

ORDINANCE 2008-03

AN ORDINANCE ADOPTING "FREMONT COUNTY ROADWAY STANDARDS" FOR ROADS IN FREMONT COUNTY, IDAHO.

WHEREAS, the Fremont County Roadway Standards is meant to be a reference document for roadway design, construction and reconstruction;

WHEREAS, the Public Works Director in and for Fremont County, Idaho, has encouraged the Board of County Commissioners to adopt and use the Fremont County Roadway Standards for roadway projects performed in the county; and

WHEREAS, the Board of County Commissioners deems it to be in the best interests of Fremont County, Idaho to adopt and use the Fremont County Roadway Standards for roadway projects performed in the county.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FREMONT COUNTY, IDAHO, AS FOLLOWS:

I. PURPOSE OF ROADWAY STANDARDS

The purpose of this ordinance is to provide uniform standards for the construction or reconstruction of roads in Fremont County.

A. OVERVIEW OF FREMONT COUNTY ROAD SYSTEM

1. The general location of each roadway and public right of way under Fremont County's jurisdiction is shown on the most current version of the Official Highway Map for Fremont County, which is published by the Fremont County GIS Department.
2. In order to protect the public, roadways within subdivisions must also follow the Fremont County Roadway Standards. Subdivision roads may be public right-of-ways or private easements, as determined by the Board of County Commissioners through the subdivision application process.

B. NEED FOR CONTROL AND UNIFORMITY

1. The intent of these Roadway Standards is to provide a uniform roadway network throughout Fremont County.
2. It is further the intent of these Roadway Standards to upgrade and maintain the safest highway system available to the public within Fremont County. It is not the intent to put forward conflicting requirements that will detract from the safety of the traveling public.

3. It is also the intent of these Roadway Standards to promote the construction of good streets and highways while reducing maintenance and repair costs.
4. If any section, subsection, sentence, clause, phrase, or portion of these guidelines is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

C. DISCLAIMER

Nothing herein shall be construed to impose a mandatory requirement or a duty upon Fremont County to construct, reconstruct, or improve existing public streets or highways to comply with these guidelines. The adoption or application of these standards does not create a need or obligation for Fremont County to upgrade any existing roadways to the same level.

II. DEFINITION OF TERMS

- **Applicant** - Any person or persons making application to the Fremont County Public Works Department or Planning and Building Department or other division of Fremont County.
- **Base** – Crushed aggregate material placed above the sub-base material to provide structural support for pavement or an all-weather unpaved surface.
- **Bridge** – Structures twenty (20) feet or larger in span, measured along the centerline of the roadway from the inside face of wall or abutment.
- **Culvert** – Any structure with a span of twenty (20) feet or less measured along the centerline of the roadway.
- **Dedication** - The setting apart of land or interest in land for use by the public. Land becomes dedicated when accepted by the County or a city within the County as a public dedication, either by ordinance, resolution, or entry in the official minutes or by the recording of a plat showing such dedication.
- **Development Agreement** - is a contract entered into between Fremont County and a holder of property with development rights, the principal purpose of which is to negotiate and to establish the development regulations that will apply to the subject property during the term of the agreement and to establish the conditions to which the development will be subject.

- **Easement** - A grant by the owner of the use of a parcel of land by the public, corporation, or persons for specified use and purposes.
- **Highway** - The entire width between the boundary lines of a publicly maintained roadway when any part is open to the use of the public for vehicular travel, with jurisdiction extending to the adjacent property line, including sidewalks, shoulders, berms and public rights-of-way not intended for motorized traffic. The terms "street", "road" or "roadway" are interchangeable with highway.
- **Irrigation Facilities** - Includes canals, laterals, ditches, conduits, gates, wells, pumps, and allied equipment necessary for the supply, delivery, and drainage of irrigation water.
- **Owner** - A "person", as herein defined, having sufficient proprietary interest in the land to maintain proceedings under this title.
- **Plans** - The official improvement/development drawings, profiles, typical sections, standard drawings, or reproductions thereof, designed by a licensed Engineer and approved by the Fremont County Public Works Director, that show location, character, dimension, and details of the work to be performed. Also referred to as "design drawings".
- **Plat** - A map of a subdivision, further described as:
 - Preliminary Plat** - A preliminary map, including supporting data, indicating a proposed subdivision development, prepared in accordance with the Fremont County Development Code and the Idaho Code.
 - Final Plat** - A map of all or part of a sub-division providing substantial conformance to an approved preliminary plat, prepared by a registered professional engineer or a registered land surveyor in accordance with the Fremont County Development Code and the Idaho Code.
 - Recorded Plat** - A final plat bearing all of the certificates of approval required by the Fremont County Development Code and the Idaho Code and duly recorded in the Fremont County Recorder's Office.
- **Public Right-of-Way** - A right-of-way open to the public and under the jurisdiction of Fremont County, where Fremont County has no obligation to construct or maintain, but may expend funds for the maintenance of, said public right-of-way or post traffic signs for vehicular traffic on said

public right-of-way (see Idaho Code 40-117(6)). A term used to define a specific space.

- **Public Works Director** - The director of the Fremont County public works department or an authorized representative.
- **Reserve Strip** - A strip of land between a dedicated street or partial street and adjacent property, in either case, reserved or held in public ownership for future street extension or widening.
- **Roadway** - That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of sidewalks, shoulders, berms, and other portions of the public right-of-way. Roadways are classified as follows:

Arterial Route - A general term including expressways, major and minor arterial streets' and interstate, state or county highways providing regional connectivity.

Collector Street or Highway - A street or highway that provides for traffic movement within neighborhoods and between major streets and local streets and for direct access to abutting property.

Local Street - A street that provides for direct access to residential, commercial, industrial, or other abutting land for local traffic movements and connects to collector and/or arterial streets.

Marginal Access Street (Frontage Road) - A minor street parallel and adjacent to an arterial route and intercepts local streets and controls access to an arterial route, sometimes referred to as a frontage road.

Cul-de-sac Street - A local road or street having one end permanently terminated in a vehicular turnaround.

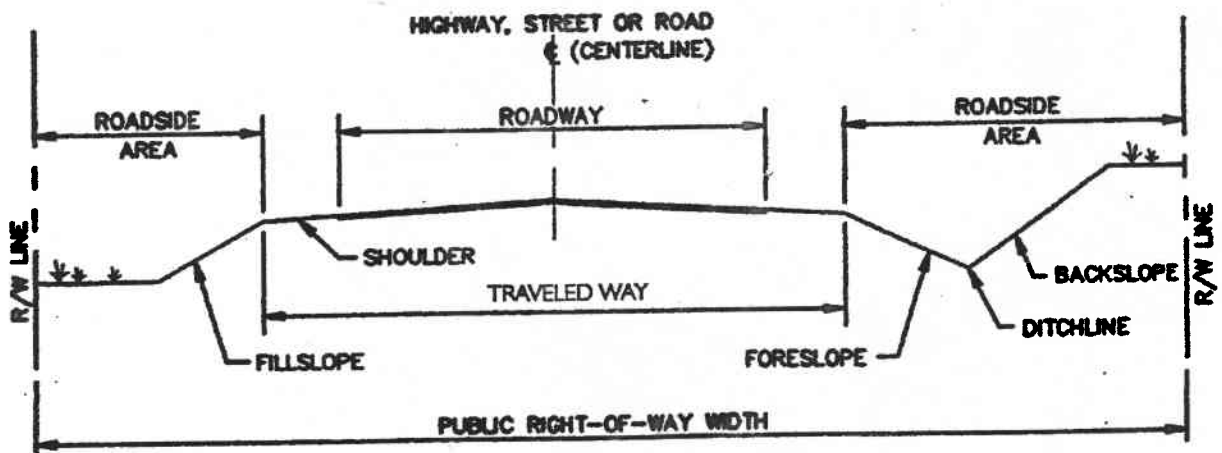
Loop Street - A minor street with both terminal points on the same street of origin, but not at the same location.

Alley - A public way of limited use intended only to provide access to the rear or side of lots or buildings in urban districts.

- **Sub-base** - Material placed above the subgrade to provide structural support to the surfacing. Also known as granular base material or "pit-run" gravel.
- **Subdivider** - A subdivider shall be deemed to be the individual, firm, corporation, partnership, association, syndication, trust, or other legal

entity having sufficient proprietary rights in the property to represent the owner, who submits the required subdivision application and initiates proceedings for the subdivision of land in accordance with appropriate procedures. The terms "developer" or "applicant" are interchangeable with subdivider.

- **Subdivision** - See Fremont County Development Code, Chapter XIV, Definitions, Subdivision.
- **Subgrade** – The constructed ground surface within the right-of-way upon which any structure, base aggregate or granular base material is placed.
- **Surfacing** – The uppermost layer of material placed on the traveled way.
- **Top Soil** – Surface soil, suitable for the germination of seeds and the support of vegetative growth.
- **Traffic Control Devices** – All signs, signals, barricades, guardrails, pavement markings, channelization, or other equipment used for the purpose of regulating, warning, and guiding traffic.
- **Traveled Way** - The portion of the roadway for the movement of vehicles, exclusive of ditches and roadside areas.



- **Utility Facilities** - Installations or facilities, underground or overhead, furnished for use by the public, including but not limited to: electricity, gas, steam, television, communications, water, drainage, irrigation, sewage disposal, or flood control, owned and operated by any person, firm, corporation, municipal department, or board duly authorized by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, forms, corporations, departments, or boards, as applicable herein.