

ORDINANCE #2020- 04

AN ORDINANCE TO ESTABLISH MINIMUM REQUIREMENTS FOR NEW ROAD CONSTRUCTION WITHIN THE TOWN OF ELBERTA

WHEREAS, the Town is obligated to keep its streets and public roadways in a reasonably safe condition for travel and for other customary uses by the public;

WHEREAS, the streets within the corporate limits of the Town are held in trust for the public for the ordinary purposes of travel and other customary uses;

WHEREAS, the Town council does determine that it is in the public interest to establish the minimum Roadway Design Standards for the purpose of ensuring that roads within the Towns corporate limits are constructed according to certain minimum requirements; and

WHEREAS, the Town council does determine that establishing minimum Roadway Design Standards will reduce maintenance costs to the Town in the future and further ensure the safety of roads and streets dedicated for public use.

NOW THEREFORE, in consideration of the foregoing premises, IT IS HEREBY ORDAINED by the Town Council of the Town of Elberta in open meeting as follows:

1. The "Roadway Design Standards" attached is **Exhibit A** to this Ordinance and made a part hereof as if fully incorporated herein, are hereby adopted and approved as the minimum roadway design standards to be used for all new streets and roads constructed within the Town of Elberta. No permit for construction shall be issued by the Town without the certification of an engineer that the proposed new road or street meets the minimum requirements of the attached "Roadway Design Standards."

2. No new road constructed for public use within the Town may be dedicated for public use, and shall not be accepted by the Town for public use, without a certification from an engineer who has supervised the construction of such road that the newly-constructed road does comply with all of the requirements set forth in the "Roadway Design Standards" attached to this Ordinance as **Exhibit A**.

3. The Town's *Zoning Ordinance* and *Subdivision Regulations* are hereby amended to adopt and incorporate the Roadway Design Standards attached to this Ordinance, and any provision of the *Zoning Ordinance* or *Subdivision Regulations* that is inconsistent with the Roadway Design Standards is hereby repealed.

4. For any new roadway proposed as part of a new subdivision within the Town's corporate limits, the Town shall not accept a dedication of such roadway until such time as construction has been completed for all lots within the new subdivision. The developer or subdivider, as the case may be, shall continue to be responsible for maintenance and repair of the new roadway until such time as all construction has been completed within the new subdivision. The approval of any new subdivision by the Town council or Planning Commission shall not constitute and acceptance of the new roadway until

such time as all construction has been completed and the developer or subdivider shall continue to be responsible for maintenance and repairs of the roadway until that time.

5. The construction of any roadway within the Town that does not meet the minimum requirements of the Roadway Design Standards is hereby declared to be a public nuisance which may be abated by the Town through appropriate legal action against the person, firm, or entity constructing said roadway.

6. The person or firm, including subcontractors, subdividers, developers, or others, shall be required to furnish to the Town a maintenance bond which guarantees the repair of all damage due to improper materials or workmanship for a period of two years from the date of acceptance of work by the Town. The form of bond and the surety shall meet the approval of the Town. The amount of the bond shall be not less than 30% of the total cost of the work accepted by the Town for public use.

7. Any request for a deviation from the minimum requirements of the Roadway Design Standards must be presented to the Town Council and should the Town council find that it is impossible or impractical for the construction to meet the minimum requirements of the Roadway Design Standards, then the Town council may authorize the construction of such roadway, curbing, guttering, or underground drainage service to adequately meet the needs of the public, but which may be less than the minimum requirements of the attached Roadway Design Standards.

8. This Ordinance shall become effective upon its approval by the Town council and upon its publication as required by law.

9. Any ordinance, rule, or regulation of the Town that is inconsistent with or contrary to any part of this Ordinance is hereby repealed.

Done this 15th day of December 2020.


Jim Hamby, Mayor

ATTEST:


Caryn Woerner, Town Clerk

Roadway Design Standards EXHIBIT "A"

General - All new roadways, public or private, shall be constructed to the minimum design standards specified herein. Roadways shall be centered on the centerline of a 60' right of way. The right of way shall be cleared of all trees, tree stumps, shrubbery, vegetation or other obstructions except as specifically approved by the Planning Commission.

Preliminary Geotechnical Testing - The developer shall provide a geotechnical report prepared by a registered professional engineer that documents the suitability of the existing soils for roadway construction. All unsuitable subgrade materials shall be removed and replaced. In addition, there shall be a minimum of 1' clearance between the bottom of the road base and the estimated seasonal high groundwater elevation as documented in the geotechnical report.

Roadway Construction – Roadways shall be constructed in accordance with the following minimum standards:

Wearing Surface 2" minimum compacted thickness 424-A Superpave Bituminous Concrete Wearing Surface layer, ¾ inch Maximum aggregate size mix, ESAL Range B (220 lb/sy).

Prime Coat 401-A Bituminous Treatment Type "A" (0.25 gal/sy)

Base 8" minimum sandy clay base placed in a minimum of two 4" compacted lifts.

or

6" minimum compacted thickness of 301-B Crushed Aggregate Base Course (limestone).

Width For roadway speeds up to 25 MPH - 20' traveled way with 1' paved shoulder on each side (22' paved width).

For roadway speeds in excess of 25 MPH – 22' traveled way with 1' paved shoulder on each side (24' paved width).

Slope Roadway shall be constructed with a 3" crowned centerline.

Intersections Minimum curb radii of 25' shall be provided at all intersections.

Cul-de-sacs Permanent dead-end roadways shall not exceed 500' in length without the approval of the Planning Commission and shall be provided with a cul-de-sac having the following specifications:

Type: Circular, Circular-Offset, Circular –All Paved or other turn-around design approved by the Planning Commission.

Radius: 47' minimum

Right of Way: 100' minimum

Shoulder Roadway shoulder shall be provided with solid sod from the paving to the property line unless an alternate means of stabilization is specifically approved by the Planning Commission.

Geotechnical Testing of New Roadway Construction – The subbase, base, and asphalt of all new roadways shall be tested for compliance with the current edition of Alabama Department of Transportation standard specifications. Tests will be conducted by an acceptable geotechnical testing laboratory. All testing costs shall be borne by the developer.

Location of utilities – Utilities within the right of way shall be located to allow the placement and maintenance of each utility with minimal obstruction. Utilities shall not be located under the roadway except as required for road crossings and service laterals. Where sidewalks or other

improvements limit utility access, additional utility easements may be required.

Culverts – All culverts shall be properly sloped and bedded in select materials in accordance with ALDOT standards and manufacturers recommendations. Culverts shall be concrete or N-12, dual wall HDPE. No metal culverts shall be accepted.

Inspections - All roadway construction shall be inspected and certified by the engineer of record for compliance with the minimum standards specified herein. The developer shall inform the Public Works Department of all construction so that construction activities can be observed at appropriate times during the work.

Acceptance of Roadways for Maintenance – Existing private or county owned roadways may be considered for acceptance by the Town if the following conditions are met:

1. Right of way, road construction, and drainage system are fully functional and in compliance with the requirements as specified herein.
2. Pavement or recent overlay shall be less than 5 years of age.
3. The subbase, base, and asphalt of all new roadways shall be tested for compliance with the current edition of Alabama Department of Transportation standard specifications. Tests will be conducted by an acceptable geotechnical testing laboratory and summarized in a report that details the condition of the existing pavement system and any recommendations for necessary reconditioning. All testing and reconditioning costs shall be borne by the current owner of the roadway.