

PLEASE READ AGREEMENT ATTACHED

Estimated cost \_\_\_\_\_

(Costs will not go over the provided estimate without notifying Applicant. Cost of culvert will be replacement cost at time of service.)

- Mark location on map and mark entrance at location.
- Mark location with flags or stakes where you want entrance.

Fees shall be assessed against Commercial Applicants for the following if needed.

- Inspection fee of \$100.00

Applicant signature \_\_\_\_\_

Date \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone # \_\_\_\_\_

Fax # \_\_\_\_\_

HG Co Road Supervisor signature \_\_\_\_\_

Date \_\_\_\_\_

## RESOLUTION

2021-11

### HODGEMAN COUNTY ENTRANCE POLICY

**WHEREAS**, the Board of Hodgeman County Commissioners (Board) deem it necessary to develop a policy to establish written guidelines for new and existing entrances and to regulate ingress and egress to the county road system. The goal is to provide the maximum convenience and protection of the traveling public:

**BE IT THEREFORE RESOLVED** by Hodgeman County Kansas that:

- (a) **Property Owners:** According to state law, property owners are entitled to reasonable access to their property.
- (b) **New Entrances:** All proposed entrances require an "Application for a New Entrance" form to be completed by the landowner. The application must be approved, and a permit issued by the Hodgeman County Road Department before any work within the county right-of-way is allowed. The following items are standards regulating the compliance of new entrances.
  1. The location of all proposed entrance require approval by the Road Department. Under certain circumstances, such as a proposed entrance having poor sight distance, the application for a proposed entrance may be denied.
  2. The landowner is responsible for all costs involved in the construction of the new entrance and any ditch cleaning required. Construction may be completed by a contractor, the landowner, or the county road department.
  3. Proposed entrance locations withing 150 feet of an intersection shall be denied due to safety concerns.
  4. When a structure is required for drainage, the structure shall be a new pipe, made of either aluminized corrugated metal, galvanized corrugated metal, or reinforced concrete. Flared end sections are not required. Polyethylene pipe shall not be permitted. Used pipe may be permitted if in satisfactory condition and shall be inspected by the road department prior to its use. All new entrance pipes shall have a minimum length of 24 feet, if end sections are used, or 40 feet, if end sections are not used, and a minimum height of 18 inches. A minimum of 12 inches of cover material shall be required over the top of the pipe. The completed entrance surface shall be at or below the elevation of the shoulder of the existing roadway and shall be constructed in such a manner as to not direct drainage onto the roadway.
  5. If the existing right-of-way is too narrow for the entrance pipe, end sections, and back slopes to be constructed within said right-of-way, the landowner shall donate the

necessary right-of-way to Hodgeman County for said construction. The amount of additional right-of-way required shall be determined by the Road Department.

6. No head walls of any kind shall be permitted on the ends of the pipes.
7. The Applicant or Contractor shall be responsible for notifying all utility companies prior to beginning work. Kansas Law requires the use of the Kansas On-Call System (1-800-344-7233) before all excavation. Rural water districts are not covered by the One-Call System, but the Applicant or Contractor is also required to contact the appropriate water district.
8. The Applicant or Contractor shall be responsible for providing all necessary traffic control during construction. Traffic control shall be in accordance with the latest edition of the "Manual on Uniform Traffic Control Devices" (MUTCD).
9. The Applicant or Contractor shall provide insurance and shall furnish a Certificate of Insurance or proof of adequate liability insurance to the Road Department indicating the following coverage:
  - a. Comprehensive Liability: Bodily injury and property damage for which the Applicant is responsible with the limits of \$250,000 per person and \$500,000 per occurrence.
  - b. Workman's Compensations: \$100,000 to cover claims of the Contractor and the Contractor's employees, if applicable.

The Applicant, his successors, or assigns, shall assume all risk and liability for accidents and damages that may occur to persons or property as a result of this work, and shall indemnify and hold Hodgeman County harmless from any and all costs, liabilities, expenses, suits, judgements, or damages to persons or property or claims of any nature arising out of or in connection with the work being permitted, or the operation and performance thereunder by the Applicant, their agents, employee, or subcontractors.

10. All new entrance construction shall require final inspection and approval by the Road Department.
11. After the new entrance has been accepted by the final inspection process, the maintenance of the entrance pipe and ditch drainage shall be the County's responsibility. Maintenance of the surface and additional surfacing material shall be the owner's responsibility.
12. If any new entrance is installed without a permit, the owner shall have thirty (30) days to bring the construction into compliance with this policy.
13. Noncompliance with any of the terms of this policy or the entrance permit may be considered cause for shut down of operations or revocation of all permits. By signing the application, the property owner further consents, should the Hodgeman County incur costs in bringing the entrance into compliance with the policy, the owner agrees to pay Hodgeman County for said costs.

14. Upon request by the Petitioner, the County Commission may consider variances to the entrance policy.
- (c) **Existing Entrances:** All existing entrances shall become a part of this policy and in accordance with the following standards and regulations.
1. Maintenance of all existing entrance drainage structures and ditches within County right of way is the responsibility of Hodgeman County. However, in the event of damage to entrance pipes caused by negligence, construction activities by others, or repeated inattentive driving, the County Road Department may charge the offending party for repair and/or replacement of said damaged pipe.
  2. When an existing entrance is replaced by the County Road Department under routine maintenance and the entrance has existing head walls, those head walls shall not be replaced.
  3. As stated in Section (b) subsection 11, the owner is responsible for maintenance of the surface of their entrance. When entrance pipes are replaced by the County Road Department, the surfacing shall be repaired with an existing type surface.
  4. A "New Entrance" permit is required to widen or relocate any existing entrance. Under these circumstances the provisions set out under "New Entrances" shall apply except for the relocation or widening of a mound entrance. Relocating or widening a mound entrance only requires the Applicant to provide the necessary traffic control during construction, notify all utility companies and water districts prior to beginning work and provide a Certificate of Insurance or proof of adequate liability insurance to the County Road Department. The pipe material used for the extension of an existing culvert shall be the same type as the existing pipe.
  5. Whenever it is necessary for the County Road Department to construct a ditch along a public road at such depth that ingress and egress is obstructed or existing entrances are no longer functioning properly, it has been the policy of Hodgeman County to provide and maintain access over said ditch to make a good and safe crossing. The County shall bear all costs associated with said entrance.
  6. Hodgeman County does not assume any responsibility for the removal or clearance of snow or ice, or the opening of windrows of such material, upon any portion of any entrance.

BOARD OF COUNTY COMMISSIONERS  
HODGEMAN COUNTY, KANSAS

Michael Mac Nair  
Michael MacNair, Chairman

Emmett Aistrup  
Emmett Aistrup, Vice-Chairman

\_\_\_\_\_  
Terry Housman, Commissioner

Chris Klein  
Chris Klein, Commissioner

Alan Ochs  
Alan Ochs, Commissioner

8-31-21  
Date

ATTEST:

By:

Sarah Rains  
Sarah Rains  
Hodgeman County Clerk

