

BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 11-04

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES TO INSTALL AND MAINTAIN
ENTRANCE CULVERTS

BE IT RESOLVED by the Board of County Commissioners of Franklin County, Kansas:

The following policies and procedures are hereby adopted concerning installation and maintenance of culverts at private entrances in the non-incorporated areas of Franklin County. A private entrance is defined as an entryway to a field, farmstead, private residential dwelling, commercial enterprise, or an industrial facility.

Section 1: The Franklin County Public Works Department shall approve all entrance requests in advance of installation. The number of lots or tracts with direct access to a section line or collector road as designated in the Franklin County Comprehensive Plan shall be limited to eight (8) per linear mile of frontage with a minimum spacing of 550'. Corner clearance for access drives shall be a minimum of 250'. The County Public Works Director or a designee may adjust the spacing and corner clearance to improve the safety for the traveling public. In addition, the Public Works Director may grant an exception to the spacing for sites serving a public utility, use or benefit. A public utility is defined as any individual, entity or political subdivision that furnishes an essential service to the general public based on its necessity to promote the health, welfare and/or safety of the general public. Examples of a public utility may include, but are not limited to, services that supply electricity, gas, or water to the general public. Shared driveways are an option in areas where there is not sufficient frontage. Any landowner desiring an entrance shall complete an entrance request form, to be provided by the Franklin County Public Works Department, giving the owners name, address, telephone number and the location of the proposed entrance. The landowner shall, within three days of submitting such a request, clearly mark the centerline of the proposed entrance. The Public Works Director, or his representative, shall view the proposed location and prepare a report hereof. The Public Works Department shall notify the landowner of the size of the entrance culvert, taking into consideration the drainage area affected. The report shall also include an estimate of the cost of materials and installation of entrances for tracts less than forty (40) acres. For tracts forty (40) acres or larger the County shall provide an entrance at the cost of the County subject to the limitations contained in section 2 and section 4 of this resolution. For tracts under forty (40) acres requesting an entrance or for forty (40) acre or larger tracts requesting a second or additional entrance, if the landowner desires to have the entrance installed by the County, the landowner shall pay for all materials and labor in advance. Upon receipt of payment, the County shall install the entrance at its earliest convenience.

Section 2: Franklin County shall have sole discretion to determine whether to install a 15" or 18" culvert or mound entrance to create an entrance for tracts over 40 acres installed at the cost of the County.

Section 3: All entrance culverts shall be installed with a minimum cover of 8". Field entrances shall have dirt surfaces, while all other entrances shall be installed with reclaimed crushed pavement materials or crushed rock, at the discretion of the County, and shall extend from the roadway to the adjacent property line.

Section 4: When installing a private entrance culvert the County shall be responsible solely for a 30' length. The landowner shall pay the cost of any length of entrance culvert, which exceeds 30'.

Section 5: In no event shall an entrance be added without first acquiring an entrance approval from the County. Such approval is required to insure that the proper spacing, structure size and quality materials shall

be used in the installation.

Section 6: Franklin County specifically reserves the right to remove any entrance installation or other structure placed upon the right-of-way without prior County approval. Further, the cost of removal and/or replacement of any entrance or other structure failing to meet County specifications which is, or has been installed after July 1, 1996, shall be borne exclusively by the landowner.

Section 7: The affected landowner shall be responsible for the maintenance of the riding surface of all entrance, including but not limited to the removal of snow. Franklin County shall be responsible for maintaining the water flow characteristics of all entrance culverts, to include the replacement of deteriorated culverts and the cleaning out of plugged culverts.

Section 8: Should a culvert have to be removed or replaced to maintain an adequate water flow or to improve the adjacent ditch the County shall restore the entrance to as good or better condition than when the County initiated such removal or replacement.

This resolution supersedes any other County policies or resolutions, or any part of a resolution to the extent such policy, resolution, or part of a resolution is in conflict with the provisions of this resolution.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 9th day of February, 2011. This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor
John E. Taylor, Chairman

Attested and Recorded this 9th day of February, 2011.

/s/ Shari Perry
Shari Perry, Franklin County Clerk