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STEARNS COUNTY, MINNESOTA

Document: A1492456

Certified, Filed, and/or Recorded on

March 31, 2017 11:36 AM

DIANE GRUNDHOEFER  
STEARNS COUNTY RECORDER



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# TOWNSHIP OF MAINE PRAIRIE ROAD STANDARD ORDINANCE ORDINANCE NUMBER 2017-01

THE MAINE PRAIRIE TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

## SECTION ONE. PURPOSE

The purpose of this Ordinance is to establish specific guidelines for constructing and maintaining Township roads within Maine Prairie Township and for the purpose of protecting the health, safety and welfare of the citizens of Maine Prairie Township by governing and providing standards for private and public driveway accesses which enter onto Maine Prairie Township's public road system. This ordinance sets forth those road standards for Township roads, driveways entering upon Township roads and other accesses such as subdivision, commercial and field entrances with the public safety and welfare in mind. This ordinance is not intended as, nor should it be construed as, a regulation of land use.

It is the responsibility of the Township Board of Supervisors to carry out this Ordinance.

## SECTION TWO. PLATTED ROADS

2.1 The Township shall not accept nor shall it maintain any roads dedicated by plat after this Ordinance becomes effective unless the party dedicating said road or roads first complies with the term of this Ordinance.

## SECTION THREE. UNPLATTED ROADS

3.1 The Township shall not accept nor shall it maintain any roads dedicated by easement after this Ordinance becomes effective unless the party dedicating said road or roads first complies with the terms of this Ordinance.

✓ Maine Prairie Township

## **SECTION FOUR. REQUIRED IMPROVEMENTS**

- 4.1 All roads dedicated by plat or otherwise after this Ordinance is in effect shall be constructed and improved to the standards set out in this Ordinance before the Township shall accept or maintain such roads.
- 4.2 Prior to the installation of any required improvements on such road, the party dedicating the road shall enter into a contract in writing with the Township under which the dedicating party agrees to construct the road to Township specifications at the expense of the dedicator, and also agrees to pay all expenses incurred by the Township related to such dedication and construction, including Township engineering fees for reviewing plans and inspecting construction of the road and attorney's fees related to the road dedication and construction. This agreement shall contain a requirement that the dedicator establish an escrow with the Township to cover the Township's engineering and attorney's fees. The Township may draw upon such escrow to pay such costs incurred by the Township, and shall return any monies remaining in such escrow after the construction has been completed and all Township engineering and legal fees related to the road have been reimbursed by the dedicator or drawn from the escrow fund.
- 4.3 The road shall be constructed in accordance with the plans and specifications as approved by the Township Board.

## **SECTION FIVE. ROAD CONSTRUCTION STANDARDS**

### **Road Bed & Embankments**

- 5.1. Section Five shall apply only to new roads dedicated after this ordinance becomes effective.
- 5.2. All new roads shall intersect with the Township roads at a right angle with appropriate drainage provided wherever possible. All approaches will be considered on a case-by-case basis with regards to safety and drainage requirements. All new roads shall be provided with radii of 40 feet at intersections with existing Township roads.
- 5.3. A Town road in Maine Prairie Township shall consist of a sixty-six foot (66') right of way measured thirty-three feet (33') on either line of the centerline thereof; have a minimum twenty-two foot (22') roadway surface measured eleven feet (11') on either side of the centerline, (wider road widths may be specified elsewhere in this ordinance) have four to one (4:1) ditch side slopes, be built to support nine (9) tons and the top three feet (3') of the roadway materials shall be free of organic debris.
- 5.4. A minimum finished roadway top width of 22 feet for residential areas (and a minimum top width of 36 feet for commercial and industrial areas), which includes driving surface width and shoulders.
- 5.5. All developments shall be limited to one access to a collector road, subject to review by the Township Board of Supervisors.

- 5.6. Roadway shall be built to a minimum of 30 MPH design speed in residential areas and a 40 MPH design in other areas.
- 5.7. Horizontal and vertical alignment shall be coordinated. Centerline grades shall not exceed ten percent (10%) slope unless extenuating circumstances dictate a steeper grade (must be approved by Township Board) and shall not be constructed flatter than five tenths of a percent (0.5%). Sharp curves (less than 120 degrees) shall not occur at the foot of a steep grade.
- 5.8. Unstable materials such as organic materials, shall be excavated and disposed of two feet horizontally from the edge of the shoulder. Embankments shall be constructed in layers not to exceed six inches (6") in plastic soils or twelve inches (12") in non-plastic soils, with mechanical compaction applied to each layer until no evidence of appreciable deflection exists under a motor grader tire while driven over the surface. Embankments constructed over wet areas shall be placed in one lift to an elevation of at least two feet (2') above the wetland elevation before proceeding with layered construction as previously defined. The contractor may be required to provide third-party density tests, as directed by the Township, and/or its' designated representatives.
- 5.9. Roadway sub-grades shall be free of sod, vegetation, organic matter, soft clay or other objectionable materials, properly rolled, shaped and compacted. The top one-foot (1') of the sub-grade shall be free of rocks greater than 3" in diameter. Prior to placement of any geotextile fabric, sub-base material or aggregate base material, the sub-grade shall be proof-rolled. Proof-rolling shall consist of driving a fully loaded dump truck or approved equivalent over the sub-grade and shall be observed by a Township Engineer or Supervisor. The sub-grade shall be considered unstable if the depth of any rutting exceeds two inches (2"). All unstable areas shall be corrected and proof-rolled again to the satisfaction of the Township Engineer or Supervisor.
- 5.10. Road surface: shoulder to shoulder shall not be less than four inches (4") of bituminous pavement (2 – 1 ½" lifts) overlying six inches (6") of Class 5 aggregate base or an equivalent approved by the Township Supervisors. The road surface will be constructed to provide a smooth, well-drained surface with a 2% crown cross slope.
- 5.11. Compacted class 5 gravel road surface shall be 24' feet wide for a newly constructed road and 22' feet wide for a reconstructed road, at the discretion of Township Supervisor or Township Engineer with minimum of 8% binder. The thickness shall vary according to soil types; sandy soil minimum of 6 inches for residential, 8 inches for commercial industrial and clay type soil a minimum of 10 inches.
- 5.11.1. A plant mix bituminous surface shall be placed in accordance with MNDOT Specifications #2360. This surface shall be 22 feet wide and have a compacted thickness of 4 inches for nine-ton roads.
- 5.11.2. If recycled asphalt pavement is proposed, it must be approved by Township Engineer or Town Supervisor and at a minimum must submit an approved trial mix design.

- 5.11.3. Town Board shall decide the required tonnage strength construction on each dedicated road.

### **Road Ditches & Erosion Control**

5.12. Side ditch and embankment construction shall provide adequate roadbed drainage including installation of culverts as required. Storm water calculations shall be provided by a licensed Engineer and show that the culverts are sized to convey runoff from a 10-year storm event (4-inch, 24-hour storm event). Centerline culverts shall be sized a minimum of eighteen inches (18") and consist of dual wall or corrugated steel pipe. In-slopes shall not be constructed steeper than four feet (4') horizontally to one foot (1') vertically (4:1). Back slopes shall not be constructed steeper than four feet (4') horizontally to one foot (1') vertically (4:1), unless approved by the Township. The top of the back slope shall be blended into the natural ground line.

5.13. On all roadbed cut and fill areas in excess of seven feet (7'), additional right-of-way or slope easements may be required in order to construct proper slopes to prevent serious erosion. All topsoil removed for construction shall be replaced on road in-slopes, backslopes and ditch bottoms and shall be seeded with rye and brome grass or as approved by Township Engineer or Supervisor. Once grading is completed and topsoil is placed, areas designated for vegetation shall be seeded or sodded. Erosion control blankets shall be placed on all slopes which are 4:1 or steeper, and along all ditch bottoms, to protect seeding until turf is established. Slopes and ditches, which are sodded, will not require erosion control blankets.

5.14. All construction areas will be protected to prevent damage to the actual roadbed. Within the construction area four inches (4") of topsoil and seeding shall be required to prevent erosion. Seed mixes will be selected for projects within the Township in accordance with MNDOT Specification 3876.

5.15. All graded areas from road construction shall be protected from erosion using necessary Best Management Practices, such as sediment basins, dike checks, fiber bags, triangular silt dikes, silt fences, etc., as a minimum.

5.16. All roads must be constructed to comply with MPCA's NPDES Construction General Permit.

### **SECTION SIX. ACCESS AND DRIVEWAY STANDARDS**

All residential dwellings or combinations of residential dwellings that access Township streets/roads shall be improved to ensure access for emergency vehicles and shall be continuously maintained. The access shall be constructed of an all-weather (i.e., gravel, bituminous or concrete) driving surface.

The following standards shall apply when considering a new or re-located driveway entrance or any other access entrance onto an existing Township road and through the Township road right-of-way:

- 6.1. Driveways accessing onto township and/or other public roads prior to an intersection must meet MNDOT specifications.
- 6.2. A driveway should intersect the Township road at a right angle. A residence driveway should be a minimum of sixteen feet (16') wide and not more than twenty feet (20') wide, measured at right angles to the centerline of the driveway. Residential driveways which connect to subdivision roads shall be provided with radii of twenty-five feet (25'). Residential driveways which connect to through township roads shall be provided with radii of forty feet (40').
- 6.3. Non-residence driveway widths and radii (i.e., field, commercial and industrial accesses) shall be reviewed and approved by the Town Board on a case-by-case basis. In determining whether or not a driveway for a non-residential use should be required to conform to higher standards, the Town Board shall take into account the following factors: the traffic generated by the use, the type of vehicles using the access, the location of the proposed access and the hours of operation of the use. Field accesses will be spaced on a one access per 40-acre frontage. Field accesses shall be a minimum of 16 feet in width.
- 6.4. Separation distances may be modified by recommendation of the Township Board due to parcel size, roadway/street access geometrics and/or proposed use of street.
- 6.5. Minimum spacing between driveways at the road shoulder will be one hundred feet (100').
- 6.6. One driveway per parcel is allowed. More than one driveway per parcel may be allowed if the parcel frontage on a single road is greater than one thousand three hundred and twenty feet (1,320') or, if more accesses are needed due to fence-lines or geographical features. Driveways shall be located a minimum of one hundred feet (100') from intersections with Township roads. The Township shall determine the appropriate location size and design of such accesses and may limit the number of accesses in the interest of public safety and efficient traffic flow.
- 6.7. Accesses onto County roads shall require an access permit from the County Public Works Department. This permit shall be issued prior to the issuance of any construction site permit, conditional use permit, interim use permit or provisional use permit when the proposed use involves the installations of a new or additional access onto a County road. The Public Works Director shall determine the appropriate location, size and design of such accesses and may limit the number of accesses in the interest of public safety and efficient traffic flow.
- 6.8. Mailbox standards are addressed in the Township Mailbox Ordinance (see Mailbox Ordinance on the Maine Prairie Township website [[maineprairietownship.com](http://maineprairietownship.com)]).
- 6.9. Monument signs shall not be located within any Township road right-of-way. Monument signs constructed for a subdivision shall be provided with the appropriate easement.

**SECTION SEVEN. CONSTRUCTION AND MAINTENANCE OF DRIVEWAYS AND  
ACCESS ENTRANCES**

The following rules will apply to construction and maintenance of driveway and access entrances onto an existing Township road:

7.1. All work done within the Township road right-of-way is subject to approval by the Township Board or the Town's authorized representatives.

Culverts:

- 7.1.1. Driveways shall be constructed with a culvert which is sized a minimum of fifteen inches (15") and consist of dual wall or corrugated steel pipe. The length of the culverts shall be sufficient for the width of the driveway and flared ends. Culvert openings larger than twenty-seven inches (27") in diameter will be permitted within the obstacle free area of the right-of-way on a case-by-case basis.
  - 7.1.2. All approaches from Township roads must be constructed with dual wall or corrugated steel culverts unless waived by the Town Board. Said waiver must be determined by the Town Board and any costs associated with said waiver for review and determination will be borne by the property owner.
  - 7.1.3. If a culvert is not installed according to Township requirements, replacement and/or repairs will be at the owner's expense.
  - 7.1.4. The property owners will be responsible for paying for approaches and related culverts unless the Township is constructing a new road or relocating a road.
  - 7.1.5. The Town Board will not sell culverts to private individuals.
- 7.2. No driveway or access entrances shall cross a wetland unless a wetland recovery permit has been obtained in advance and has been made a part of this permit.
- 7.3. Proper and adequate drainage shall be provided as required by the Township. Modifications to the present ditch system may not be done without prior approval of the Township. No obstructions shall be constructed or planted in the Townships' rights-of-way. Obstructions include but are not limited to retaining structures, posts, trees, shrubs, wood trash piles, boulders, equipment, fencing and other such items.
- 7.4. The driveway and/or access entrance must be constructed with a minimum six inches (6") of Class 5 aggregate or an approved equivalent (i.e., pavement, concrete driveway, etc.).

7.5. No foreign material such as dirt, gravel, clumps of clay, mud and sand, soil washings, building materials or bituminous materials shall be left or deposited on the Township road during construction of the driveway or installation of drainage facilities. Failure to clean up such dirt and debris may result in additional charges to the Township and passed on to Owner.

7.6. All entrance or approach construction shall conform to Section 5. Road Bed and Embankments. Construction of the driveway shall be completed sixty (60) days after the start of construction.

### **PERMIT REQUIREMENTS**

7.7. An approved permit will be required prior to commencement of construction of an entrance onto a Maine Prairie Township road. The permit fee will be set from time to time by a resolution of the Town Board.

### **INSPECTION PRIOR TO CONSTRUCTION**

7.8. Upon receipt of application, the access and/or driveway entrance location will be inspected to determine culvert requirements.

7.9. If the access and/or driveway location is satisfactory and no culvert is required, the approval notice will indicate said fact.

7.10. When work on a driveway approach is commenced, traffic on the Township road must be protected and flags and/or proper barricades must be placed in accordance with the most current edition of standards used in the Manual on Uniform Traffic Control Devices, as amended, which is on file with the Township Engineer's office.

### **FIELD INSPECTION**

7.11. Upon completion of the driveway and/or access approach and/or culvert installation, including turf restoration, the approach shall receive a final inspection by the Township.

7.12. In the case where inspection is done and not approved, applicant will complete the needed changes to affect the necessary changes to the driveway.

### **SECTION 8. SEVERABILITY**

8.1. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 9. TOWNSHIP BOARD DISCRETION**

9.1 All work shall be carried out in accordance with this ordinance unless, at the Board's discretion, extenuating circumstances pertaining to the work of a particular road dictates otherwise. In this instance, the Board shall have the authority to authorize the work be done other than in accordance with this ordinance.

**SECTION 10. REPEALER**

10.1. This ordinance repeals prior Ordinance No. 13, An Ordinance Relating to the Definition of Town Roads and the Acquisition Thereof, dated May 12, 1987, filed in the Stearns County Recorders Office as Document No. 0618867.

Adopted by the Maine Prairie Township Board of Supervisors this 7<sup>th</sup> day of March, 2017.

John D. Wicker  
Chairman

Ronald J. Kuechle  
Supervisor

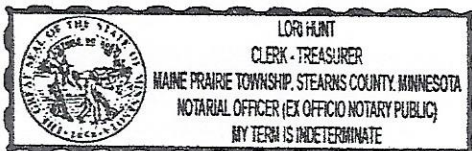
Dennis W. Loewen  
Supervisor



Subscribed and sworn to before me this 7<sup>th</sup> day of March, 2017.

By John D. Wicker, Ronald J. Kuechle and Dennis W. Loewen

Lori Hunt  
Lori Hunt, Ex-Officio Notary



Drafted by:  
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