

## **TITLE IV STREETS, ROADS AND PUBLIC WAYS**

### **CHAPTER 1 ROAD CLASSIFICATION**

#### **AREA SERVICE SYSTEM B**

- 4-1-1 Purpose
- 4-1-2 Definitions
- 4-1-3 Powers of the Board
- 4-1-4 Authority to Establish
- 4-1-5 Notice of Hearing
- 4-1-6 Hearing - Area Service System  
B Road Established by  
Resolution
- 4-1-7 Maintenance Policy
- 4-1-8 Exemption from Liability

#### **AREA SERVICE SYSTEM C**

- 4-1-9 Purpose
- 4-1-10 Definitions
- 4-1-11 How Established
- 4-1-12 Access
- 4-1-13 Signs
- 4-1-14 Trespass
- 4-1-15 Reclassification
- 4-1-16 Powers of the Board
- 4-1-17 Exemption from Liability

#### **AREA SERVICE SYSTEM B.**

**4-1-1 PURPOSE.** The purpose of this ordinance is to classify certain roads on the Area Service System in Sac County to provide for a reduced level of maintenance.

**4-1-2 DEFINITIONS.** For use in this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

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

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

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

2. "Board" shall mean the Board of Supervisors of Sac County.

3. "Engineer" shall mean the County Engineer of Sac County.

**4-1-3 POWERS OF THE BOARD.** All jurisdiction and control over Area Service System B roads as provided by this ordinance shall rest with the Board of Supervisors of Sac County.

**4-1-4 AUTHORITY TO ESTABLISH.** The Board of Supervisors of Sac County is

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empowered under authority of Chapter 309.57 of the Code of Iowa, to classify secondary roads on the Area Service System to provide for a reduced level of maintenance on roads so designated. The Board shall, by resolution, declare its intention to establish an Area Service System B road in Sac County after consultation with the County Engineer.

4-1-5 NOTICE OF HEARING. The Board shall fix a time and place for a hearing and cause notice to be published as provided by law. The notice shall set forth the termini of the Area Service System B road as set out in the resolution by the Board, and shall state that all persons interested may appear and be heard at such hearing.

4-1-6 HEARING - AREA SERVICE SYSTEM B ROAD ESTABLISHED BY RESOLUTION. On the day fixed for the hearing or any day to which the hearing has been adjourned, upon proof to its satisfaction made by affidavit to due publication and posting of the notice of hearing, the Board shall consider any and all relevant evidence and if the Board finds the proposed Area Service System B road is practicable, it may establish it by proper resolution.

4-1-7 MAINTENANCE POLICY. Only the minimum effort, expense and attention will be provided to keep Area Service System B roads open to traffic. Bridges may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitation. For the various maintenance activities, the minimum maintenance on Area Service System B roads will be as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow Removal. Snow may not be removed.
3. Signing. Except for stop signs and load limit posting for bridges, signing will not be continued or provided. NOTE: All Area Service System B roads will be identified with a sign at all points of access to warn the public of the lower level of maintenance.
4. Weeds and Brush. Mowing or spraying weeds and cutting brush may not be performed.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structures will be appropriate for the traffic thereon.

4-1-8 EXEMPTION FROM LIABILITY. 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 proximately as a result of the maintenance of a road which is classified as Area Service System B, if the road has been maintained as provided in Section 7 of the ordinance.

#### AREA SERVICE SYSTEM C.

4-1-9 PURPOSE. The purpose of this ordinance is to classify certain roads on the area service system in Sac County, Iowa as Area Serviced "C" roads so as to provide for the reduced level of maintenance effort and restricted access, pursuant to Iowa Code section 309.57 as amended.

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4-1-10      DEFINITIONS. For use in this ordinance, certain terms or words used herein shall be defined as follows:

1. "Board" shall mean the Sac County Board of Supervisors
2. "County" shall mean Sac County, Iowa.
3. "County Engineer" shall mean the County Engineer of Sac County, Iowa.

4-1-11      HOW ESTABLISHED.

1. Request. A request may be filed with the Sac County Board of Supervisors. The request shall list the road that is being requested for classification as an Area Service Class "C" road. The request shall also list the limits of the proposed classification.

2. Resolution. Roads may only be classified as Area Service "C" by ordinance or resolution of the Board. The ordinance or resolution shall specify the level of maintenance effort and the persons who will have access to the road. The county shall only allow access to the road to the owner, lessee, or person in lawful possession of any adjoining land, or the agent or employee of the owner, lessee, or person in lawful possession, to the agent or employee of any public utility, or to any peace officer, magistrate, or public employee whose duty is to supervise the use or perform maintenance of the road.

3. Notice of Action. Before the board may take action on a request to establish an Area Service "C" road, a notice of the proposed action, including the location of the Area Service "C" road and the time and place of the meeting at which the Board proposes to take action on the request, shall be provided in Iowa Code section 331.305.

4. Board Action. At the meeting, the Board shall receive oral or written objections from any resident or property owner of the county. After all objections have been received and considered, the Board, at that meeting or a date to which it is adjourned, may take action on the request after consultation with the County Engineer.

4-1-12      ACCESS. Access to any Area Service "C" road shall be restricted by means of a gate or other barrier, as determined by the County Engineer. The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained the County may remove the gate.

4-1-13      SIGNS. Area Service "C" roads shall have signs conforming to the Iowa Signing Manual (761 IAC, Ch. 30) installed and maintained by the County at all access points to the Area Service "C" roads from other public roads, to warn the public that they are entering a section of road which has a lesser level of maintenance effort than other public roads, and to warn the public that access is limited.

4-1-14      TRESPASS. Entering an Area Service "C" road without justification after being notified or requested to abstain from entering or to remove or vacate the road by any person

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lawfully allowed access shall be a trespass punishable by a \$100.00 fine or up to 30 days in jail.

4-1-15 RECLASSIFICATION. A road with an Area Service "C" classification shall retain the classification until such time as a petition for reclassification is submitted to the Board. The petition shall be signed by one or more adjoining landowners. The Board shall approve or deny the request for reclassification within 60 days of receipt of the petition.

4-1-16 POWERS OF THE BOARD. All jurisdiction and control over Area Service "C" roads shall rest with the Board, Pursuant to Iowa Code section 309.67.

4-1-17 EXEMPTION FROM LIABILITY. As provided in Iowa Code Section 309.57, 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 proximately as a result of the maintenance of the road which is classified as Area Service "C", if the road has been maintained to the level of maintenance effort described in establishing the resolution.