



**BULLOCH COUNTY  
ROADS, HIGHWAYS AND BRIDGES  
ADMINISTRATIVE POLICIES**

**ADOPTED:**

**MAY 6, 2008**

## TABLE OF CONTENTS

1.0	PURPOSE	3
2.0	DEFINITIONS	4
3.0	WORK ON PRIVATE PROPERTY	6
4.0	DRAINAGE ON PRIVATE PROPERTY	7
5.0	EMERGENCY WORK ON PRIVATE ROADS	8
6.0	MAINTENANCE OF PUBLIC ROADS AND DRAINAGE WAYS	9
7.0	DRIVEWAY INSTALLATION AND MAINTENANCE	11
8.0	STREET NAME SIGNS	14
9.0	TRAFFIC ENGINEERING	15
10.0	SURPLUS DIRT	16
11.0	MAJOR CONSTRUCTION PROGRAMMING	17
12.0	STANDARDS FOR ACCEPTING, IMPROVING AND MAINTAINING NEW STREETS AND STORM DRAINAGE	19
13.0	ABANDONMENT OF PUBLIC ROADS AND RIGHT-OF-WAYS	24
14.0	TEMPORARY CLOSING OF STREETS AND ROADS	26
15.0	EMINENT DOMAIN	27
16.0	ENCROACHMENTS AND EASEMENTS ON, OVER, UNDER AND ACROSS PUBLIC STREETS AND PROPERTY	29

## **1.0 PURPOSE.**

The purpose of these policies is to define the mission, responsibilities and limitations of the County Department of Roads and Bridges and shall apply to all lands within the jurisdiction of the county and within the jurisdiction of those municipalities that agree, through intergovernmental service contracts, to have these provisions administered within their corporate limits. Unless otherwise defined herein, the County Manager shall be responsible for the administration of these policies.

## 2.0 DEFINITIONS.

The following definitions apply to words and terms used in these policies. All other words shall have their usual and customary meaning unless otherwise indicated.

*County.* Bulloch County, Georgia, its Board of Commissioners or its administrative staff acting on its behalf.

*County road system.* All those public highways, streets and roads, paved and unpaved, that have been acquired and incorporated into the county road system through gift, devise, exchange, purchase, prescription, dedication, eminent domain, or any other manner provided by law.

*County department of roads and bridges.* A department of the County Transportation Division under the Board of Commissioners. May also be referred to as county forces.

*Driveway.* Any paved or unpaved private way which is intended for vehicular access from a highway, street or road to one or more residences or businesses or parcels or property.

*Easement.* a legal interest in real property that grants the right to use in some specified manner the property of another; often, specif., the right to enter upon or pass over another's land

*Emergency.* A situation that produces an eminent threat to life or property.

*Functional classification.* Refers to a road's role, or "function", in an area's roadway system.

*GDOT.* Acronym for Georgia Department of Transportation.

*Group development.* A land use consisting of two or more units, including, but not limited to shopping centers, apartments or multi-family complexes, or a planned development as defined in the Bulloch County Zoning Ordinance.

*Highway, street or road.* The terms "highway", "street", and "road", as used herein, shall be general terms denoting a public way for the purpose of vehicular travel. The terms shall refer to the entire area within the right-of-way to include roadways, pedestrian facilities, bridges, tunnels, viaducts, drainage structures and all other facilities commonly considered component parts of highways, streets or roads. These terms are used interchangeably herein.

*Motif signs.* A decorative non-county issued sign that is not a standard sign accepted by the Manual of Uniform Traffic Control Devices.

*Private road.* As it is used in this article, a private road refers to a road that is not maintained by any public entity such as the County, the Georgia Department of Transportation (GDOT) or a municipality. Depending upon the granting of easements and accepted use, private roads may be used by those other than the property owners.

*Public road.* A public road refers to a road that is maintained by a public entity. This would include all roads in the county road system. In this case, the public is clearly entitled to use the road.

*Right-of-way.* A strip or parcel of land occupied or intended for occupancy by a street, road, railroad or other special use. Fee simple title may or may not be granted to the agency or entity acquiring the right-of-way, but the property is dedicated exclusively for the intended use and is platted separately and distinct from the adjoining lots or parcels.

*Security for performance or maintenance.* A surety bond, bank letter of credit, escrow account or similar instrument that provides a guarantee of performance or maintenance of construction activities on a proposed or existing right-of-way.

### **3.0 WORK ON PRIVATE PROPERTY.**

Generally county forces are prohibited from performing any work on private property not specifically authorized under the provisions of this section except in emergency situations involving public health or safety and authorized, in writing, by the County Manager.

#### 4.0 DRAINAGE ON PRIVATE PROPERTY.

Generally, the maintenance of drainage structures or facilities on private property is the responsibility of the property owner. However, in selected and warranted circumstances described below, maintenance, repair or construction by county forces may be warranted.

**Approval Procedure:** The County Manager may approve such work as an advanced level of service if he/she determines that **a clear and substantial public interest** is served in the correction, maintenance or improvement of a drainage structure or facilities. Drainage improvements and/or maintenance will be undertaken by county forces on private property only under conditions below.

<b>Conditions for Approval</b>	<b>Criteria for Approval</b>
<ul style="list-style-type: none"><li>• A disaster, state of emergency or serious health hazard, as designated by county or state health officials affecting multiple residences.</li><li>• A malfunction of the drainage system within the right-of-way.</li><li>• Problems associated with projects constructed by the county.</li><li>• A problem with the structural integrity of the existing drainage infrastructure of the county.</li></ul>	<ul style="list-style-type: none"><li>• Before any work is performed by county forces under these circumstances, temporary drainage easements will be obtained and granted to the county for any existing or proposed drainage facilities on all private property.</li><li>• Permanent easements for maintenance of drainage facilities will not be accepted unless recommended by the County Engineer, and provided the property owners hold harmless and release the county from all claims resulting from deficiencies of the facilities.</li></ul>

## 5.0 EMERGENCY WORK ON PRIVATE ROADS.

Generally, the maintenance of private roads is the responsibility of the property owner. However, in selected and warranted circumstances described below, removal of storm debris by county forces may be warranted.

<b>Approval Procedure:</b> The Transportation Director may approve such work, upon consulting with the Public Safety Director, if they determine that access to such roadway is necessary for the performance of one or more emergency functions.	
<b>Conditions for Approval</b>	<b>Criteria for Approval</b>
<ul style="list-style-type: none"><li>• Imminent threat or danger to life or property.</li></ul>	<ul style="list-style-type: none"><li>• Any work will be done on a one-time basis only.</li><li>• The work of county forces is limited to the minimum improvements that will allow full and immediate access to the affected residences.</li><li>• County maintained roads will take priority. Routine maintenance will not be provided thereafter.</li></ul>



## 6.0 MAINTENANCE OF PUBLIC ROADS AND DRAINAGE WAYS.

Maintenance by county forces may occur on paved roads dedicated for public use provided that they have been accepted according to County standards.

Maintenance by county forces may occur on unpaved roads dedicated for public use regardless of whether or not the dedication was by law or usage. All unpaved roads which have come to be public roads by the exercise of unlimited public use for the preceding seven (7) years or more, and which have been maintained by the county for the preceding seven (7) years or more, shall be deemed dedicated and maintained. The county will claim a prescriptive easement for all unpaved roads deemed to be dedicated as public roads by usage, which will be comprised of the land actually maintained by the county as part of the road.

The County Engineer shall periodically update the existing county road map to distinguish county maintained roads, both paved and unpaved.

Maintenance of public roads and drainage ways shall be distinguished between minimum and advanced levels of service to be provided by the County Department of Roads and Bridges. These levels of service shall define the standard for each type service on paved and unpaved roads, and authorization procedures.

<b>Minimum Level of Service</b>		
<b>Standard:</b> This level of maintenance shall typically consist of a minimum level of service that includes the restoration and repair of the travel way to the safe and usable condition.		
<b>Authorization:</b> The Transportation Director or his/her designee may establish schedules and approve work orders originating from service requests for this type of maintenance.		
<b>Service Provided</b>	<b>Unpaved</b>	<b>Paved</b>
Grading and surface maintenance.	X	X
Application of aggregates to stabilize existing roadways.	X	X
Installation and replacement of street name and traffic control signs.	X	X
Vegetation control, including, but not limited to, cutting back overhanging branches, mowing road shoulders on unimproved properties, and chemical spraying.	X	X
Removal of dead trees will be done on private property at the discretion of the Transportation Director only when there is a clear and imminent danger that they will fall on to a public road. The tree will be placed on the owner's adjacent property outside of the right-of-way or easement. The debris will not be disposed of by the county.	X	X
Reshaping of roadside drainage channels and slopes.	X	X
Cleaning replacement or repair of cross-pipes and culverts.	X	X
Base and sub-base repair.	X	X
Litter control.		X
Pothole patching and surface maintenance.		X
Driveway installation and replacement (see Section 7.0).	X	X

<b>Advanced Level of Service</b>		
<b>Standard:</b> This level of maintenance shall consist of extended maintenance costs associated with a change of minimum level of service, whether existing or proposed.		
<b>Authorization:</b> The County Manager may approve work orders originating from service requests or recommendations from the Transportation Director for this type of maintenance.		
<b>Service Provided</b>	<b>Unpaved</b>	<b>Paved</b>
Extension of road surface length or width.	X	X
Change in grade of two or more feet (>2").	X	X
Change in location, alignment and deviation of roadway.	X	X
Relocation or expansion of storm drainage pathways, pond dams or roadside ditches.	X	X
Hydro-seeding and erosion control.	X	X
Guard rail repair.	X	X
Traffic control sign and device repair.	X	X
Drainage on private property with a clear public interest.	X	X
Any construction or reconstruction of a specific project with expected, projected or anticipated costs which exceed \$5000.00.	X	X

## **7.0 DRIVEWAY INSTALLATION AND MAINTENANCE.**

### **7.1 General**

The installation of any new driveway in the county shall be governed by the "Bulloch County Public Road Right-of-Way Ordinance." This ordinance shall require a permit to be granted by the County Engineer or his/her designee and paying such fees as may be required for the purchase and installation by the county of pipe necessary to ensure the unobstructed flow and drainage of water within such public rights-of-way. While the County Engineer may waive the county installation of pipe he/she deems is not necessary to achieve the purpose of the county ordinance, these policies shall require a permit and adherence to installation standards for various types of driveway installation by private contractors, individuals and other entities. Such permit shall be accompanied by a processing and review fee subject to the Board of Commissioners' adopted schedule of fees and charges.

Minor maintenance of existing driveway facilities by property owners in the right-of-way does not require a permit. This would include re-coating an existing asphalt driveway with sealer or cleaning out a clogged culvert pipe. However, any excavation of the driveway apron or the adjacent area of the right-of-way does require a permit. The county will only maintain those items that it installs. In the event that a property owner wishes to pave their driveway apron, the county will assume no further maintenance of the apron. On dirt roads, paved aprons will not be allowed.

### **7.2 Residential Driveways**

Permits for the installation of residential driveways are required along county maintained roads are administered by the County Engineer who upon request for a permit will advise the petitioner regarding location, grading plan (from the outer edge of the shoulder of the road to the right-of-way line) and pipe to be placed under the driveway. If the County provides installation of the driveway, the permit fee shall be waived, in-lieu of the installation cost.

#### **Installation Standards:**

- 1) All residential driveways on a state highway shall be installed in accordance with Georgia Department of Transportation (GDOT) standard specifications.
- 2) Driveway pipe width must not be less than sixteen (16') feet and no more than thirty-two (32') feet long. The County Engineer or his designee may waive this standard as appropriate.
- 3) Apron finish shall match the driveway extending from the dwelling to the right-of-way line, unless waived by the County Engineer.
- 4) If the driveway is paved, but without curb and gutter (or along a road with an inverted crown used for drainage), there should be at least a two (2') foot shoulder along the drive and around the radii before beginning the slope down to the drainage ditch.
- 5) The front slope, back slope and the slope around the end of the drain pipe under the drive, if present, should be the same as if it were a commercial driveway.
- 6) Where the ends of side drain pipe are exposed to traffic inside the clear zone, the County Engineer may require safety slope end sections.
- 7) All side drain pipes larger than thirty-six (36") inches must have an inlet and an outlet headwall. Only safety headwalls or those specifically approved by the County Engineer are allowed.

### 7.3 Commercial and Group Development Driveways

Commercial and group development driveway permits are required on county maintained roads. Permits are administered by the County Engineer who will advise the petitioner regarding location, grading plan (from the outer edge of the shoulder of the road to the right-of-way line) and pipe to be placed under the driveway. These types of driveways will be installed by the applicant at their own expense and according to the following requirements.

Owners/developers of commercial developments accessing county roadways utilizing existing driveway cuts shall be required to submit development plans indicating onsite traffic movement and site ingress and egress to the County Engineer for review and approval.

#### Installation Standards:

- 1) All commercial driveways on a state highway shall be installed in accordance with GDOT standard specifications.
- 2) All commercial driveways designed for two-way operation shall have a minimum throat width of twenty-four (24') feet and a maximum throat width of thirty (30') feet, measured at right angle to the centerline of the driveway at the rights-of-way line.
- 3) All commercial driveways designed for one-way operation shall have a minimum throat width of sixteen (16') feet and a maximum throat width of twenty-four (24') feet, measured at right angle to the driveway centerline at the rights-of-way line. Driveways operated for one-way traffic shall be so designated and have signage installed accordingly as directed by the County Engineer at permittee's expense.
- 4) All commercial driveways shall meet the traveled way with a curve having a minimum radius of twenty-five (25') feet. Larger radii may be required as directed by the County Engineer.
- 5) Channelizing islands at the driveway intersection are required on arterials or major collector roads as directed by the County Engineer.
- 6) Driveway storage should be of sufficient length to keep stopped vehicles from blocking the path of entering vehicles or vehicles traveling within the site. The County Engineer may require a longer throat length or a median in the driveway.
- 7) Commercial driveways located closer than one-hundred (100') feet apart will be required to be paved along the intervening roadside shoulder and provided with necessary appurtenances, if serving the same abutter.
- 8) Each parcel that is in ownership separate from the ownership of contiguous parcels shall be entitled to at least one curb cut per street front.
- 9) A curb cut shall be no less than one-hundred (100') feet from an intersection with a street.
- 10) Where there is more than one driveway serving the same parcel, curb cuts shall be at least one-hundred twenty five (125') feet apart where practical.
- 11) When both property owners abutting a common property line agree, they may construct a joint commercial driveway which shall meet the same rules regarding width as all other commercial driveways and all the rules regarding location of commercial driveways, except that pertaining to location in regard to property lines.
- 12) Shared driveways are encouraged, and where practical a driveway that is not a shared driveway shall be at least fifty (50') feet from a side or rear property line.
- 13) The owner may be required to improve the driveway cut to accommodate the proposed development or eliminate the existing drive.
- 14) Where deemed necessary, the property owner shall provide deceleration and/or acceleration lanes, curb and gutter and underground drainage as an integral part of the commercial driveway.

#### 7.4 Farm Use Driveways.

The permitting of farm use driveways will be determined on a case by case basis. Approval will depend on such factors as:

- 1) the depth of the existing or proposed drainage ditch swale in front of the property; and,
- 2) the level of traffic on the road and diameter of the pipe required to accommodate the anticipated storm water flow.

#### 7.5 Forestry and Mining Driveways.

These driveways will be treated in the same manner as residential driveways.

#### 7.6 Other Engineering Criteria

The County Engineer, at his discretion, may utilize criteria contained in the *GDOT Driveway and Encroachment Control Manual* as a guide in evaluating access management and approving permits, where appropriate.

## **8.0 STREET NAME SIGNS.**

### **8.1 Generally**

The county shall maintain, repair and re-install standard street name signs on all public and private streets of the county under inventory for enhanced delivery of emergency 911 services. Developers of

### **8.2 Sign Standards for Publicly Maintained Signs**

Standard street name signage for publically maintained signs will consist of fiberglass on wood posts, or as otherwise determined by the County, and will consist of the following:

- 1) A white reflective lettering a minimum of four (4) inches high on a reflective background.
- 2) A green background will denote a public road.
- 3) A blue background will denote a private road.

### **8.3 Sign Standards for Motif Signs in Subdivisions and Group Developments**

The developer (or, common interest element such as a property manager or homeowner's association) of any new subdivision or group development constructed within the county is responsible for the cost of installing and maintaining of motif street name signs in accordance with an approved signage plan. Such plan shall be submitted along with the final subdivision plat to the County Engineer for approval. All street signs shall comply with the county's design standard for retro-reflectivity. Overhead signs with a county motif may be installed at selected intersections at the discretion of the County.

## **9.0 TRAFFIC ENGINEERING.**

### **9.1 County Responsibility**

Generally the county shall adhere to design and engineering standards promulgated by the Georgia Department of Transportation, except where they may vary from or are less restrictive than the county land development regulations for residential subdivisions, by conditions of re-zoning, or where they may vary within the context of these policies at the discretion of the County Engineer. Traffic control devices on county maintained highways, streets and roads shall be in accordance with the Manual on Uniform Traffic Control Devices as adopted by the Georgia Department of Transportation.

### **9.2 Private Responsibility**

The developer of any new subdivision or group development constructed on a county maintained highway, street or road is responsible for the initial installation of all necessary traffic control devices in accordance with an approved traffic control or signage plan. The county shall maintain the devices after acceptance of the streets.

## **10.0 SURPLUS DIRT.**

The County may secure agreements with land owners of private property for the excavation, and off-site hauling and disposal of dirt needed for county projects. Surplus dirt excavated for county projects, which must be hauled away and disposed of off-site, may be placed on private property, with the property owner's consent, provided that:

- 1) Disposal there is more economical than hauling the dirt to the nearest county owned disposal site.
- 2) The property owner releases and holds the county harmless for any damages or liability resulting from placement of the dirt on his property.



## **11.0 MAJOR CONSTRUCTION PROGRAMMING.**

### **11.1 System Improvements**

All public funds available to the county for transportation system improvements expended in accordance with a comprehensive transportation improvement plan may apply to:

- 1) Road construction and rehabilitation (paving, widening, and resurfacing)
- 2) Traffic safety projects (intersection improvements, re-alignment, turn lanes, signalization, guard rails, striping, etc.)
- 3) Bridge construction and rehabilitation.
- 4) Drainage improvements.
- 5) Sidewalks.

The County Manager or his/her designee will be responsible for implementing systematic programs for construction funds approved by the Board of Commissioners.

### **11.2 Road Construction and Rehabilitation**

Road construction and paving projects administered by the county and funded from public funds shall have the following basic characteristics:

- 1) Only county maintained roads are eligible for construction funding provided that lawful acquisition has taken place.
- 2) Construction will be accomplished in priority order at a rate permitted by availability of funding, except otherwise determined by the Board of Commissioners.

The County Engineer will acquire and maintain the following data on all roads proposed for paving:

- 1) Name.
- 2) County road number.
- 3) Map location code.
- 4) Beginning and ending points.
- 5) Length in miles and hundredths of a mile.
- 6) Number of homes accessed from the road.
- 7) Number of businesses accessed from the road.
- 8) Number of public facilities accessed from the road.
- 9) Maintenance difficulty factor.

Road construction will be prioritized in accordance with the rating factors used by the Georgia Department of Transportation. A road's paving may be given higher priority under the following circumstances.

- 1) The road is identified as a high priority system improvement by the current county transportation improvement plan.
- 2) Special assessment district is being established.
- 3) Lawful acquisition prior to construction has been accomplished.

In general, the county will observe the GDOT standards and specifications for the design and construction of improved county maintained roads along arterials and collectors. However, the

County Engineer, within his best judgment, may establish appropriate alternate design and construction standards for low volume rural roads as a means of ensuring maximum cost effectiveness of road paving funds.

### 11.3 Bridge Construction and Rehabilitation

The County Engineer will collect and maintain data on all bridges in coordination with the Transportation Director and the GDOT. The GDOT performs periodic bridge condition evaluations which will be used by the County Engineer to prioritize, and recommend construction and rehabilitation projects for programming. Such projects shall adhere to standards observed by the *GDOT Bridges and Structures Design Policy Manual*.

### 11.4 Drainage Improvements

The County Engineer will collect and maintain data on all drainage structures and roadside drainage ways in coordination with the Transportation Director and the GDOT. All drainage structures and roadside drainage improvements approved for major construction programming shall adhere to standards observed by the GDOT *Manual on Drainage Design on Highways*, and the *GDOT Bridges and Structures Design Policy Manual*.

### 11.5 Sidewalks

Public funds will be used for construction of sidewalks on arterial and collector streets only. The County Engineer shall be responsible for recommending and programming sidewalk construction projects where the principal focus for such program will involve the following.

- 1) The safety of children walking to school, or to school bus stops.
- 2) Neighborhood/ public recreation facilities.

Sidewalks on other local residential streets may be constructed by the county only within a special assessment district. All sidewalk constructions must adhere to standards observed by the *Americans with Disabilities Act Accessibility Guidelines*.

### 11.6 Intergovernmental Aid and Assistance

All system improvements for the primary benefit for other governmental agencies in Bulloch County shall follow the program structure through County's Intergovernmental Aid and Assistance policies.

## **12.0 STANDARDS FOR ACCEPTANCE, IMPROVEMENTS AND MAINTENANCE OF NEW STREETS AND STORM DRAINAGE.**

### **12.1 Minimum Acceptance Criteria**

Only those streets, roads, and drainage systems designed and constructed using County standards will be accepted for maintenance. The County accepts no responsibility for either new or existing private streets or drainage systems without fully executed and recorded easements and right-of-way deeds. The County may accept easements and rights-of-way dedications if review and inspection standards are met for:

- 1) Widths of easements and right-of-ways.
- 2) Road construction.
- 3) Placement of existing and proposed utility lines.
- 4) Any other road-related infrastructure authorized by the County upon the inspection and recommendation for approval by the County Engineer.

The Board of Commissioners may accept paved roads and drainage systems if all county standards are met and are based on the review and approval of the County Engineer and County Attorney.

### **12.2 Maintenance Standards Upon Acceptance**

The accepted road(s) will be subject to minimum level of service maintenance standards and will not be substantially or further improved by the county, except under a special assessment district, or unless otherwise approved as a priority project under major construction programming.

### **12.3 Administrative Variance**

The County Engineer can grant an administrative variance to acceptance standards if the proposed changes are minimal, or if it will not pose an undue burden or risk upon the County.

### **12.4 Special Conditions**

The Board of Commissioners may consent to accept a roadway with special conditions that do not conform to county road standards upon the recommendation of the Transportation Director, County Engineer, or the Planning Commission.

### **12.5 Street Frontage for Every Lot**

Only streets located in residential subdivision developments with lot frontage on the right-of-way will be accepted by the County.

### **12.6 No Interior Streets in Group Developments Accepted**

Interior street and drainage systems serving group developments such as private industrial parks, shopping centers, apartment complexes, condominiums and mobile home parks will not be accepted for maintenance by Bulloch County.

12.7 Construction Specifications

Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for work performed in connection with road construction and storm drainage construction shall conform to the latest standard specifications of the Georgia Department of Transportation (GDOT). Design criteria and standards not specifically set forth herein shall conform to the current edition of the American Association of State Highway Transportation Officials (AASHTO) Guidelines, except where specifically noted otherwise in the standards adopted by the County.

12.8 Right-of-Way Requirement

Acceptance by the County of a right-of-way deed from all the affected property owners for roads shall be based on functional classification. Easement widths within, or off of the right-of-way shall be determined by the County Engineer in concurrence with utilities or other public users. The GDOT has developed a functional classification system mapped for all roadways within the state. Urban classifications are those places within boundaries, which have a population of 5,000 or more. Roadways within these established urban areas carry urban roadway functional classification categories. Areas outside these urban areas shall utilize rural functional classification categories.

The functional classification system groups the streets and highways according to the service they are intended to provide. The *arterial* roadways provide direct service between cities and towns. The *collector* roadways collect traffic from the local roads and streets that are accessing land uses and distribute them onto the arterials and major thoroughfares. All roadways shown without a functional classification designation are classified as *local* roadways. Each functional classification requires a different amount of right-of-way depending on the number of lanes and whether or not the roadway is a divided roadway or parkway.

The functional classification right-of-way guidelines established in the table below are to be used for planning purposes and are subject to modification in areas along a roadway where existing roadside development constricts the expansion of existing right-of-way widths. A development looking to locate along a roadway should be required to incorporate right-of-way need guidelines into their site plan as either an easement or setback. This will allow for less costly roadway improvements once the roadway reaches capacity and must be widened. Public agencies will benefit in this process through less expensive right-of-way purchases, and private businesses will benefit through minimal property disruptions as a result of a future roadway improvements.

Functional Classification Right-of-Way Guidelines		
Functional Classification	ROW	Comments
Interstate and four lane limited access	300	Additional ROW needed at interchanges and grade separation.
Urban or Rural Principal Arterial	120	140' feet needed if divided highway or parkway.
Urban Minor Arterial	100	Based on eventual need for five-lane roadway.
Urban Collector	80	Based on eventual need for three-lane roadway.
Rural Minor Arterial	100	Based on eventual need for five-lane roadway.
Rural Major Collector	80	Based on eventual need for three-lane roadway.
Rural Minor Collector	80	Based on eventual need for three-lane roadway.
Urban or Rural Local	60	Based on roadway remaining a two-lane roadway.

## 12.9 Special Assessment Where Required

Prior to accepting any new roads or storm drainage facilities for public maintenance, the affected developers or property owners shall bear the expense of any improvements required to meet County standards based on an estimate and design scheme prepared by the County Engineer.

## 12.10 Security for Performance and Maintenance

The developer shall be required to provide the County with security for the performance of the design and construction of new streets, signs, and drainage system(s) in accordance with these standards. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument that guarantees performance and shall be in an amount equal to 100% of the cost of the improvements. The security shall remain in effect until such time as the County accepts and assumes ownership of the new streets, signs, and drainage systems. At the time the County accepts and assumes ownership of the new streets, signs, and drainage systems, the developer shall be required to provide the County with security for the maintenance of the streets, signs, and drainage systems for a period of two (2) years commencing with the County's formal acceptance of same. The security shall be in the form of a surety bond, bank letter of credit, escrow account, or similar instrument that guarantees maintenance of the improvements and shall be in an amount equal to 90% of the cost of the improvements.

## 12.11 Inspection

The developer is responsible for the costs associated with providing all quality control/quality assurance testing and inspections required during construction of new roads and the associated drainage systems to ensure compliance with the applicable design and construction standards. However, the County Engineer is authorized to retain independent engineering or geotechnical consultants to perform all or part of the inspections and testing on behalf of the County if in his/her discretion it is necessary to do so, and may assess an inspection fee, sufficient to cover the County's cost for inspection and testing.

## 12.12 Traffic Impact Studies

In order to protect the integrity of the roadway system within the county, all developments requiring development review as listed below may be subject to access evaluation or traffic impact studies (TIS). Developments that are subject to access evaluation and/or a traffic impact study may include, but are not limited to:

- 1) Site Plan Review
- 2) Zoning Requests
- 3) Change of Use
- 4) Conditional Use Permit
- 5) Planned Unit Developments (PUD's)
- 6) Variances, and Remodeling/Additions to Existing Properties and Structures

The purpose of these studies is to evaluate the traffic impacts anticipated by the proposed use or change of use and to further minimize the impacts to the roadway system. In the case of a change of use for a currently developed property, the existing driveway number and location will be reviewed and shall be modified as required to conform to the requirements of the county as

provided herein. The developers of proposed properties shall carry the burden of all expenses for the studies and subsequent improvements, unless otherwise directed by the County Manager or the Board of Commissioners.

Access Evaluation: This type of study may be required for low traffic generators of less than one-hundred (100) trips in the peak hour of traffic or less than five-hundred (500) trips on an average day, and is intended to minimize impacts to the roadway system. A preliminary determination of the anticipated vehicle trips shall be based on the guidelines of the Institute of Transportation Engineer's (ITE's) Trip Generation Manual. This evaluation can be prepared as part of the site plan and need not require a registered professional engineer specializing in traffic. The scope of the evaluation shall concentrate on the subject property and the adjacent properties including properties across the road, and access issues within the immediate area of the proposed site. The requirements of the evaluation are for the most part required as part of the development review. The access evaluation shall include the following elements:

- 1) Identification of building size and use, driveways, parking areas, and drive aisles.
- 2) Identification of road details including right-of-way width, both existing and proposed, pavement widths, identification of vehicular lanes, and adjacent traffic control devices including stop signs and traffic signals.
- 3) Identification of adjacent access locations including properties across the road.
- 4) A formal request to the county for review of the access. This can be conducted with a site plan submittal or plat as part of the current staff development review process.

The results of the access evaluation may be subject to either these policies, the County Land Subdivision Regulations or the GDOT Driveway and Encroachment Control Manual at the discretion of the County Engineer. In the case of any conflict between the regulations, the more restrictive will generally apply.

Traffic Impact Study: A TIS shall be required for any development which involves a use (or re-use) of a property which is determined to produce one-hundred (100) vehicle trips or more in the peak hour or five-hundred (500) vehicle trips or more per day. A preliminary determination of the anticipated vehicle trips shall be based on the guidelines of the Institute of Transportation Engineer's (ITE's) Trip Generation Manual. In certain cases, supplemental traffic data based on actual data from similar developments can be included and considered. A licensed professional engineer shall prepare the TIS with experience in the area of traffic, transportation and/or transportation planning. The TIS shall include:

- 1) Level of Service (LOS) and Capacity Analysis: Evaluate existing and proposed LOS or capacity conditions as applicable on roadways and intersections. The difference in operations shall be considered the site impacts. If the access point is on an arterial or collector road LOS should be recalculated as necessary. Roadway improvements shall be developed to address the proposed site impacts.
- 2) Sensitivity Analysis: In special circumstances, typically involving large developments or developments on critical roadways, the county may require either sensitivity testing or 10 to 20 year traffic projections. Sensitivity testing would entail capacity analyses on incremental (5% to 20%) traffic increases. Traffic projections would require evaluation of future traffic operations based on an agreed annual growth rate. Operational impacts as a result of background traffic increases (sensitivity testing or traffic projections) may not be required to be mitigated unless such is a result of a phased development.
- 3) Peak-hour Analysis: Existing and proposed AM (7:30-8:30) and PM (5:00 and 6:00) peak hour trips.

- 4) Trip Generation Analysis: Evaluate existing and proposed trip generation. It should be noted that often trip generation data is based on limited sample size and, therefore, application of such could have varying results. Additionally, some land uses may not lend well to direct application of the Manual and upward or downward adjustments may be justifiable. An example of such might include trip rate factors for apartments in which the ITE Trip Generation Manual bases such on national apartment profile characteristics. However, in the case of the county, many of the apartment complexes house 2 to 4 students in a single unit. This would result in a higher number of vehicles than expected (4 vehicles versus 2) and higher trip numbers per unit.
- 5) Trip Distribution Analysis: Existing and proposed 24-hour directional traffic count on a typical weekday for each roadway or access point.
- 6) Internal Circulation Analysis: Evaluation of driveway lengths for vehicular queuing and lane needs, which would affect the operation of the public roadway system, should be addressed as part of the site impacts.
- 7) Traffic Impact Mitigation: Evaluation and recommendations of on-site and off-site roadway improvements to accommodate the additional predicted traffic to be generated by the site, including access management and safety improvements regarding warrants for additional turn lanes and channelization, medians and islands and signalization as provided in the GDOT Driveway and Encroachment Control Manual.

The results of the traffic impact study submitted to the county are not automatically binding. The county, at its discretion, may review the traffic study and may over-rule submitted recommendations.

## **13.0 ABANDONMENT OF PUBLIC ROADS AND RIGHT-OF-WAYS.**

### **13.1 Road Closing Petition.**

Any person or organization wishing to close an existing public street, road, or highway to public traffic, or to vacate a public easement granted to the county, may submit a petition for consideration by the Board of Commissioners in accordance with state law and under the following provisions.

- 1) Filing of the petition using a county form.
- 2) A processing and review fee subject to the Board of Commissioners' adopted schedule of fees and charges.
- 3) A plat or sketch of the road or portion of road that is proposed to be closed.
- 4) Signatures by all of the owners of property adjoining the road and by all of the owners of property who use the road as their only means of ingress/egress to their property.
- 5) The signatures shall be accompanied with a statement that the property owners release and indemnify the county from any duty to maintain the road.

The county staff shall schedule a public hearing before the Board of Commissioners for the purpose of determining whether the road or portion of the road that is proposed to be closed has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it. Notice of the date, time, and purpose of the public hearing shall be given to property owners located on the road and shall be published in the newspaper in which the sheriff's advertisements for the county are published once a week for a period of two weeks.

The county staff shall prepare a report prior to the public hearing. To the extent that the county staff has knowledge of such, the report will consider the following factors:

- 1) Source of Title: Does Bulloch County own fee simple title to the road/street or merely an easement for use by public for road purposes?
- 2) Present Use of Road, Street or Alley: Is the present use for the general public; limited use by a small group; or for the location of public utilities?
- 3) Past History: What use has been made of the road/street in the last seven (7) years?
- 4) Potential Need in the Future: Is the road or street in a growth area, or have transportation studies identified the road as a potential connector or corridor that would improve the transportation network?
- 5) Cost Involved in Abandoning Road/Street: Are there cost considerations, including legal costs that would make the abandonment prohibitive?
- 6) Availability of Other Means of Travel: Would abandonment cause an inconvenience to the general public, adjoining land owners or neighborhoods, delivery of emergency, utility, or other public services?

After a public hearing on such issue, the Board of Commissioners may declare that section of the county road system abandoned if the Commissioners find that it has ceased to be used by the public to the extent that no substantial public purpose is served by it. If the petition is approved:

- 1) The Board of Commissioners may declare the requested road or portion of road petitioned abandoned, and shall certify the action by record in its minutes. Thereafter, that section of road shall no longer be part of the county road system and the rights of the public in and to the section of road as a public road shall cease.



- 2) It shall be the responsibility of the petitioner to physically close the roadway, and, the County Engineer may require the property owners to place an appropriate sign alongside or at the end of the road.
- 3) If the abandoned road was a prescriptive public road, the County may execute quitclaim deeds to the property owners along the road at their request. If the abandoned road was a deeded public road, the County may dispose of the property in accordance with the provisions of Official Code of Georgia Annotated § 32-7-4.
- 4) No application for abandonment may be made, or considered, if any portion of the property sought to be abandoned has been the subject of an abandonment application filed, or considered by the Bulloch County Board of Commissioners, within the immediate preceding two years.

The failure to follow any of the above provisions shall not affect the validity of a road abandonment that otherwise complies with the requirements of Georgia law.

## **14.0 TEMPORARY CLOSING OF STREETS AND ROADS.**

### **14.1 Road Closing Petition: Regular**

Any party desiring to have any street or road temporarily closed in the county shall submit a written request to the County Engineer under the following provisions.

- 1) The petition (unless the county is the petitioner) shall be accompanied by a processing and review fee subject to the Board of Commissioner's adopted schedule of fees and charges.
- 2) All written requests must be submitted at least ten (10) days prior to the requested closing date.
- 3) All parties requesting such temporary closure shall designate one (1) person who shall act as spokesperson for the party, as well as supervise all activities for the duration of such closing.
- 4) The County Engineer shall consider, within five (5) days, all timely submitted requests made by such parties. If a public notice or press release is required, the permittee shall bear the cost.

### **14.2 Other requirements.**

- 1) If approved, the Transportation Director shall request the petitioner to take appropriate action to blockade the requested streets and/or roads to advertise to the public through the news media all approved temporary closings.
- 2) The cost of such advertising shall be borne by the parties requesting the temporary closures.
- 3) All streets and roads closed pursuant to this section shall be blockaded for a period normally not to exceed twenty-four (24) hours. Such duration, however, may be amended by the Transportation Director at his/her discretion on an event basis.

### **14.3 Road Closing Petition: Emergency**

Requests for temporary closing received less than ten (10) days prior to the requested closing date may be considered as an emergency closing if, in the opinion of the County Engineer, such closing is warranted; provided, that

- 1) Such action would not conflict with the public interest.
- 2) That there exists sufficient time for appropriate action to blockade requested streets and/or roads.
- 3) All applicants will be placed on notice that future requests must be submitted to the County Engineer ten (10) days prior to the requested closing date.
- 4) All petitioners shall meet requirements for regular road closing petitions.

## 15.0 EMINENT DOMAIN.

### 15.1 General

In general, the county will not compensate property owners for easements or rights-of-way on roads and bridges projects from which they directly benefit. Bulloch County sometimes recognizes that the use of eminent domain is necessary to provide public roads, bridges and associate drainage structures for public benefit. While the preference is to acquire through donation, the County Board of Commissioners will use the power of eminent domain to condemn private property judiciously and only under circumscribed instances. The Board of Commissioners may exercise their discretion to designate any road or transportation projects, and especially where eminent domain may be used for such purposes. The Board of Commissioners expects, without announcing a binding decision that it will not consider the offer of private funds to pay for road or transportation projects via eminent domain.

### 15.2 Baseline Criteria

The criteria used to consider condemnation for county road or transportation improvement projects by the Board of Commissioners will include the following:

- 1) The degree to which paving is necessary for the reliable delivery of services to the residents along the road and in the area, particularly for school buses for transporting students, emergency services such as fire, emergency medical services and law enforcement, and for collecting solid waste.
- 2) The number of persons or households that the road services
- 3) The status or classification of the road with regard to the entire county road system.
- 4) The cost of the project relative to other paving projects.
- 5) The impact of new or proposed residential, commercial or industrial development.
- 6) To meet the needs of a community development or redevelopment project.
- 7) The need for safety or traffic congestion improvements such as: road and shoulder widening, installation of acceleration/deceleration lanes or turn lanes at intersections, intersection realignments, bridge work, and other improvements as determined necessary by Bulloch County

The County has established baseline criteria for determining the need and/or eligibility to exercise condemnation. Should one or more of the following baseline criteria be met for each priority level project, the Board of Commissioners may consider the exercise of condemnation.

<b>Baseline Criteria</b>	<b>Priority I Improvements: Arterial or Collector Road Corridors</b>	<b>Priority II Improvements: Local Road Corridors</b>
Priority Rating Score (based on GDOT criteria)	> than 60	> than 40
Linear Road Frontage Land Conveyance	75% of Prop. Owners	85% of Prop. Owners
Fair Market Value of Land Conveyance	85% of Prop. Owners	85% of Prop. Owners
Connector (network, community facilities, etc.)	Yes	Yes
Safety Project Improvement	Yes	Yes
Community Development Project	Yes	Yes

### 15.3 Procedure.

The amount of right-of-way acquisition needed for eminent domain acquisition shall be determined by the County Engineer and forwarded to the County Manager.

The County Manager shall authorize an appraisal for affected property parcels whereby the results shall accompany a staff report with recommendations to Board of Commissioners for or against the condemnation of property.

Upon issuance of a final report, any action authorizing condemnation of easements or rights-of-way on any county roads and bridges project shall require the prior approval of the Board of Commissioners. The Board of Commissioners shall determine the method of eminent domain as prescribed by State Law.

Exceptions to the County's general policy not to compensate property owners for projects from which they directly benefit may be made under the following circumstances.

- 1) Unusual circumstances that make payment of a reasonable amount of compensation more economical than resorting to condemnation.
- 2) Deadlines for completion of a project preclude the expenditure of time required for condemnation.
- 3) Compensation is awarded through the condemnation process.

## **16.0 ENCROACHMENTS AND EASEMENTS ON, OVER, UNDER AND ACROSS PUBLIC STREETS AND PROPERTY.**

### 16.1 General

Easements over, under and across public streets and property controlled or maintained by the county shall be granted only for a public purpose, convenience, necessity, or to facilitate the provision of water, sewer, electricity, transportation, telecommunications or other utility.

### 16.2 Assurance and Certification

Prior to the granting of an encroachment permit or easement, the grantee shall provide a written assurance that he, she, or it will comply with all applicable local, state and federal laws and regulations and such other requirements as are necessary to ensure the public's safety at any time, during construction, repairs, or otherwise, should injury to person or property occur as a result of acts and/or omissions to act by such grantee, his, her, or its heirs, executor, successors or assigns. The grantee of such easement shall certify:

- 1) The purpose of such easement.
- 2) The area affected.
- 3) The necessity and the fact that the area affected does or does not receive similar services from another public or private utility (where applicable).
- 4) All easements shall be properly designated with a specific width and purpose.
- 5) Easements shall be arranged in such a manner as to eliminate unnecessary easement offsets and to facilitate the use of easements for power distribution, telephone service, drainage, water services, sewer services and pedestrian access.
- 6) Easements shall be cleared of trees, debris, and other objectionable materials, unless it is delineated as a conservation easement or wetland area or as otherwise approved by the County Engineer.

### 16.3 Permit Requirements

An encroachment permit that affects the right-of-way of any county maintained highway, street or road shall be approved by the County Engineer's office, and is required for all construction, undertaken by parties other than the county or its authorized contractor(s). This requirement shall apply, but not be limited, to:

- 1) Connections involving a curb cut or pipe installation, except for single family residential subdivisions where inverted crown road sections are approved.
- 2) Utility taps and installations.
- 3) Excavations within rights-of-way.
- 4) Storm drainage installation or discharge.
- 5) Subdivision entrance signs or gateways.

The petition for a permit shall be accompanied by a processing and review fee subject to the Board of Commissioners' adopted schedule of fees and charges. The petitioner receiving an approved permit shall, prior to commencement of work, be responsible for:

- 1) Notifying the County Engineer's office when construction begins on an encroachment.
- 2) Ensuring that a copy of the encroachment permit is on the construction site.

- 3) Ensuring that the construction and the restoration of the roadway have been approved by the County Engineer.
- 4) Indemnifying the county for any liability incurred or damages sustained as a result of the encroachment.

Prior to any construction, installation, erection or excavation of, on, under or across such streets or property as may be authorized by such easement the grantee shall provide any necessary surety bond, pursuant to the Bulloch County Public Right-of-Way Ordinance.

The grantee shall also provide the County Engineer or his designee with a certificate or certificates of insurance evidencing the following the following required insurance:

- 1) All insurance policies shall be issued by an insurer satisfactory to the county, and the insurer shall have a rating in the A categories of Best Insurance Reports.
- 2) The certificate(s) shall include a provision that not less than thirty (30) days' notice will be given to the county prior to cancellation, termination, nonrenewal, or reduction in coverage.
- 3) Insurance shall be maintained with the following minimum coverage and limits:
  - a) Commercial general liability policy for bodily injury, personal injury, completed operations and property damage in a coverage amount of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate, with the County named as an additional insured.
  - b) A business auto policy for bodily injury and property damage in a coverage amount of not less than \$1,000,000 per occurrence, with the County named as an additional insured.
  - c) Maintain the workers' compensation coverage required by state law and provide a certificate for insurance for this coverage in the manner required by this subsection.

An encroachment permit approved for excavation on a county maintained road shall adhere to the following requirements:

- 1) Work under such permit shall be commenced within the time specified on the permit; otherwise the permit shall become void.
- 2) All permits shall be kept at the place of excavation while the work is being done and exhibited whenever called for by any person having the authority to examine the same.
- 3) There shall be no more than one-half (½) the width of any road opened or obstructed at any one time.
- 4) Boring may be allowed, provided that no authorized underground construction shall be damaged or interfered with.
- 5) All portions of the road excavated shall be put in as good condition as before the excavation was made. The trench or excavation shall be refilled and compacted to 100% standard Proctor density and shall be re-paved in accordance with County standards.
- 6) Whenever any person making any excavations in a county maintained road fails to repair the road as required by this section or fails to maintain the same for a period of one year, then the Board of Commissioners shall cause the work to be done and the cost thereof shall be charged against the surety bond or other security as determined by the County Engineer.

Where such excavations occur in a state or federal highway, permission shall be obtained from the appropriate state or federal highway agency before any work is commenced.

#### 16.4 Indemnification and Hold Harmless

The grantee shall indemnify and hold harmless the county and its officials, officers, employees, agents, successors and assigns, from and against any and all loss, costs, expenses, (including attorney's fees and expenses of litigation), claims, suits and judgments whatsoever in connection with injury to or death of any person or persons or loss of or damage to property, and further claims, suits and judgments whatsoever by third parties resulting from the interruption of traffic caused by or in any way connected with the construction, installation, erection, repair or maintenance, use or presence of any such improvements or appurtenances, however caused.

The grantee shall bear all costs of furnishing flagging protection, warning devices and inspection services, as well as the costs of restoring the affected area to its original condition.

#### 16.5 Status of Existing Utilities

For existing utilities where an easement has not been granted, any installation or replacement of new utilities or repair of existing utilities shall require a permit from the County Engineer pursuant to the Bulloch County Public Right-of-Way Ordinance. Pipes, lines or conduits shall be laid at a location and depth under the road or drainage way as the County Engineer may direct.

Should any utilities be damaged by the county in the course of routine maintenance, the county shall be indemnified and held harmless from any resulting damage in the same manner as stated in Section 16.4 of these policies.