads as provided by this Ordinance shall rest with the Board of Supervisors of Shelby County.

SECTION 4. Authority to Establish - The Board of Supervisors of Shelby County is empowered under authority of Chapter 309.57 of the 1997 Code of Iowa to classify secondary roads on the Area Service Level "B" System to provide for a reduced level of maintenance on roads so designated.

SECTION 5. Area Service Level B System Designation - The Board, after consultation with the Engineer, shall, by Resolution, establish the location of the roads classified as Area Service Level "B" System roads.

SECTION 6. Maintenance Policy - Only minimal effort, expense and attention will be provided to Area Service Level "B" System roads. Bridges on Area Service Level "B" System roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load of limitation. For the various maintenance activities, the level of maintenance on Area Service Level "B" System roads will be as follows:

Blading - Blading or dragging will be performed on an irregular basis after gravel surface roads have been bladed satisfactorily.

Snow and Ice Removal - Limited snow and ice removal will be performed only in emergency situations. Such removal may include only that portion of the road needed for emergency access in one direction. Sanding and salting will not be performed.

Signing - All Area Service Level "B" roads shall be identified with signs at all points of access to warn the public of the lower level of maintenance. Except for load limit posting for bridges and existing stop signs, signing shall not be continued or provided.

Weeds, Brush and Trees - Mowing or spraying weeds, cutting brush, and tree removal will be performed on a limited basis. Sight distance and clear view of signs may not be maintained.

Structures - Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, replacement considerations will be appropriate for the traffic thereon.

Road Surfacing - There will be no surfacing materials applied to Area Service Level "B" System roads.

Shoulders and Ditches - Shoulders and ditches may be minimally maintained during blading operations.

Crown - An irregular or minimal crown may be developed during blading operations.

Uniform Width - The width of the traveled portion of the road may vary.

Inspection - Inspections will be conducted irregularly.

SECTION 7. Exemption for Liability - As provided in Chapter 309.57 of the 1997 Code of Iowa, the County and officers, agents, and employees of the County are not liable for injury to any person or for damage to any vehicle or equipment, which occurs as a result of the maintenance of a road which is classified as Area Service Level "B", if the road has been maintained as provided in Section 6 of this Ordinance.

SECTION 8. Repealer - All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 9. Severability Clause - If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any action, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 10. Administration - The Engineer shall maintain an accurate record of all segments of roads classified by the Board as Area Service Level "B" and shall cause the necessary signs to be erected at every public road access on those roads so classified.

SECTION 11. Effective Date - This Ordinance shall be in effect upon publication in the County newspapers following final approval.

Adopted and Passed by the Shelby County Board of Supervisors on this 26th day of August, 1997.

SHELBY COUNTY BOARD OF SUPERVISORS

/s/ NORMAN MATHIASSEN, Chairman

/s/ ALLEN W. BURCHETT

/s/ MERLYN KNUDSEN

ATTEST: /s/ MARSHA J. CARTER, SHELBY COUNTY AUDITOR