

# ATCHISON COUNTY ROAD POLICY

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APPROVED BY ATCHISON COUNTY COMMISSIONERS AND EFFECTIVE 09/06/2022

## GENERAL – SAFE ROADS

The Atchison County Road & Bridge Department is responsible for maintaining the condition of 134 miles of paved roads and 156 miles of gravel roads within Atchison County. This department also maintains the structures that lie within the County right of way to support the roadways, such as shoulders, ditches, culverts, guardrails and bridges.

This document is meant to establish a uniform policy for roadway development throughout Atchison County and provide a clear statement of the procedures for construction within the right-of way. The purpose and intent of the following policies and procedures are to ensure that all roadways and bridge structures are designed and constructed according to federal and state guidelines to provide safe roads for our citizens to travel.

## ROADS

### Obstructions Prohibited

- No structure or condition that interferes with the safety, function, operation, or maintenance of the road system will be permitted in the County's right-of-way. Any unauthorized encroachment may be removed by the County under K.S.A. 68-545, and the costs of remediation will be assessed against any responsible party.

### Right-of-Way

- Use primarily for Vehicular Travel
- Any uses of the County right-of-way other than for vehicular travel must be approved by the Atchison County Road and Bridge Superintendent.

### Utilities within ROW

- Right-of-Way Application **Required** for Work within ROW
- Application shall be required when working within or locating anything within any Atchison County road right-of-way. Applications shall be submitted, reviewed, and if appropriate, approved by

Atchison County Road and Bridge Superintendent. The County may take up to 30 days to review the submitted application. Applications are available at the Road & Bridge office located at 613 22nd St. or on the Atchison County website.

### **Entrances to County Roads**

- The Atchison County Road and Bridge Superintendent has the authority for determining the necessity, responsibility and location for a private entrance with or without a culvert.
  - An Entrance/Culvert Application and Right-of-Way Application (please see attached applications) must be submitted, reviewed and approved prior to installation of any entrance/culverts or modification of any existing entrance/culverts located in the County right-of-way.
  - Upon submission of an application, the Atchison County Road and Bridge Superintendent will review and determine who shall be responsible for the entrance/culvert and whether further engineering review is necessary prior to approving or denying said application.
  - Atchison County shall be responsible for a maximum of **ONE** entrance/culvert for each parcel in existence as of July 1, 1917. In the event of multiple culverts on a parcel, the County will discuss the issue with the owner and the Atchison County Road and Bridge Superintendent. Using professional judgement and discretion, they shall make a record determination of which culvert will be the County's responsibility. \*\*The only exception to this is Atchison County cutting a new ditch for the creation or improvement of a road.
  - Safety considerations for location of driveway entrances including sight distances and proximity to other drives will be considered and subject to approval by the Atchison County Road and Bridge Superintendent. These distances will include distance between driveways, proximity to intersections, proximity to crests of vertical curvature, proximity to horizontal curvature and speed limit of the road. Determination of driveway/entrance acceptability will be based on conformance with American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets (latest edition) and applicable law.

## DRAINAGE DITCHES

- Positive drainage and adequate ditches are essential to preserve and maintain roads. Atchison County will maintain ditches wherever necessary to provide positive drainage away from county roads. Ditch work is limited to the County right-of-way and associated easements for drainage control. The depth and width of these ditches may vary based on the size necessary to adequately convey the flow volumes the ditch receives.
- Atchison County will maintain conveyance ditches at its own expense and may create new ditches within the right-of-way as necessary for road maintenance.
- The property owner shall be responsible for maintaining vegetation to the flow line of the ditches.

## CULVERT SPECIFICATIONS

- All entrance culverts shall be constructed using new Corrugated Metal Pipe (CMP) of at least 16-gauge corrugated steel. Manufactured coupling bands are required to join sections of the culvert pipe. Flared end sections may also be required based on review of the location/conditions.
- New driveway culverts will be a maximum of 30' in length. Where applicable, if the property owner wants a culvert longer than 30' in length, up to a maximum of 40', said property owner is responsible for the difference in cost.
- Road and Bridge Superintendent shall ensure each culvert shall be adequate to accommodate anticipated runoff.
- Culverts must be at least 5' from the property line and no less than 10' from the nearest culvert.
- New driveway entrances must be only rocked using approved material, to allow maintenance of the drainage tubes, with no concrete or asphalt placed over the County right-of-way. If any driveway entrance is paved, all expenses associated with maintaining the drainage and culvert will be determined by the Atchison County Road and Bridge Superintendent, and assessed. In the event it is necessary for the County to damage or destroy any paved entrance, the County will replace the entrance with a gravel surface.
- Any request for a culvert that does not meet these conditions is subject to the Atchison County Road and Bridge Superintendent approval.
- Please see attached **Specifications for Entrance/Culvert Installation** Form.

## COUNTY RESPONSIBILITY FOR ENTRANCE CULVERTS

- Whenever it is necessary for the County to make a new ditch along a county road that obstructs access to adjacent property, the County shall, at its expense, cause an entrance culvert to be constructed and maintained over such ditch, as required by K.S.A. 68-543a.
- All costs (including labor and materials) associated with installing and maintaining any other culvert will be the sole responsibility of the property owner. The County may require any property owner to prepay the anticipated costs associated with any culvert installation or replacement.
  - **County Culverts (K.S.A. 68-543a)**
    - Atchison County shall be responsible for a maximum of ONE entrance/culvert for each parcel in existence as of July 1, 1917. In the event of multiple culverts on a parcel, the County will discuss the issue with the owner and the Road and Bridge Superintendent. Using professional judgment and discretion, they shall make a record determination of which culvert will be the County's responsibility. \*\*The only exception to this is Atchison County cutting a new ditch for the creation or improvement of a road.
    - Where maintenance of a culvert is the county's responsibility, Atchison County will replace with a culvert of the same size unless the Atchison County Road and Bridge Superintendent deems it necessary to use a different size and length. If the property owner wants a culvert longer than 30' in length, up to a maximum of 40', said property owner is responsible for the difference in cost.
    - Atchison County will either perform the work as time permits or safety dictates, based upon already scheduled work or may allow an approved private contractor to perform the installation if the project schedule requires an earlier completion.
  - **Private Entrance Culverts**
    - If a new or additional entrance culvert is desired, whether due to new construction, subdivision or property, or otherwise, a new Entrance/Culvert application must be submitted. The property owner is responsible for all costs associated with installing and maintaining any new culvert. As noted above, materials must meet Atchison County specifications. Any costs deemed the responsibility of the property owner must be prepaid, based upon estimated costs.
    - Entrance/Culvert applications for private drainage *structures* in the County right-of-way will require professional design by a qualified individual. As with

all other entrance/culvert permits, it will be subject to review and approval of the Atchison County Road and Bridge Superintendent. It will also require a property owner's Right-of-Way Application be completed and filed with the County.

- It shall be the responsibility of the property owner to properly maintain all culverts to avoid water draining or standing on a road. If notified to perform maintenance or make repairs to any culvert, the owner will have thirty days from notification to bring the culvert up to acceptable standard. If, after thirty days, the culvert is not properly adjusted and/or repaired, the culvert may be maintained, repaired, or removed by the county as necessary to restore positive drainage, with the cost thereof to be assessed against the landowner. Any re-installation of the culvert shall be solely at the expense of the owner and only after new application is approved.
  - Property owners may purchase the culvert from the County or from a private supplier, provided the culvert meets Atchison County specifications and is approved by Atchison County Road and Bridge Superintendent.
  - Whenever a private party installs a driveway entrance, installation and maintenance becomes the responsibility of the property owner, with responsibility passing to future property owners. If subsequent review by Atchison County Road and Bridge Superintendent determines installation did not meet County requirements, the County may correct the installation and these costs shall be assessed to the property owner.
  - Landowners should notify Road & Bridge Department at least two days in advance of installing the entrance. Road and Bridge Department will attempt to inspect the work while it is in progress in an effort to avoid costly repairs or reconstruction.
- Atchison County is not responsible for any culverts or drainage structures not located within the County right-of-way.

## MAILBOXES

- Mailboxes shall conform to general U.S. Postal Service rules and regulations for curbside delivery. The box, measuring from the door, should be 6 to 8 inches from the road edge. The lower level of the box should be 41 to 45 inches above the road surface. The mailbox post should reach no more than 24 inches deep into the ground. Per Federal Highway Administration recommendation, the post should be either a 4-inch x 4-inch wooden post or 2-inch metal post.
- Mailboxes shall be positioned so as to not interfere with use of the road or drainage associated with the road.
- No more than two mailboxes may be mounted on a support structure unless crash tests have shown the support structure and arrangement to be safe (light-weight newspaper boxes may be mounted below the mailbox on the side of the mailbox support). If installing a box at a new address, mailbox should be located on the right-hand side of the roadway in the carrier's direction of travel route near the driveway entrance.
- Mailboxes supported by structures composed of masonry or stone, metal posts larger than 2 inch inside diameter, railroad rails and/or ties, tractor wheels, wood posts larger than 4 inches square or 4 inches diameter (nominal measurements), or large receptacles filled with sand or concrete are roadside hazards and are not allowed.
- Any mailbox that is positioned to violate any of these guidelines shall be removed by the postal patron upon notification by the County. At the discretion of the County, based on assessment of hazard to the public, the patron shall be notified, and granted not less than 24 hours or no more than 30 days to remove an unacceptable mailbox. After the specified period has expired, the unacceptable mailbox will be removed by the County at the postal patron's expense.

## DUST CONTROL

- Atchison County does not provide dust control on gravel roads. Individual landowners may choose, at their own expense, to apply dust control. We recognize that routine blading of roads tends to diminish the effectiveness of dust control applications. In order to preserve the effectiveness of owner-applied dust control, we will attempt to minimize maintenance of the dust control areas to maximize its life and effectiveness. This means we will reduce blading in those areas, which may cause the affected roads to be less smooth and more prone to potholes. However, if road conditions require maintenance, Atchison County will maintain the road as required which can affect the performance of the dust control. (Please see attached Dust Control Acknowledgment.)

## SPECIFICATIONS FOR ENTRANCE/CULVERT INSTALLATION

1. **Materials and Work:** All work and materials shall be in accordance with the approved application and any attached drawings.
2. **One Call:** If any excavation is required, notify **Kansas One-Call at 811** at least (3) business days in advance to have buried utilities marked.
3. **Notification:** Notify Atchison County Road and Bridge Department office two (2) days in advance of actual work, phone (913) 804-6120.
4. **Traffic Control:** Traffic Control and Maintenance of Traffic shall conform to the Manual of Uniform Control Devices (MUTCD) latest edition.
5. **Ditch Excavation:** Ditch excavation shall be as necessary to provide proper cover over the top of the culvert and proper location from the road. All ditches and culverts shall have positive drainage flow upon completion of the work.
6. **Cover:** Minimum of 9" of cover is required over the top of the culvert unless otherwise approved by the Atchison County Road and Bridge Superintendent. This includes rock surfacing.
7. **Setting Culvert:** Culvert shall have at least a 2% slope unless otherwise approved by the Atchison County Road and Bridge Superintendent.
8. **Boring:** In the event that a utility wants to cross a county road, boring and utility encasement will be required. Please see Atchison County Right-of-Way permit for further information and application.
9. **Crushed rock backfills:** AB-3 backfill and surfacing material meeting Kansas Department of Transportation Specifications (latest edition) is required for all installations. All backfill material should be tamped to within 90% of Optimum Density. Outside two (2) feet of fill material at each end of the culvert shall be soil material capable of growing vegetation.
10. **Cleanup:** Site shall be clean of all surplus and deleterious material. Disturbed areas shall be smooth graded and loose rock material picked up. Notify the Road and Bridge Department office to obtain inspections.
11. **Curb & Gutter:** If curb & gutter is being installed on the driveway and there is no curb on the road, then the curb should be stopped at the back of the ditch.



**I have read and agree to all Specifications for Entrance/Culvert Installation.**

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**Property Owner Name**

**Date**

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**Road & Bridge Personnel**

**Date**

**ATCHISON COUNTY ROAD & BRIDGE  
ENTRANCE/CULVERT APPLICATION**

613 S. 22nd St. | Atchison, Kansas 66002 | PH: 913.806.6120 | Email: roads@atcoks.org

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**Application**

(To be completed by applicant)

Applicant Name: \_\_\_\_\_ Address: \_\_\_\_\_

City, ST, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_ Date: \_\_\_\_\_

Location of Proposed Driveway or Field Entrance: \_\_\_\_\_ or \_\_\_\_\_

(911 address if known) (Road, Section, Township, Range)

Check one:

New Construction: \_\_\_ Driveway Entrance: \_\_\_\_\_ Other (describe): \_\_\_\_\_

Brief Description: \_\_\_\_\_

County ditch along road? YES \_\_\_\_\_ NO \_\_\_\_\_

Is there any existing driveway entrance? YES \_\_\_\_\_ NO \_\_\_\_\_

As the owner of the property to be accessed by the entrance, I have received, read, understand and approve this application request. (Please check one)

\_\_\_ Request Atchison County to construct the entrance as time permits.

\_\_\_ The person actually constructing the entrance will be as follows:

\_\_\_\_\_

(name)

(address)

(telephone)

**Notice:** If this application is for supplemental driveway culvert(s), property owner will be responsible for all costs associated with the new culvert(s), including labor and materials for installation and maintenance. If the application is for A) culvert relocation, B) culvert extension or C) replacement of a property-owner damaged culvert, property owner will be responsible for all installation costs associated with the new culvert(s), including labor and materials. The project may be subject to engineering review.

**Incomplete Applications will not be reviewed.**

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(Land owner's printed name)

(Land owner's signature)

(date)

**Be Sure to Attach a Map and Sketch of the Proposed Driveway or Entrance**

**ATCHISON COUNTY ROAD & BRIDGE**

# ENTRANCE/CULVERT APPLICATION

613 S. 22nd St. | Atchison, Kansas 66002 | PH: 913.806.6120 | Email: roads@atcoks.org

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## Review / Approval

(To be completed by County Representative)

Is Atchison County responsible for entrance/culvert? YES\_\_\_\_\_ NO\_\_\_\_\_

Does entrance meet AASHTO safety requirements? YES\_\_\_\_\_ NO\_\_\_\_\_

Does mailbox meet Atchison County Road Policy guidelines? YES\_\_\_\_\_ NO\_\_\_\_\_

Is a culvert required? YES\_\_\_\_\_ NO\_\_\_\_\_

If **yes**, what diameter and what length? \_\_\_\_\_Diameter \_\_\_\_\_Length

**Application:**

**Approved or Denied**

**(Attach Explanation)**

**R & B Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

*\*\*Please note: applications are valid within 90 days of approval signature. After 90 days a new application will be required.*

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(Printed Name of Authorized R & B Personnel)

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(Signature of Authorized R & B Personnel)

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(Date)

# Dust Control Acknowledgement

## Atchison County Road & Bridge Department

Address: 613 South 22<sup>nd</sup> St, Atchison, KS 66002 | PH: 913.804.6120 | Email: roads@atcoks.org

**DUST CONTROL REQUIREMENTS:**

1. Customer must notify Road & Bridge Department by **April 1** annually of their intent to apply dust control.
2. All dust control products must be approved by the Environmental Protection Agency and Atchison County Road & Bridge Superintendent.
3. Atchison County will not be responsible for any damage caused by a dust control product.
4. Customer will pay for all dust control products applied to roads.
5. Customer will be required to display appropriate signs at the time of application at the starting and ending points and at any intersecting roads in between. Please see attached sign description and requirements.
6. The Dust Control Acknowledgement Form must be turned in to the Atchison County Road & Bridge Department at least two (2) weeks in advance of the application of any dust control product.
7. Atchison County will do everything possible not to disturb the product applied to the roadbed. If it becomes necessary to maintain the road for any reason, work required will be done. Atchison County will not be responsible for loss of dust control product due to road maintenance.

I, \_\_\_\_\_ acknowledge and agree to comply with the above dust  
Customer Name

control requirements including, but not limited to, displaying appropriate signs at the starting and ending points and at any intersecting roads in-between. The dust control product,

\_\_\_\_\_ will be applied by \_\_\_\_\_  
Dust Control Product Name Dust Control Company Name

on \_\_\_\_\_ to \_\_\_\_\_  
Dust Control Application Month, Day, Year Address

beginning at \_\_\_\_\_ and ending at \_\_\_\_\_  
Description (Road Intersection, House Number) Description (Road Intersection, House Number)

in \_\_\_\_\_ .  
City, State & Zip Code

I understand that Atchison County will do everything possible not to disturb the product applied to the roadbed. I also understand that it may become necessary to maintain the road. Work required to keep the roads safe will be done and Atchison County will not be responsible for loss of dust control product due to road maintenance.

\_\_\_\_\_  
Signature Phone Number Date

**Dust Control Company:** Please return this completed form to Atchison County Road & Bridge Department at least two (2) weeks prior to any dust control services being applied.

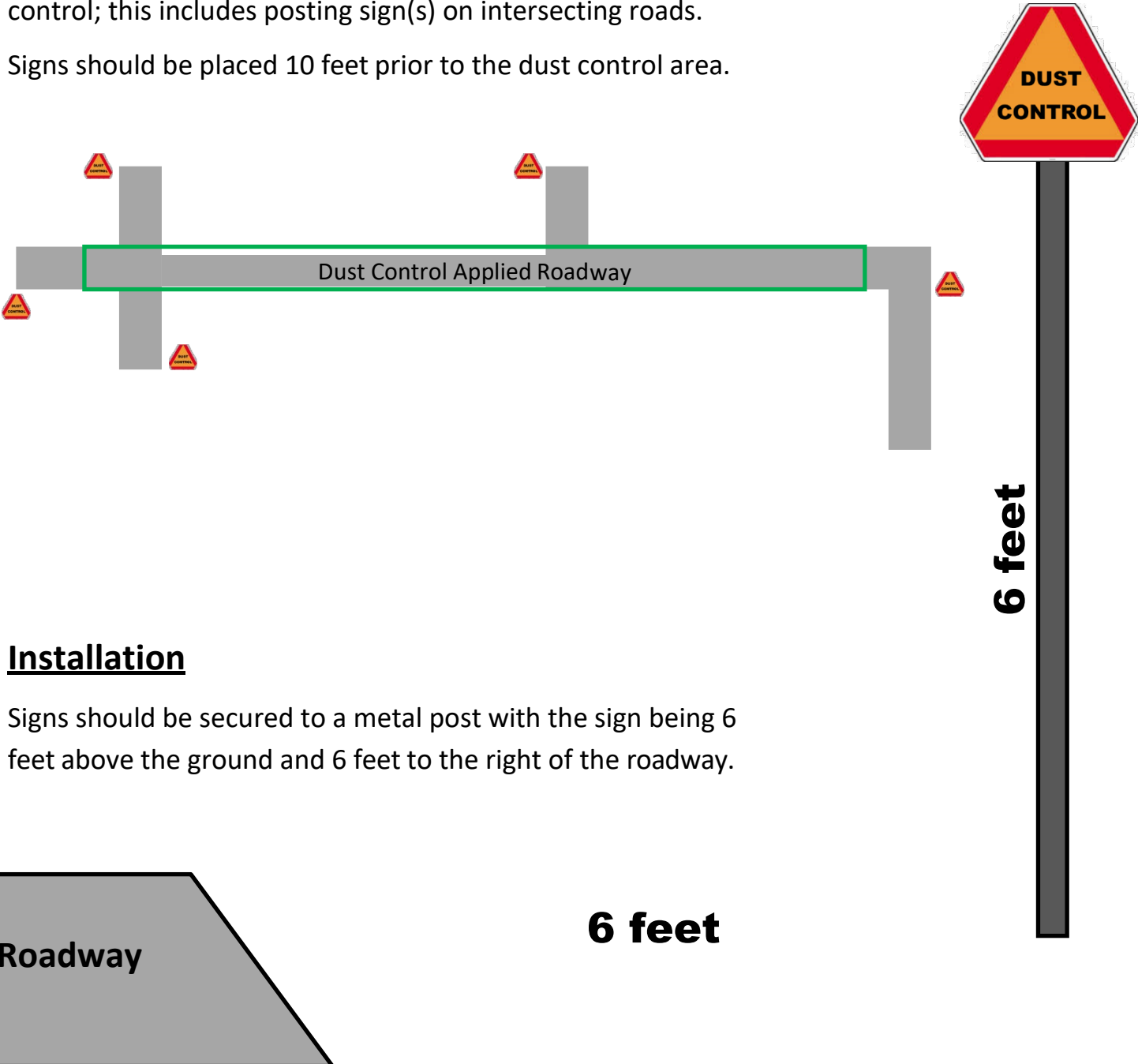


**Sign Description**

16" x 14" reflective aluminum sign (often used for slow moving vehicles) with "DUST CONTROL" in vinyl letters  
Attached to a metal post for a 6 feet installed height.

**Placement**

Signage is needed to identify any roadway with applied dust control; this includes posting sign(s) on intersecting roads.  
Signs should be placed 10 feet prior to the dust control area.



**Installation**

Signs should be secured to a metal post with the sign being 6 feet above the ground and 6 feet to the right of the roadway.

# Atchison County Right-of-Way Permit Application

The Applicant(s) named below agree(s) to comply with all Atchison County permit requirements. The County reserves the right to inspect and approve any construction work performed within its right-of-way as it relates to the condition of the highway. Compliance shall be determined by the sole discretion of the duly authorized Atchison County Road and Bridge Superintendent. The requirements herein shall apply unless, due to unique local conditions, said County representative waives them in writing prior to installation. This permit is not intended to conflict with any utility owner's rights or duties, or with state or federal regulations.

**Utility Owner:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Sub Contractor:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Brief description of scope and location of work:**

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## Conditions and Restrictions:

1. **Location Plan**: The Applicant shall furnish a completed location plan as an attachment to this Right-of-Way Permit application. This plan shall clearly identify road names, illustrate the proposed line, placement location in respect to right-of-way (ROW) and section line of the road(s) involved, and a description of the installation along the entire route. Plans shall be provided in electronic format. The work shall be completed within ninety (90) days after a Permit application is approved; otherwise the Permit becomes null and void, unless an extension of time is approved.
2. **Inspection**: The County may provide an inspector during the installation of all lines to ensure compliance with the Right-of-Way Permit. The utility facility owner shall provide reasonable cooperation.
3. **Purpose**: The purpose of this Right-of-Way permit is to manage the use of public road rights-of-way by public or private utility companies. However, private utility companies shall need to obtain authorization from the appropriate property owner for the establishment of their utilities. Public utility companies have been granted authority by law to place their utilities within public road rights-of-way as long as it does not interfere with or endanger travel on said roadway. By this permit, Atchison County reserves the right to impose current county requirements when applicable to this project, but no such County requirement may be in conflict with any federal or state law, code or regulation.
4. **Requirements**:
  - a. The utility will be installed and maintained in such a safe and proper condition that it will not interfere with or endanger travel upon the roadways.
  - b. Buried utilities in Atchison County shall be set at a minimum depth of thirty-six (36) inches below ground level. The County may require additional depth in areas identified as being silted or scheduled for future excavation.
  - c. Contractor shall notify Atchison County 24 hours prior to beginning work, and 24 hours before the completion of the work.
  - d. Utilities shall not be placed over drainage structures.
  - e. Construction signing shall be provided by the Applicant and shall comply with the Manual on Uniform Traffic Control Devices.
  - f. One lane of traffic shall remain open at all times during the entire project. In extreme cases, the County will allow closure of the road for less than twenty-four, (24), hours if prior approval is obtained.
  - g. Applicant will be responsible for notifying all emergency services, postmasters, and affected homeowners and school districts. Private entrances shall not be closed overnight and shall be opened for access as promptly as possible.
  - h. Applicant shall provide the Kansas One-Call confirmation number upon request
  - i. Within seven (7) days after the completion date or repair to an existing utility, all excess dirt or obstruction caused by the installation or repair must be removed.

- j. Areas within the ROW damaged by the installation shall be repaired and restored to at least its former condition by the Applicant or the cost of the repair work caused to be performed by the County will be assessed against the Applicant. Any areas where vegetation is damaged shall be re-seeded utilizing vegetation similar to the surrounding areas. An established stand of vegetation shall be required.
  - k. Erosion problems resulting from construction shall be resolved by the Applicant at the expense of the Applicant in a manner approved by the County.
  - l. Methods of backfilling and compacting of open trenches and/or excavation shall be included in the permit, and will be subject to the approval of the County.
  - m. All roads will require road bores and utility encasement.
  - n. A copy of the approved agreement shall be in the possession of the contractor during construction and presented upon request.
5. **Non-Conforming Work**: The County may halt the installation at any time if the applicant's work does not meet the requirements set forth in this Right-of-Way Permit.
6. **Hold Harmless**: The Applicant, his successors, or assigns shall save this County harmless from any and all damages resulting from the negligence or non-compliance of the Applicant. A copy of a certificate of insurance naming this County as an additional insured for the permit work or proof of self-insurance shall be provided to the County prior to beginning of work. The minimum limits of liability under the insurance policy or the proof of self-insurance shall be \$1,000,000.
7. **Revocation or Suspension of Permit**: Failure to abide by the conditions in this permit may result in immediate suspension of this permit, resulting in immediate stoppage of all construction work until issues are corrected. All previous installations and/ or ownerships currently within the County right-of-way shall also be subject to these requirements and stipulations when making alterations, maintenance, and repairs.
8. **Relocation**: In the event the County deems it necessary to make alterations or improvements to the road ROW after completion of the project, the Applicant shall, at its own expense, remove or relocate utilities to accommodate and conform to such improvements as directed by the County.



**Special Conditions and Comments:**

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**Company/Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**County Approval:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Map/Sketch:**