

## RESOLUTION 2003-14

### A RESOLUTION CREATING A COST APPLICATION FOR THE INSTALLATION OF CULVERTS OR ENTRANCES

**WHEREAS**, the installation of an culvert or entrance, crossing any ditch along a public road, falls under the authority of the County Engineer; and

**WHEREAS**, Kansas Statutes grant this authority to the County Engineer to ensure that citizens can travel safety along roadways; and

**WHEREAS**, while it is the duty of the County to provide these culverts and entrances, it is incumbent upon the County to assess the charge to citizens when the culvert or entrance is provided at citizen request in order to assure fair taxation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Barton County, Kansas, pursuant to K.S.A. 68-543, and any amendments thereto, adopts the follows:

**First**, whenever it is necessary to make a ditch along a public road in front of any property at such depth as will, in the opinion of the officials in charge of such road, obstruct any then existing entrance connecting such property with the public highway, it shall be the duty of the County Engineer to cause to be constructed and maintained a substantial culvert over the said ditch, so as to make a good, safe crossing. Culvert materials will be provided not to exceed forty (40) feet, plus end sections of such size to provide for adequate stormwater flow and sight distance for each entrance. The County shall pay for such improvement on County maintained roads; and

**Second**, whenever any property owner shall request an additional culvert, widening of a culvert length beyond forty (40) feet or a new entrance, the same may be installed by the County Engineer and the cost thereof charged to the property owner. The costs associated with an entrance include:

Earthwork construction,  
Culvert pipe end sections including associated materials, and  
Entrance surfacing material; and

**Third**, the County may provide culvert materials for entrances for tracts forty (40) acres or larger subject to County Engineer review and approval. Costs of culvert materials for entrances to tracts measuring smaller than forty (40) acres, commercial entrances and subdivisions will be the responsibility of the respective property owner, and

Further, at the Commissioners' discretion, any or all of the above costs can be determined for each entrance and could be billed to the property owner, and

Further, the County Engineer may require the property owner to deposit the estimated cost of such installation before installing and constructing the same; and

**Fourth**, the property owner may install and construct such additional culvert or new entrance, but only after first obtaining approval of plans therefore and permission to do so from the County Engineer; and such work shall be done by the owner subject to the direction and supervision of the County Engineer; and

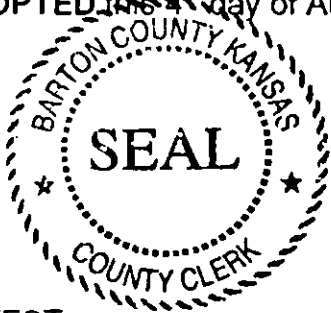
**Fifth**, it shall be a public offense for any property owner or other person to construct a culvert or entrance across any ditch along a public road without first having secured approval of the plans therefore and permission to do so from the County Engineer. Any person who shall violate the provisions of this Resolution shall, upon conviction thereof, be fined not less than fifty dollars (\$50) nor more than one hundred dollars (\$100); and

**Sixth**, that a representative of the County Engineer may be designated to provide the services as detailed herein; and

**Seventh**, the adoption of this administrative resolution does not obligate Townships to operate under said regulations unless adopted by the Township; and

**FURTHER**, that this Resolution shall become effective upon publication in the official County newspaper.

ADOPTED this 4<sup>th</sup> day of August, 2003.



ATTEST:

*Donna Zimmerman*  
by *Maricia Laube deputy*  
Donna Zimmerman  
County Clerk

APPROVED AS TO FORM:

*Richard A. Boeckman*  
Richard A. Boeckman,  
County Counselor

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