

HAVEN TOWNSHIP
ROAD DESIGN AND STANDARDS ORDINANCE
ORDINANCE NO. 2008-02

The Town of Haven HEREBY ORDAINS that the following is adopted as the Road Design and Standards Ordinance for the Town of Haven.

1. Purpose and Intent. It is the purpose and intent of this ordinance to establish design and construct standards for new roads to ensure safety and minimize future maintenance costs. It is also the intent of this ordinance to establish criteria regulating the circumstances under which a road will be accepted as public and the circumstances under which the Town will assume responsibility for maintenance.

2. Acceptance of Roads. The Town will not accept a road as public and coming under its authority unless the road meets the design and construction criteria set forth in Section 4 herein. Acceptance is effective only by resolution of the Town Board. Nothing in this Ordinance shall obligate the Town to accept any road.

3. Assumption of Maintenance. Upon acceptance of a road, the Town reserves the right to determine when maintenance of the road shall be assumed by the Town. The Town shall consider the following factors when determining if maintenance of a road should be undertaken.

- a) The cost of maintenance (this may include the Town's ongoing compliance with NPDES and MP4 Permit rules and regulations);
- b) The number of dwellings and/or businesses served by the road;
- c) The condition of the road;
- d) Hardship suffered by the occupants of the dwelling and/or businesses served by the road.
- e) All other factors the Town Board deems appropriate.

4. General Design Standards. All roads hereinafter constructed or repaired within the Town, except those designated as State or County roads, shall meet or exceed the design standards, as determined by the Sherburne County Engineer and Town Board. These standards may change at any time. The design standards generally include, but are not limited to, the following:

- a) Minimum right-of-way width shall be from sixty-six (66) feet to one hundred (100) feet, as determined by the Town Board. The Town will determine in each case, the width of the travel lanes and shoulders, with reference to the MNDOT State Aide Standards. In all cases, the driving lanes shall be paved. The shoulders shall be paved, unless the Town Board agrees in writing and in advance that the shoulders may be of

aggregate material. The Town Board shall determine the design speed specifications prior to the start of any work on the road. The Town shall also determine the sub-grade, base, and paving specifications prior to the start of any work on the road.

- b) Street intersections, insofar as practical, shall be at right angles and in no case shall be at an angle of less than eighty (80) degrees.
- c) Street jogs with center-line offsets of less than one hundred twenty-five (125) feet shall be avoided.
- d) Cul-de-sac streets are generally not acceptable to the Town Board. If allowed by the Town Board, cul-de-sac streets designed to be permanent, shall not be longer than 600 feet, measured along the center-line from the intersection of origin to the end of the right-of-way. The Town Board may allow a cul-de-sac of greater length if it is intended to connect to a future road. Each cul-de-sac shall have a terminus of nearly circular shape with a minimum right-of-way diameter of one hundred twenty (120) feet and a minimum outside roadway diameter of one hundred (100) feet.
- e) Access from one public street to another public street shall not be from a private street. The Town Board shall determine the appropriate spacing of all access points, including road intersections and driveway access, which shall typically be at least three hundred (300) feet apart, prior to the start of any work on the road.
- f) Reserve strips controlling access to public streets are prohibited.
- g) All roadways and other improvements shall be subject to review by the Township Board. The Township Board shall not accept any road or street dedicated by private owners until all specifications have been met and all Town costs have been paid. Specifications are subject to any modifications deemed necessary by the Township. Additional requirements may be imposed during the course of construction or after competition of construction.
- h) Headwalls at driveway culverts shall be prohibited. Driveway side slopes shall be a minimum of two and one-half (2 ½) feet horizontal to one (1) foot vertical.
- i) Where ditches are used for drainage, minimum depth shall be three (3) feet and minimum ditch width shall be three (3) feet.

- j) Culverts shall be placed to maintain drainage as required. All culverts shall be steel or reinforced concrete. Minimum diameter shall be fifteen (15) inches. No plastic, fiberglass, or P.V.C. pipe shall be allowed. Minimum cover from top of culvert to top of base shall be twelve (12) inches. Minimum culvert length shall be 2 ½ feet each way from the driving surface or equal to the vertical difference between the driving surface and the invert of the culvert (whichever is greater). Any variance from these culvert standards must be approved in writing by the Township prior to construction.
- k) The road must be constructed to maintain existing drainage courses in substantially the same manner as they existed prior to the construction.
- l) Surface water may not be carried across or around any intersection or road.
- m) Unless waived in writing by the Town Board, minimum cleared right-of-way width shall be sixty-six (66) feet to facilitate the snow removal.
- n) All roads shall be constructed so as to be free of flooding, have adequate drainage, and have no snow traps.
- o) Minimum inslopes shall be no less than four (4) feet horizontal in one (1) foot vertical (4:1). Minimum backslopes shall be no less than three (3) feet horizontal in on (1) foot vertical (3:1). In areas with fill depths over three (3) feet, minimum slopes shall be no less than four (4) feet horizontal in one (1) foot vertical (4:1).
- p) Top soil shall be removed from the road bed before commencing construction. The Township may require the removal and replacement of other soil necessary to provide for a solid road bed. Roadway designs and pavement designs are based on areas which have good granular sub-grade materials. Any other material will necessitate a change in the design. Roadways shall be designed by a Registered Professional Engineer licensed under the laws of the State of Minnesota and hired by the Town Board. The party requesting that the Town Board accept the Road shall pay all costs of the Engineer, and all other Town costs associated with the road, its design, construction and dedication

- q) Roads and streets, as a minimum, shall be designed in accordance with Minnesota Department of Transportation Standard Specification for Construction (latest edition), and shall be a minimum of a all season 9-ton axle load. All pavements shall be plant-mixed bituminous and shall comply with all applicable MNDOT specifications. Any pavement shall be paver placed in accordance with MNDOT specification.
- r) All finish grades shall be approved by the Town. In no case shall grades be steeper than 8.5%. Wherever feasible street and road grades shall not exceed 7.5% and in no case shall they be less than 0.4%.
- s) All roadways shall be marked with the required traffic control devises and markings as required by MNDOT specifications.
- t) The requirements of this ordinance are subject to modifications for a road located in an suburban or urban area. The design and construction are not meant to be all-inclusive. Where the Town Board determines that due to special conditions, additional requirements are needed they shall be required.
- u) All roads must otherwise comply with all ordinances of Sherburne County.
- v) All work on all roads must comply with NPDES and MS4 Permit rules and requirements. Haven may reject any road that adds any NPDES and/or MS4 Permit requirements to the Town.

5. Road Dedication Agreement. The party requesting the Township to assume responsibility for any road shall execute a Road Dedication Agreement providing the following:

- a) The person making the request shall agree to reimburse the Township for all costs associated with the road, including, but not limited to, supervisor and clerk time, attorney and engineering fees, NPDES and MS4 Permits, and all other costs and expenses determined by the Town Board to be appropriate.
- b) The person making the request shall warrant the condition of the road for a period of not less than two (2) years from the date of acceptance by the Town for any major structural defects or all other necessary repairs as determined by the Town Board.
- c) In general, the Town Board will not accept easements for any part of the right-of-way. The Town will require dedication in fee of all right-of-way.

- d) The Town shall be provided with the as-built specifications, of the road, by a registered engineer, and a survey showing the road location and the road right-of-way.
- e) The person making the request shall first deposit with the Town Board a cash deposit of not less than one hundred twenty-five percent (125%) of the amount determined by the Town to cover all Town costs associated with acceptance of the road.
- f) The Town may require the road paving to be done in two stages, so that the first lift or layer of bituminous will be done in one year, and the final layer or lift of bituminous done in another year, all as determined by the Town Board. The Town Board will not accept the road until the final lift or layer of bituminous is installed to the Town Board satisfaction. However, the Town may agree in writing to plow snow from the roadway and do other minor maintenance work prior to the Town accepting the road. The warranty provided in this Ordinance will not commence until final acceptance of the road by the Town Board.

6. Right-of-Way. The following activities within a road right-of-way are prohibited.

- a) No person shall place fill, rocks or debris within a road right-of-way without the written consent of the Town.
- b) No person shall disrupt drainage of any ditch located in a road right-of-way.
- c) No person shall plant crops within a road right-of-way which may obstruct visibility of drivers or cause erosion of soil.
- d) No person shall plant trees within a road right-of-way.
- e) No person shall construct or place a structure within a road right-of-way.
- f) Road right-of-ways are also governed by Haven Township Ordinance No. _____.
- g) Any action which violates NPDES and/or MS4 Permit Rules and Regulations.

7. Penalty. Any person violating this ordinance shall be guilty of a misdemeanor or defined by Minnesota Statutes.

8. Maintenance. Nothing in this Ordinance shall require the Town to maintain or upgrade existing Town roads. Nothing in this Ordinance shall establish a design or standard for any work done by the Town on an existing Town road.

9. Waiver or More Restrictive Standards. The Town Board retains the right to waive any or all of these requirements as the Board may determine to be in the best interest of the Township. The Town Board may require standards that are greater or more restrictive if the Town Board determines it is in the best interest of the Township.

This Ordinance shall be effective upon its adoption and publication. This Ordinance was adopted by the Haven Town Board the 17 day of November, 2007 by a vote of 5 yes and 0 no.


Eric Meyer, Town Chair


Mike Zniewski, Town Clerk

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