

County Road Ordinance

Dodge County, GA

An ordinance to describe the minimum standards for acceptance, abandonment, or closure of roadway in the County network. To set minimum requirements for the installation of underground utilities within right of ways or prescriptive roadways.

Section 1

1-1 Road Acceptance:

A roadway, prescriptive or deeded, that is accepted into the County network is considered county property, is listed on the County network of roadways, is maintained by the County, and the County has full authorization and control over the roadway.

- A. This ordinance shall apply to streets and roadways constructed and built by individuals and developers who propose to induce the county to accept the streets and roadways into the public transportation system of the county. Dodge County will not accept unpaved roadways, drives, or lanes.
- B. This ordinance shall not work to restrict the subdivisions of the county from constructing their own roadways and streets in any instance and at any location within that subdivision wherein such construction is in the interest of the public and for enlarging, increasing or improving the flow of traffic and to provide needed accesses for ingress and egress for public purposes.
- C. The county shall not automatically accept streets and roadways constructed in compliance with the minimum conditions provided for under "Basic Construction" unless it can be reasonably expected and shown that those streets and roadways will be utilized for public purposes, the use will be of public significance, and the acceptance of the streets or roadways will not work to defeat the public economy by requiring maintenance and upkeep in disproportionate amounts to the public good created by such acceptance.
- D. The owner of such property seeking to induce the county to accept same shall certify this conveyance to be his free act and deed and will dedicate same to the public use forever all such streets, alleys and easements, without restriction or reversion.

1-2 Basic Construction

- A. **Intersections:** Intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle less than 75 degrees.
- B. **Grading:** All streets, roads and alleys shall be graded by the sub divider to provide the necessary paving, roadway, drainage, and safety requirements. The sub-grade shall consist of top soil compacted according to the department of transportation or county specifications.
- C. **Storm drainage:** An adequate drainage system including necessary curbs, pipes, culverts, headwalls and ditches as appropriate shall be provided for the property drainage of all surface water. Pipe size will be determined by the use of the rational method or the peak discharge method.
- D. **Right of Way:** 60 feet of unobstructed right-of-way with a 20-foot, or greater, paved roadbed.
- E. **Road Base:** The base shall be six inches of sand clay or chert base compacted according to the department of transportation or county specifications. This is the surface specification if the road is not to be paved.
- F. **Pavement Surface:** Surface area shall be triple surface treatment using stone size number 5, 7, or 89, and group 1 or 2; or asphalt paving of a minimum 1½ inches of E or F mix asphalt may be utilized.

Section 2

2-1 Abandonment

- A. **Abandonment Standard:** In order for a road to be abandoned, the Board of Commissioners shall determine that all or part of the road has ceased to be used by public so as to no longer serve any substantial useful purpose, or that the removal of the road from the county road system is otherwise in the best public interest. A road shall not be closed for the purpose of helping a private landowner.
- B. **Considered factors for Abandonment:**
 - 1. Source of title
 - 2. Present use
 - 3. Potential need for future development
 - 4. Costs involved
 - 5. Alternate means of travel
 - 6. Benefit to the public
 - 7. Adverse impact to public
- C. **Procedure:** A petition for road abandonment can be made by the public or road superintendent for a hearing before the Board of Commissioners. The Commissioners

will make the final determination. There will be two (2) public hearings held for comments prior to the decision. Once formally abandoned, the roadway will be removed from the network.

2-2 Temporary Closure

- A. **Closure Standard:** In order for a road to be closed, the County Manager or their designee shall determine if the road poses certain danger to public travel. The road shall be closed until a time in which the road is permissible for travel by means of temporary or permanent repair.

Section 3

Underground Utilities

- A. In order to more efficiently provide for the maintenance of roads in the county, the Board of Commissioners do enact into law the provisions of this section, as allowed under O.C.G.A 32-4-42 (6).
 - 1. When a utility company or private company plans to place any type utility wire, line, cable, conduit, pipe or any other object underground in or near travel of the county's roads they must first secure a written permit for easement from the Commissioners' Office.
 - 2. Application for a permit for a utility encroachment shall be presented with a sketch or plan attached indicating the location of said utility.
 - 3. Any utility to be laid underground shall be placed at a minimum of three (3) feet deep. This is to be verified by either the Road Superintendent or County Manager prior to covering. Dodge County will not assume liability for any utility not buried to this specification.
 - 4. When the Board of Commissioners shall reasonably determine that any utility under the public roads of the county should be removed or relocated because it has become an obstruction or interference with the use and safe operation of a county road, a written notice shall be directed to the utility company giving at least 60 days' notice in which to make such change as is necessary for removal or relocation as may be necessary. If the utility does not thereafter begin removal procedures within a reasonable time sufficient to allow for engineering and other activities necessary to the removal and relocation of the utility facility, the commissioners may give the utility a final notice directing that such removal shall commence not later than ten days from receipt of such final notice. If such removal has not begun, or if such removal has begun and the relocation has not been completed within a reasonable time, the county commissioners may remove or relocate the same with its own employees, or by contracted labor, tools, equipment, supervision, or other necessary services or materials and

whatever else is necessary to accomplish the removal or relocation, and the expense thereof shall be charged to the utility. The expense shall be certified to the county attorney, who shall have the authority to proceed with suit against the utility for same if payment or arrangements to make payment are not made within 60 days.

5. Nothing in this section shall be construed so as to deprive any utility, relocated from a location in which it owned a property interest, of compensation for such property interest.

- B. If the provisions listed in Section 3 are not followed, the County will not assume liability for damages to said utility.

Section 4

Private Driveways

- A. No landowner shall connect a private driveway, drive, road, or other private way which connects two or more residences or multiple parcels of land (hereinafter in the section collectively "private driveway") to a county roadway without first obtaining the written permission of the Board of Commissioners or their designee.
- B. Any private driveway that adjoins a county roadway shall meet the minimum conditions provided for under section 18-51 to the extent of the Board of Commissioners or their designee determines such conditions are applicable.
- C. Any private driveway that adjoins a county roadway shall have a culvert so as not to disturb the flow of water or cause erosion to the roadbed.
- D. The pipe size will be determined by the County Road Superintendent, or their designee, based on the dimensions of the drainage ditch, watershed volume, and the width and angle of the driveway.
- E. Dodge County is not responsible for the expense of the culvert.
- F. The County is not responsible for maintaining a private driveway.
- G. The County shall not be obligated to permit a private driveway to adjoin or connect to a County roadway unless the Board of Commissioners or their designee determines the private driveway shall not adversely impact the county roadway.
- H. No landowner shall connect a private/public driveway to a road within an established residential subdivision that could adversely affect that subdivision unless it is for a gated, locked access point only to be used for emergency situations. An established neighborhood is a defined community captured on a recorded plat filed with Clerk of Court, and which owner occupied homes have been built on some or all of the lots, creating a neighborhood.