

**RESOLUTION 2017-2018- 47**

**RICHARDSON COUNTY NEBRASKA**

**ACCESS POLICY – RULES – PERMIT**

WHEREAS, due to budget restrictions and limited funding, Richardson County feels it is in the best interest of the County to establish a consistent formal system for access and

WHEREAS, all County roads within Richardson County have been designated as controlled access by the Richardson County Board of Commissioners, all new proposed accesses onto a County road require an access permit and inspection by the Richardson County Highway Superintendent prior to installation and

WHEREAS, the primary County roads system must be protected from damage from said accesses while at the same time insuring reasonable access for property owners to their land and the Richardson County Highway Superintendent has requested the following rules be applied when evaluating a proposed access:

1. One (1) access to each residential property. If required, culvert size for a residential access shall be not less than thirty (30) feet long with minimum diameter of eighteen (18) inches.
2. Maximum of one (1) field access per quarter section to service agricultural purposes. Additional accesses will be allowed to fields if they are separated by creeks, public utilities, roads or other obstacles that would hinder access. If required, culvert size for a farm entrance shall be not less than forty-eight (48) feet long with a minimum diameter of eighteen (18) inches.
  - a. If both property owner and Highway Superintendent agree to an access of less than forty-eight (48) feet it is further understood that any future request to extend or lengthen the access will require a complete new culvert at property owner's expense and the permit fee will or may be doubled.
3. All culverts must be new corrugated metal or new concrete pipes (no seconds) or polypropylene pipe double walled in the size equal to or exceeding the standards set by the State of Nebraska approved by the Richardson County Highway Superintendent.
4. Access must be installed in a manner to not drain water onto the County road system or else must have a water diversion built as approved by the Richardson County Highway Superintendent.
5. Sight distance to the proposed access must be adequate depending on the road speed of the road in question.
6. Accesses shall be consolidated when possible with the adjoining landowner.
7. The County Highway Superintendent shall make the final determination on the location of the proposed access.
8. All properties residential or agricultural in need of access, new culvert, replacement culvert or culvert extension, the property owner or tenant will bear all costs of the culvert materials and Richardson County will install the culvert. Any other installer would have to be approved by the Richardson County Highway Superintendent prior to installation. Said installer will be required to place/install culvert in accordance with Richardson County Highway Superintendent's instructions on prep work, installation placement and finish work; furthermore said installation will need final approval of the Highway Superintendent.
9. All accesses will require an Access Permit as well as all access extensions. Prior to installation all permit fees and material fees must be paid in full.
10. Permit fees will be determined by the Highway Superintendent; small access permit minimum fee of \$100.00, large access permit minimum fee \$150.00.

11. Property owner shall be responsible for all culvert materials if required for requested access. Culvert materials will be charged at current Richardson County Department of Roads prices; price lists change yearly at a minimum and are approved by Richardson County Board of Commissioners. Special order items will be charged at Richardson County's actual costs including any and all freight or shipping fees.
12. The property owner(s) will be responsible for upkeep and maintenance of all existing or newly installed culverts. Upon notification by Richardson County of the need for maintenance to the culvert, property owner(s) shall within a reasonable time, make such needed repairs or maintenance. If property owner(s) refuse or fail to make such repairs, Richardson County shall make such repairs and property owner(s) shall be responsible for all costs associated with the repairs or maintenance.
13. Any culvert or driveway installed without a Permit will be subject to be removed at the property owner's expense and the permit fee will or may be doubled.
14. Removal of any access will also be only with approval of the Richardson County Highway Superintendent.
15. Requests for moving an existing access will also require a permit and be subject to permit fees.
16. Existing accesses along programmed grading projects scheduled and done by Richardson County Department of Roads will be replaced and approved by the Richardson County Highway Superintendent at the County's expense with the exception of extensions. Approved access extensions done during the project will not require permit fees but property owner or tenant will still be required to pay material fees in full prior to work.
17. The property owner will not hold Richardson County, the Richardson County Board of Commissioners, the Richardson County Department of Roads, or any employees of Richardson County responsible for any damages occurred due to the construction of any access.

NOW, THEREFORE BE IT RESOLVED, the Richardson County Board of Commissioners find it is in the best interest of the public to adopt the above described rules as they are both reasonable and meet the statutory requirement of allowing reasonable ingress and egress for property owners.

BE IT FURTHER RESOLVED, the Richardson County Highway Superintendent is directed to take such action as is necessary to enforce the above described rules.

BE IT FURTHER RESOLVED, this resolution shall supersede any portion of any previously approved resolution, rules or policy, whether written or unwritten. This resolution to become effective upon signing.

Resolution passed and adopted this 12 day of June, 2018.



Richardson County Board of Commissioners

*David D. Sickel*

David D. Sickel, Chairman

*Myron J. Davidson*

Myron J. Davidson

*Terry Frank*

Terry Frank

*Mary L. Eickhoff*  
 Mary L. Eickhoff, Richardson County Clerk