

**RESOLUTION OF THE MARSHALL COUNTY FISCAL COURT  
AMENDING ALL PRIOR RESOLUTIONS OF THE  
MARSHALL COUNTY FISCAL COURT WHICH ESTABLISHES  
REQUIREMENTS FOR ROADS THAT MAY BE HEREINAFTER  
INCORPORATED INTO THE MARSHALL COUNTY ROAD SYSTEM**

The Fiscal Court of Marshall County does hereby resolve as follows:

WHEREAS, the Marshall County Fiscal Court has now determined that the requirements for the acceptance for roads for upkeep and maintenance into the County Road System should be amended in order to adequately protect the public's interest; and,

NOW THEREFORE BE IT RESOLVED by and through the Marshall County Fiscal Court that:

1. Any person who desires that a **new road** (any road not covered in Part II of this Resolution) be taken into and become a part of the Marshall County Road Maintenance System must satisfy the following minimum requirements (#1 a through l) **and** file an appropriate Petition with the Marshall County Fiscal Court.
  - a. The minimum right-of-way width of said road shall be forty (40) feet.
  - b. The minimum driving surface of any road to be accepted into the Marshall County Road Maintenance System shall be twenty (20) feet. The minimum gravel base on said road shall be of such gradation, material, quality and quantity as to furnish a stable base of twelve (12) inches thick and twenty-six (26) feet in width.
  - c. Such road or street shall be crowned and have a minimum slope from the center of one-half (1/2) inch per foot of width.
  - d. Final surface shall be of bituminous material as base coat. The base coat shall be two and one-half (2-1/2) inches in depth and one (1) inch of surface coat and such surface shall be a minimum of twenty (20) feet in width. The County will install the final surface if the Petitioner pays the cost of same in advance and within one (1) year of the original Petition.
  - e. Shoulders on such roads shall be at least three (3) feet wide and have a minimum slope of three quarters (3/4) inch to each foot .
  - f. Driveway entrance pipes shall be no less than fifteen (15) inches in diameter and twenty-four (24) feet in length.
  - g. Drainage shall be provided according to accepted engineering practices, subject to the approval of other competent engineers or the County Road Engineer or his subordinates.

- h. Drainage shall not increase on any entrance to a County Road as a result of the construction of a driveway.
    - i. A cul-d-sac or turn-around will be required on any dead-end road. The size will be determined by the circumstances of that particular road to be approved by the County Road Engineer.
    - j. The subgrade must lay for one year after gravel has been applied if not compacted to acceptable limits.
    - k. Any road taken into the County system shall be deeded to the Marshall County Fiscal Court by Quitclaim Deed unless it has already been platted and dedicated for public use.
    - l. A request that a newly constructed road be taken into the system may be made after the base has been completed and approved and prior to any bituminous material being placed on the roadway.
2. Any person who desires that an existing road be taken into and become a part of the Marshall County Road Maintenance System will hereafter meet the following minimum requirements. At such time as the following have been complied with, the County will contribute fifty (50%) of the total construction costs to bring the road into compliance with County standards. The cost of construction shall be determined by a written proposal of the Petitioner and agreement by the County. Construction shall begin within six (6) months of the original Petition or within any time limits set forth in the estimated costs. Payment to the County of Petitioner's portion shall be made in full prior to the beginning of construction.
  - a. An aggregate, asphalt or concrete surface capable of supporting the traffic as herein after described in Paragraph 2 (f) is required.
  - b. The minimum right-of-way width of said road shall be forty (40) feet.
  - c. Any road taken into the County system shall be deeded to the Marshall County Fiscal Court by Quitclaim Deed unless it has already been platted and dedicated for public use.
  - d. Drainage shall not increase on any entrance to a County road as the result of the construction of a driveway.
  - e. A cul-d-sac or turn-around will be required on any dead-end road. The size will be determined by the circumstances of that particular road to be approved by the County Road Engineer.
  - f. A road must have been in existence for 15 years with a surface of aggregate, asphalt or concrete easily traversed and supporting traffic for the entire 15 year period. A minimum of two residences or businesses that have been in continuous use for 15 years must be in existence along the petitioning roadway. The location of the qualifying residence or business can be at any point along the petitioning roadway if the minimum number of residences or businesses meet the average of one per quarter mile. Qualifying residences or businesses shall include those that must traverse a portion of the petitioning roadway to gain access to said residence or business, but shall be limited to only the portion of the petitioned segment that must be traversed.

- g. Any roads taken in under this provision are strictly at the sole discretion of the Fiscal Court and the decision based on the surrounding circumstances.
- 3. Nothing in this Resolution shall be construed as to affect those roads now in existence which have already been accepted into the Marshall County Road Maintenance System or those Petitions that have been filed prior to the adoption of this Resolution.
- 4. The County Road Engineer shall be hereby authorized to distribute to all interested parties such applications, drawings and illustrations which convey the intent and meaning of this Resolution so that those persons may obtain the necessary information to prepare their Petition and prior to the construction of any new roads in Marshall County, Kentucky.

The foregoing Resolution having been presented on this the 11<sup>th</sup> day of July, 2016, and approved up a Motion by Com. Cocker and seconded by Com. Bawlin.

AYE:

Com. Cocker

Com. Bawlin

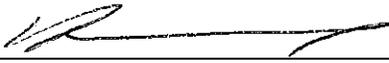
Com. Gold

NAY:

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 KEVIN NEAL -COUNTY JUDGE EXECUTIVE

ATTEST:   
 TIM YORK-COUNTY CLERK