CHAPTER 9. PUBLIC WORKS

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ARTICLE 1. GENERAL PROVISIONS

9-101 DEPARTMENT ESTABLISHED; DIRECTOR. A department of public works is hereby created, in accordance with the provisions of K.S.A. 19- 4501 et seq. The head of the department, who shall be titled the director of public works, shall be the county engineer, and he or she shall manage and direct the department and its employees as provided by law and in accordance with rules and regulations adopted by the board. (Res. 72-27, Sec. 1)

9-102 OPERATIONS DIVISION ESTABLISHED. There is hereby established an operations division in the Douglas County public works department. The operations division shall be administered by a division manager who shall be appointed by the director of public works with the approval of the county administrator and confirmed by the county commission. The division manager shall be in the classified-exempt service under the Douglas County personnel policy. Unless later modified by resolution of the county commission, the incumbent manager of the operations division shall be accorded all fringe benefits available to county department heads under the Douglas County personnel policy. Successors to the incumbent shall receive the general employee benefit package. The division manager of the operations division shall be subject to removal only with the approval of the county commission. (Res. 87-9 Sec. 1)

9-103 PURPOSE OF OPERATIONS DIVISION. The operations division of the department of public works shall be responsible for the administration and coordination of all fleet maintenance, bridge maintenance, roadway maintenance, and vegetation control activities of the department of public works. The division also shall be responsible for such other duties as shall be assigned by the director of public works with the approval of the county administrator; however, the assignment of responsibility for the administration of additional or new programs to the operations division shall be approved by

the county commission. All the powers, duties, functions and budget authority of the existing operations division and division of vegetation control are hereby transferred to and conferred upon the department of public works and the operations division therein. Such power shall be exercised by the operations division manager, under the direction and supervision of the director of public works and his or her deputy. (Res. 87-9, Sec. 2)

9-104 COMPENSATION. The operations division manager shall be assigned to pay grade 15 of the Douglas County pay plan. There is hereby created the position classification of vegetation control superintendent which shall be assigned to pay grade 10 of the Douglas County pay plan. (Res. 87-9, Sec. 3)

9-105 COUNTY SALES OF CHEMICALS. All chemical materials purchased from Douglas County for application on privately owned lands in the county shall be paid for within 30 days of delivery. If any purchaser fails to make payment within 30 days, additional chemical materials shall not be sold such person by the Douglas County weed supervisor unless payment is made in full on the delinquent accounts and for the additional chemicals at the time of sale in cash, certified check or money order from the purchaser. (HR 86-1-1, Sec. 1)

9-106 SAME; PENALTY AND COLLECTION. The provisions of section 9-107 are supplemental to the penalty and collection procedures contained in K.S.A. 2-1320, and amendments thereto. (HR 86-1-1, Sec. 2)

9-107 PUBLIC UTILITY PLACEMENT IN RIGHT-OF-WAY. (Res 16-22, Sec.1)

9-107.1 DEFINITIONS.

(a) <u>Construction work</u> as used in this article means any of the following activities:

(1) Excavation, fill, grading, paving or other modification of the ground surface;

(2) Construction of any post, pole, sign, wall, fence, gate, structure, enclosure or other fixed object;

(3) Construction of any footing, foundation, vault, manhole or other buried structure;

(4) Installation of any pipe, pipeline, conduit, cable, wire, antenna, equipment or related fixtures; or

(5) Planting of trees or other vegetation that would create a physical or visual barrier; or

(6) Removal of trees or tree limbs or other vegetation by physical or chemical means to accommodate public utilities.

(b) Person means any individual, association, firm, partnership, corporation, public utility or private entity.

(c) Public right-of-way means the area of real property in which the County has a dedicated or acquired right-of-way interest for the purpose of constructing and maintaining travel lanes, roadside ditches, culverts, bridges, signage and other features of a public road.

(d) Public utility means those utilities identified in K.S.A. 66-104, and amendments thereto.

(e) Public utility facility or facility means a pipe, pipeline, conduit, cable, wire, vault, manhole, enclosure, structure, post, pole, sign, marker, antenna, fixture, equipment or any other object installed and maintained by a public utility. (Res 16-22, Sec.1)

9-107.2 WRITTEN PERMISSION REQUIRED.

(a) It shall be unlawful for any person to do any construction work within, above or below the public right-of-way of a road or bridge maintained by the county, without first obtaining written permission from the director of public works.

(b) It shall be unlawful for any person to do any construction work within, above or below the public right-of-way of a road maintained by a township, without first obtaining written permission from the director of public works or township trustee.

(c) The owner of frontage along a public right-of-way may plant grass seed, mow, trim, and apply appropriate weed control practices as recommended by the Noxious Weed Director or Kansas Department of Agriculture within that public right-of-way without obtaining the written permission in (a) or (b).

(d) The owner of an existing public utility facility within the public right-of- way may perform maintenance work on that facility without obtaining the written permission in (a) or (b) provided that the maintenance work does not include construction work as defined in 9-107-1.

(e) The director of public works may develop minimum standards for allowable construction within the public right-of-way. The director of public works and the township trustees shall apply

those minimum standards when reviewing work within the public right-of-way, to ensure the continued integrity and safety of roads, culverts and bridges within the county. The director of public works or township trustee may require more stringent standards when, in their opinion, such more stringent standards are necessary to ensure the continued integrity and safety of roads, culverts and bridges within the county. (Res. 16- 22, Sec. 1)

9-107.3 ENTRANCE PERMITS. When a property owner proposes to construct or improve an entrance within or connecting to the public right-of-way, the approval required in 9-107-2 shall be in the form of an entrance permit. The director of public works shall develop standards and forms as necessary for the issuance of entrance permits. The applicant shall pay a $75 permit application fee with each new application to construct or improve an entrance. (Res 16-22, Sec.1)

9-107.4 UTILITY PERMITS. When a public utility or its contractor proposes to construct, install, improve or modify facilities, or remove trees or limbs within, above or below the public right-of-way, the approval required in 9- 107-2 shall be in the form of a utility permit. The director of public works shall develop standards and forms as necessary for the issuance of utility permits. A utility permit shall only be issued to a public utility if the applicant has the legal authority to occupy and use the public right-of-way for the purposes identified in the application for the permit. The public utility will reimburse Douglas County for fees for any consulting services needed in reviewing and approving the application or inspecting the installation, as determined necessary by the director of public works. (Res 16-22, Sec.1)

9-107.5 INSURANCE REQUIRED. Any person occupying the public right-of-way for the purpose of doing construction work or for the purpose of maintaining an existing public utility facility shall do so only after obtaining the following minimum insurance coverage to be in effect for the duration of the work:

(a) Commercial general liability insurance for a combined single limit of a minimum amount of $500,000 for bodily injury and property damage;

(b) Automobile liability insurance for a combined single limit of a minimum amount of $500,000 for bodily injury and property damage that covers owned, hired, and non-owned vehicles; and

(c) Obtain insurance only from insurers authorized to transact insurance business in Kansas as an authorized insurer.

(d) For utility attachments to bridges or other structures, the minimum insurance coverage shall equal the replacement value of the bridge or structure, as determined by the director of public works. (Res 16-22, Sec.1)

9-107.6 TRAFFIC CONTROL REQUIRED. Any person occupying the public right- of-way for the purpose of doing construction work or for the purpose of maintaining an existing public or private utility facility shall do so only after providing, erecting and maintaining all traffic control devices necessary to protect the public and workers. All traffic control devices must conform to the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) in terms of quality, quantity and placement. Construction work within the public right-of-way is prohibited unless and until the required traffic control is in place. (Res 16-22, Sec.1)

9-107.7 PERMIT REVOCATION. The director of public works or township trustee may revoke the permit and remove any work performed for failure to complete a project as described in the Permit or failure to comply with established policy. The Utility Company or right-of-way occupant shall reimburse the director of public works or township trustee, as appropriate, for any cost incurred by the county and/or township to restore the right-of- way. The director of public works or township trustee will not authorize any other permits for the Utility Company or right-of-way occupant until they have either reimbursed the county and/or township or restored the right-of-way. (Res 16-22, Sec.1)

9-107.8 PENALTY. Any person that is determined by the district court to have failed to comply with the provisions of this article shall be subject to the injunction provisions of K.S.A. 19-101d, and amendments thereto. Any person that is determined by the district court to have committed a second violation of this article within 12 months of a previous violation shall be subject to the maximum penalties prescribed for conviction of a Class C misdemeanor. (Res 16-22, Sec.1)

9-108 POLICY ON PLACEMENT OF PUBLIC UTILITIES WITHIN PUBLIC RIGHT-OF-WAY. (Res 16-22, Sec.1)

9-108.1 REMOVAL OR RELOCATION. Any utility permit issued pursuant to this article shall be conditioned upon the agreement of the applicant to move the permitted facility at no expense to Douglas

County or any township thereof in the event of a road improvement in the area within the right-of- way where the applicant's facility is located. Such agreement by the applicant shall be without reservation. The applicant shall agree to move the facility within 90 days after notification by the county or township, or four weeks prior to construction project bid letting, whichever is later.

9-108.2 NOTICE. The public utility or its subcontractor(s) shall notify the director of public works and/or township trustee when permitted work commences and when the work is completed. (Res 16-22, Sec.1)

9-108.3 LIABILITY.

(a) The public utility assumes all risk and liability for accidents and damages that may occur to persons or property from work performed under a utility permit.

(b) Douglas County shall not be liable for damage to any utility not installed in the location authorized by any permit or agreement issued pursuant to this policy.

9-108.4 UTILITY CORRIDOR. Public utility facilities paralleling the road shall be located as close to the right-of-way line as possible. Underground facilities should be located within ten feet of the right-of-way line. Overhead facilities should be located within three feet of the right-of-way line.

9-108.5 CLEAR ZONE LIMITATIONS. Above ground public utility facilities shall not be located on the ground within the roadside clear zone available for errant vehicles, unless otherwise approved by the director of public works. The appropriate clear zone is site specific based on speed, traffic count, and cross section at the location. The director of public works shall determine appropriate clear zone dimension standards and/or appropriate clear zone dimensions at a particular location.

9-108.6 VERTICAL CLEARANCE. The depth of cover over buried public utility facilities and the vertical clearance under overhead public utility facilities shall comply with standards determined by the director of public works. (Res 16-22, Sec.1)

9-108.7 MAXIMUM HEIGHT. The maximum height of any public utility facility shall be 65 feet. (Res 16-22, Sec.1)

9-108.8 MAXIMUM WIDTH.

(a) Measured perpendicular to the road, the combined width of all of the underground facilities owned by one public utility shall not exceed five feet, except where necessary to cross

the road. Road crossings shall be aligned as close to perpendicular as possible.

(b) Measured parallel to the road and at the ground surface, the combined width of all of the above ground facilities owned by one public utility shall not exceed five feet within any 50 foot length of road.

(c) Measured perpendicular to the road and at the ground surface, the maximum width of any above ground facility shall not exceed three feet.

9-108.9 COMPLIANCE. Any utility permit issued pursuant to this article shall be conditioned upon the agreement of the applicant to remove or relocate the permitted facility at no expense to Douglas County or any township thereof in the event the facility does not comply with the size or location requirements of the approved permit. (Res 16-22, Sec.1)

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9-110 LEFT INTENTIONALLY BLANK

9-111 LEFT INTENTIONALLY BLANK

9-112 LEFT INTENTIONALLY BLANK (Res. 16-22. Sec. 1)

9-113 POLICY ON ESTABLISHING OR EXTENDING PUBLIC ROADS. The Board hereby adopts the following policy & review criteria to use in the deliberation to of a petition from one or more landowners to establish a new public road or extend an existing public road right-of-way, and in determining whether the new road is appropriate and in the public's interest, or that it will be of public utility.

The criteria for evaluation of such petitions are provided in the following tables. A petition must be accompanied by written responses to the following criteria before it will be placed on a Commission's agenda for public discussion.

CATEGORY	EVALUATION & REVIEW CRITERIA
I. Economic Considerations	Cost benefit analysis prepared by the petitioner that provides the County Commission with the following information for review: 1. an estimate of the cost of road construction; 2. an estimate of the total maintenance cost to the Township [based on cost figures provided by the County Engineer to the petitioner]; and, 3. a realistic estimate of the tax appraisal value and the number of additional homes to be built with access from the proposed road over a period of no more than 10 years.
II. Road Network Considerations	The proposed road will be an improvement to the current road network in the Township it is located in and the appropriate Township Board and the County Engineer have reviewed and recommended approval.

The County Commission may also consider safety and environmental issues when deliberating on a petition for a new road. The landowners petitioning for a new road may also request review under the safety and/or environmental criteria to lend additional support to and/or justification for the request for a new public road. The safety and environmental criteria are in the following table:

CATEGORY	EVALUATION & REVIEW CRITERIA
III. Safety & Environmental Considerations	1. The proposed road will provide a safer way to access existing residential properties than currently exists; 2. The proposed road will improve connectivity across a one-mile square grid by the addition of a through road that would improve emergency and/or safety vehicle response time to residences within the one-mile square grid; 3. The proposed road would eliminate: a steep slope approach, a low water crossing, a railroad crossing, or other similar safety concern; or 4. The proposed road will create an alternative access to an otherwise developable parcel, which reduces the development impact on environmental features such as FEMA floodplain; jurisdictional wetland; or significant stands of mature trees.

The foregoing evaluation and review criteria are not exclusive and the Board may consider other factors that it deems important to any individual case. The foregoing policy considerations, however, need not necessary apply to (1) widening existing public roads, (2) accepting the dedication of roads in platted subdivisions, or (3) establishing new or extending existing public roads at the Board's initiative. (Res. HR-08-5-2)

ARTICLE 2. CONSTRUCTION PERMITS AND STANDARDS

9-201 PERMIT FEES. The fees for the issuance of permits by the county engineer (Douglas County director of public works) in accordance with section 11-708 shall be:

a) Roadways

1) Earth Grading--$0.39 per linear foot

2) Rock Base or Light Type Surfacing - $0.23 per linear foot

3) Prime and Double Seal Coat - $0.15 per linear foot

b) Structures

1) Single Cell Reinforced Concrete Box Culverts - $610 each

2) Double Cell Reinforced Concrete Box Culverts - $916 each

3) Cross Road Corrugated Steel Pipes - (18 in. - 36 in.)- $76 each

4) Cross Road Corrugated Steel Pipes - (42 in. - 72 in.)-$153 each (Res. 91-10, Sec.1)

9-202 CONSTRUCTION REGULATIONS FOR PRIVATE ENTRANCES ONTO COUNTY MAINTAINED ROADS.

9-202.1 ENTRANCE PERMITS. Any person wishing to install and construct a culvert or entrance into private property from a county maintained road shall do all of the following:

(a) Obtain approval of the location plan and culvert size from the county Engineer.

(b) Pay a permit and inspection fee of $75.

(c) Comply with the directions and requirements of the County Engineer including, but not limited to, the specifications for entrance installation, the initial specifications of which are attached hereto as Exhibit 9-202- 1c.1, and the standards for entrance installation, the initial standards of which are attached

hereto as Exhibit 9-202-1c.2. Said specifications and standards are hereby adopted by reference and incorporated herein. The County Engineer is authorized to amend and supplement said specifications or standards from time to time as the County Engineer determines, in the exercise of the County Engineer's engineering judgment, reasonable; provided, however, that the County Engineer may not amend or supplement said specifications or standards in a way that significantly increases the cost of installing the entrance, unless the County Engineer receives approval from Board of County Commissioners. Copies of the then current specifications and standards shall be available in the office of the County Engineer.

DOUGLAS COUNTY PUBLIC WORKS
ENTRANCE INSTALLATION SPECIFICATIONS

GENERAL

1. The contractor must be qualified by Douglas County prior to commencing work. All contractors on KDOT's prequalified list of grading contractors are automatically prequalified by Douglas County. All other contractors must be qualified by Douglas County by meeting with the Engineer and exhibiting sufficient knowledge of these specifications, and by having sufficient experience, equipment, and personnel to construct entrances on county rights-of-way.
2. "Engineer" means the Douglas County Engineer acting directly or through duly authorized representive(s).
3. "KDOT specifications" means STANDARD SPECIFICATIONS FOR STATE ROAD AND BRIDGE CONSTRUCTION, latest Edition, Kansas Department of Transportation.
4. Section numbers referenced in the following Douglas County Entrance Specifications refer to the KDOT specifications.
5. The contractor shall obtain and have readily available his or her own copy of the KDOT specifications.

INSURANCE REQUIREMENTS

1) Provide Commercial General Liability insurance for a combined single limit of a minimum amount of $500,000 for bodily injury and property damage.
2) Provide Automobile Liability insurance for a combined single limit of a minimum amount of $500,000 for bodily injury and property damage that covers owned, hired, and non-owned vehicles.
3) Before starting any work, provide to the Director of Public Works copies of Certificates of Insurance showing the Contractor carries insurance in the amount and type required and showing the effective and expiration dates of such insurance.
4) Obtain insurance only from insurers authorized to transact insurance business in Kansas as an authorized insurer.

TRAFFIC CONTROL

1) Provide, erect, and maintain all traffic control devices necessary to protect the public and workers on the project. All traffic control devices must conform to the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) in terms of quality, quantity, and placement of these devices. Traffic control devices that do not meet the MUTCD are unacceptable.
2) The Contractor's obligation to provide, erect, and maintain all traffic control devices is extremely important. It is the Contractor's duty to provide, properly erect and maintain all traffic control devices. If the Engineer has not observed or reminded the Contractor to erect or maintain these devices, it does not lessen the

Contractor's responsibility or liability for failing to provide, erect, or maintain these devices.

3) Safely move traffic through the project. Sequence work to provide 2-way travel whenever possible. Do not detour traffic.
4) Attached are three typical applications from the MUTCD that would apply to construction of an entrance. Typical Application 1 will be required as a minimum in all situations. Typical Application 6 will be required when working adjacent to the traveled lane. Typical Application 10 will be required when needing to close one lane of traffic.

UTILITIES

1) The Contractor shall notify Kansas One Call and obtain utility field locates (including those utilities that do not participate in Kansas One Call) in the anticipated work area before excavating.
2) Coordinate, schedule, and perform work to minimize interference with others who are adjusting or relocating utilities.
3) Use work procedures that do not damage utilities or utility property within and adjacent to the work area.
4) Coordinate and perform work to avoid interrupting utility service.
5) Notify the utility owner of damage to or exposure of its utility or utility property. Do not hinder the utility owner from restoring utility service.
6) Assume responsibility for damages to utilities arising from Contractor's negligent acts or omissions.

PUBLIC SAFETY

1) Public safety is critical. Store vehicles, construction equipment, materials, tools and debris off the right-of-way or a minimum of 30 feet from the edge of the roadway.
2) Maintain the roadway in good condition at all time. Notify the Douglas County Public Works Department immediately if any damage is done to the public roadway. If dirt or mud is tracked onto the roadway, it shall be removed immediately to ensure the roadway is safe for the traveling public.
3) Patch damaged pavement as directed by the Engineer. Sawcutting to provide a neat patch may be required. Patch thickness shall match existing pavement thickness or minimum 6 inches depth, whichever is more. Patch material shall be HMA – Commercial Grade (Class A) asphaltic concrete per KDOT specifications, properly compacted, or as otherwise directed by the Engineer.

CONSTRUCTION REQUIREMENTS

1) Comply with Douglas County Standards for Residential/Commercial Entrances and with instructions and drawings provided with the entrance permit.
2) Excavation. Beginning at the outlet end of the pipe and proceeding toward the upper end, excavate the bottom of the channel to the line, grade, and elevation shown on the drawings. Construct the width of the trench sufficient to lay and

backfill the pipe with a minimum width equal to the diameter of the pipe plus 6 inches on each side. Follow OSHA regulations for sloping the sides of the excavation.

3) Firm the foundation in the trench to prevent subsequent settlement by removing soft unstable materials and replacing with suitable materials.
4) If rock is encountered, remove the rock to an elevation 12 inches below the pipe flowline elevation shown on the drawings. Backfill and compact the bottom 6 inches of the excavation with suitable soil prior to placing the bedding material.
5) Bedding Material. Granular material (SCA-4, AB-3 or PB-2, Section 1102, 1104, or 1107) of sufficient moisture content and that may be adequately rolled or tamped in place shall be used for bedding material. Drain all water from trench before backfilling.
6) Place granular bedding material in uniform layers a maximum of 6 inches thick (loose measurement). Place and compact to Type B (MR-90) (Section 205.4.g.) the granular material in horizontal layers evenly on both sides of the pipe. Granular bedding material shall, at a minimum, extend to 6 inches below and outside the pipe diameter on each side of the pipe. Terminate the granular backfill, at a minimum, at the pipe spring line, and place suitable backfill in maximum 6 inches (loose measurement) lifts and compacted to Type B (MR-90) to backfill the remaining trench. Construct and compact the earthwork to Type B (MR-90) to achieve the elevation shown on the drawings for the new entrance. Take the necessary precautions to prevent distortion of the pipe while backfilling. Dispose of any excess material and leave the area in a neat presentable condition.
7) Surface the completed earthwork with minimum 6 inches of AB-3 (Section 1104) or 6 inches of SS-3 (Section 1112) per the KDOT specifications.
8) All disturbed areas shall be seeded, fertilized and mulched in accordance with the following specifications:
    (a) Slopes and disturbed areas shall have minimum 6 inches depth of soil suitable for supporting seed growth.
    (b) Before seeding, the entire area to be seeded shall be fertilized with a 13-13-13 commercial fertilizer applied at a rate of 200 pounds per acre. The entire area shall then be raked to mix the fertilizer thoroughly into the upper 2 inches of soil.
    (c) Seed shall be evenly distributed at a rate of 200 pounds (PLS) per acre Tall Fescue (endophyte free), and 45 pounds (PLS) per acre perennial ryegrass.
    (d) Prairie hay mulch shall be uniformly spread over seeded areas to 1-1/2 inches loose depth.

Approved by:

Keith A. Browning

Keith A. Browning, P.E.
Public Works Director

10/31/2018
Date

Table 6H-3. Meaning of Letter Codes on Typical Application Diagrams

Road Type	Distance Between Signs**		
	A	B	C
Urban (low speed)*	100 feet	100 feet	100 feet
Urban (high speed)*	350 feet	350 feet	350 feet
Rural	500 feet	500 feet	500 feet
Expressway / Freeway	1,000 feet	1,500 feet	2,640 feet

* Speed category to be determined by highway agency

** The column headings A, B, and C are the dimensions shown in Figures 6H-1 through 6H-46. The A dimension is the distance from the transition or point of restriction to the first sign. The B dimension is the distance between the first and second signs. The C dimension is the distance between the second and third signs. (The "first sign" is the sign in a three-sign series that is closest to the TTC zone. The "third sign" is the sign that is furthest upstream from the TTC zone.)

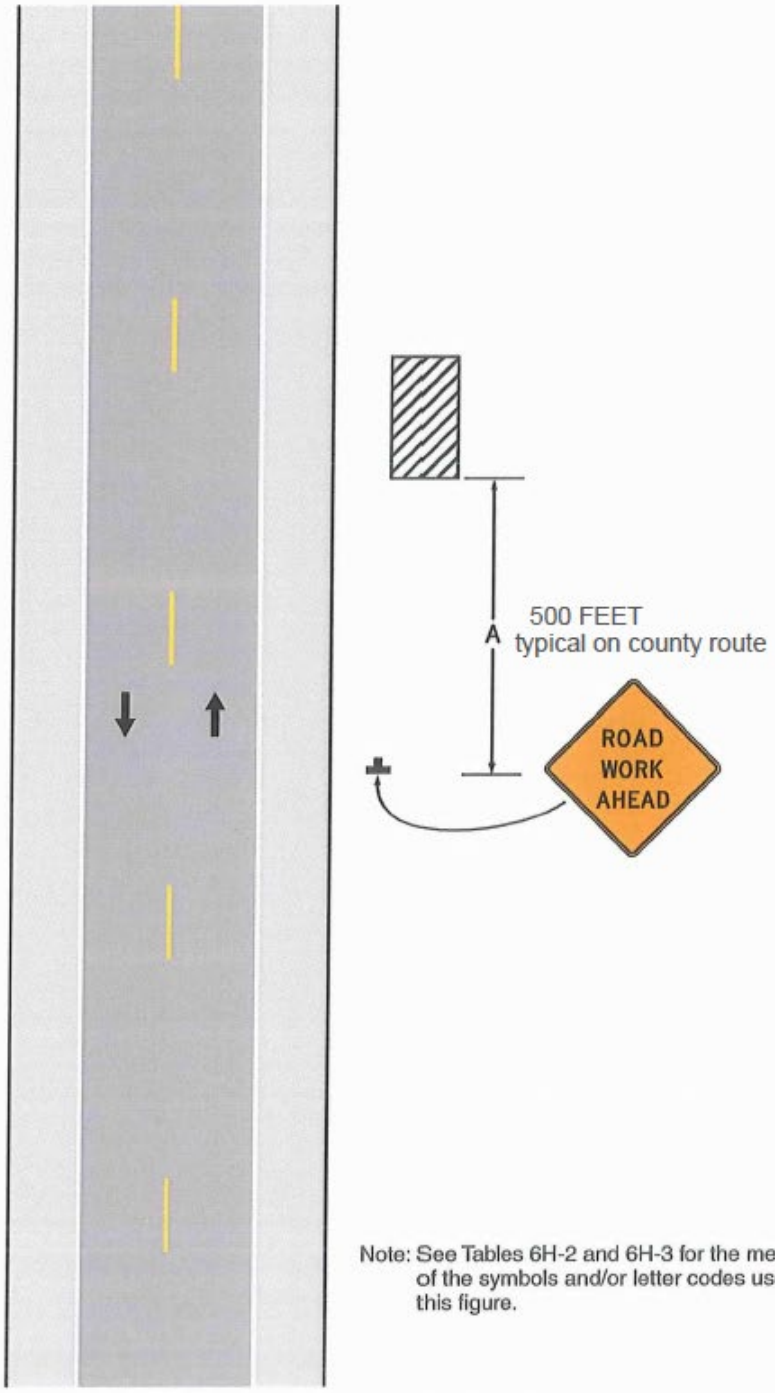
Table 6H-4. Formulas for Determining Taper Length

Speed (S)	Taper Length (L) in feet
40 mph or less	$L = \frac{WS^2}{60}$
45 mph or more	$L = WS$

Where: L = taper length in feet
W = width of offset in feet
S = posted speed limit, or off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed in mph

Douglas County Public Works
3755 E. 25th Street
LAWRENCE, KANSAS 66046
Questions? Contact Public Works at
785-832-5293

TRAFFIC CONTROL
MEANINGS OF SYMBOLS



Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Typical Application 1

Douglas County Public Works
3755 E. 25th Street
LAWRENCE, KANSAS 66046
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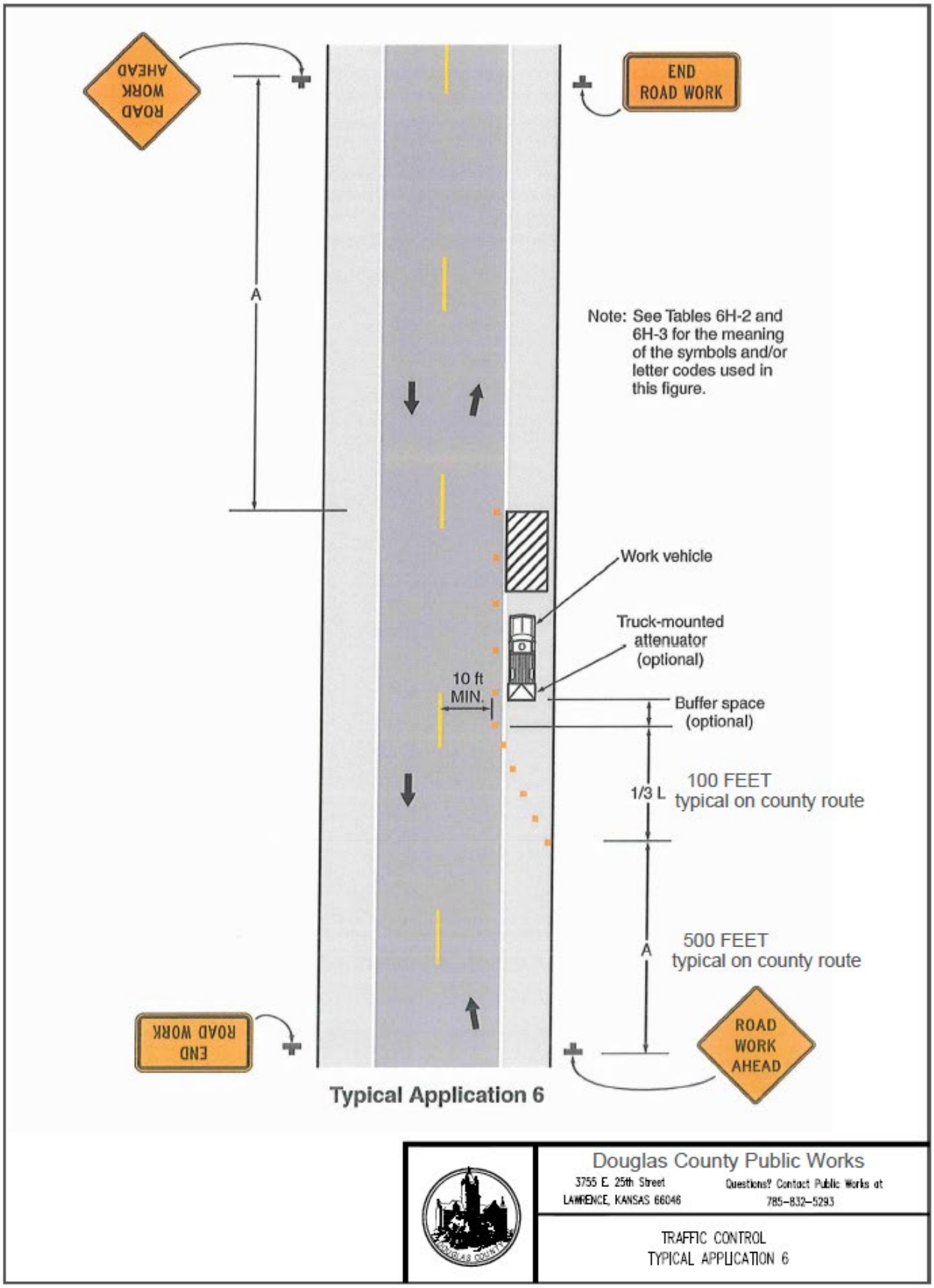
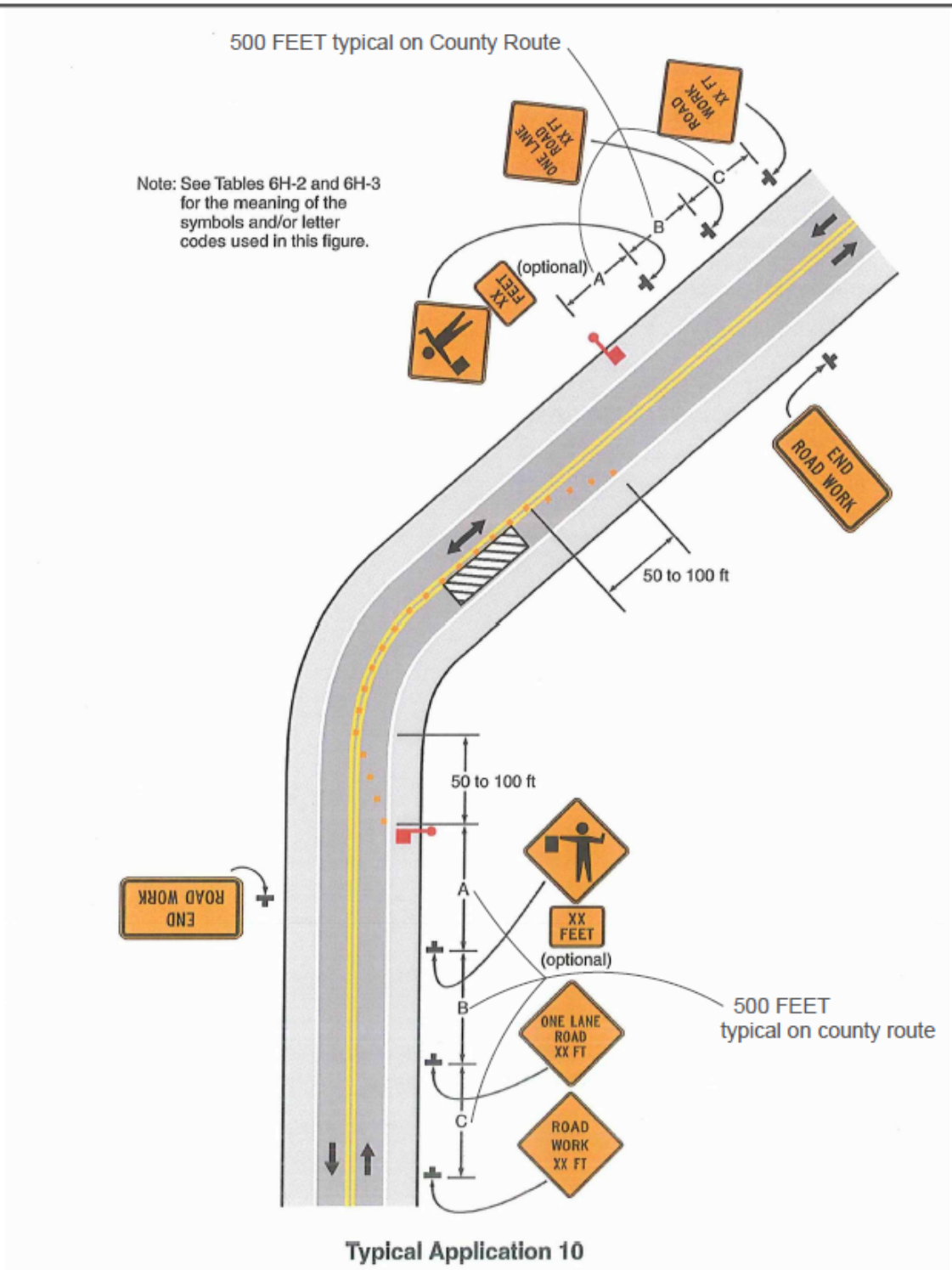
TRAFFIC CONTROL
TYPICAL APPLICATION 1


ROAD WORK AHEAD
END ROAD WORK
A
Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.
Work vehicle
Truck-mounted attenuator (optional)
10 ft MIN.
Buffer space (optional)
1/3 L
100 FEET typical on county route
A
500 FEET typical on county route
END ROAD WORK
ROAD WORK AHEAD
Typical Application 6
Douglas County Public Works
3755 E. 25th Street
LAWRENCE, KANSAS 66046
Questions? Contact Public Works at
785-832-5293
TRAFFIC CONTROL
TYPICAL APPLICATION 6



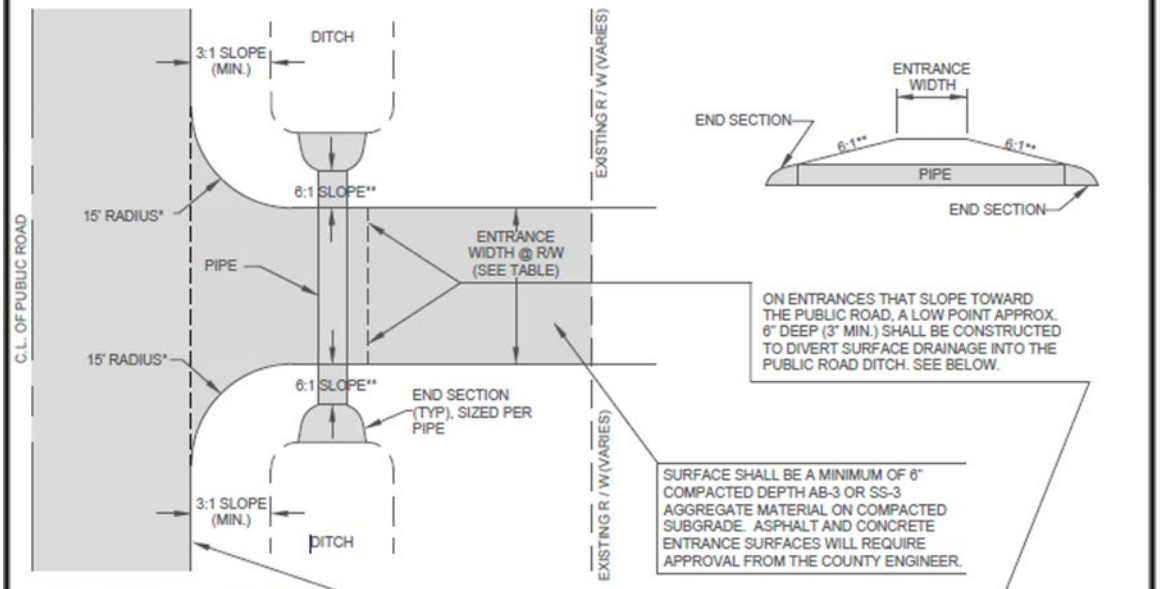
Typical Application 10

Douglas County Public Works
3755 E. 25th Street
LAWRENCE, KANSAS 66046
Questions? Contact Public Works at
785-832-5293

TRAFFIC CONTROL
TYPICAL APPLICATION 10

EXHIBIT 9-202-1c.2

Typical Entrance Standards and Details



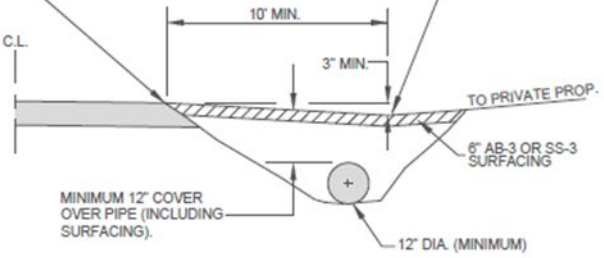
ON ENTRANCES THAT SLOPE TOWARD THE PUBLIC ROAD, A LOW POINT APPROX. 6" DEEP (3" MIN.) SHALL BE CONSTRUCTED TO DIVERT SURFACE DRAINAGE INTO THE PUBLIC ROAD DITCH. SEE BELOW.

SURFACE SHALL BE A MINIMUM OF 6" COMPACTED DEPTH AB-3 OR SS-3 AGGREGATE MATERIAL ON COMPACTED SUBGRADE. ASPHALT AND CONCRETE ENTRANCE SURFACES WILL REQUIRE APPROVAL FROM THE COUNTY ENGINEER.

* OR AS OTHERWISE APPROVED BY THE COUNTY ENGINEER.

** 3:1 ON ROADS CLASSIFIED AS LOCAL.

SHOULDER



CIRCULAR CULVERT PIPE

PIPE SIZE AND LENGTH TO BE DETERMINED BY COUNTY ENGINEER

(2-2/3"X1/2" CORRUGATIONS)

DIA.	GAUGE
12" - 21"	16
24" - 30"	14
36" - 54"	12
60" - 72"	10

(3"X1" CORRUGATIONS)

DIA.	GAUGE
36" - 54"	14
60" - 84"	12

ENTRANCE PIPE MATERIAL MUST BE:
NEW ALUMINIZED CORRUGATED STEEL PIPE, OR
NEW TYPE III REINFORCED CONCRETE PIPE.

END SECTION MATERIAL MUST BE:
NEW ALUMINIZED STEEL END SECTIONS, OR
NEW GALVANIZED STEEL END SECTIONS, OR
NEW TYPE III REINFORCED CONCRETE.

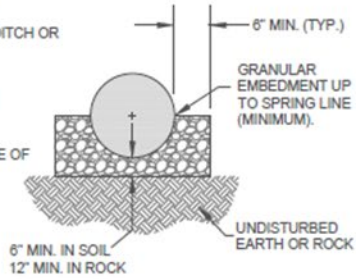
ARCH CULVERT PIPE MAY BE REQUIRED OR ALLOWED AS AN ALTERNATE. WHEN ARCH PIPE IS APPROVED FOR USE, GAUGE WILL BE SPECIFIED ON PERMIT.

DETAILS

PIPE SLOPE: MATCH SLOPE OF DITCH OR AS SPECIFIED IN THE PERMIT

6:1 ENTRANCE SIDE SLOPE** (1 / 6**)

ALL PIPES MUST BE NEW AT TIME OF PLACEMENT.



CONSTRUCTION METHODS

BACKFILL WITH 6" COMPACTED LAYERS, FILLING UNIFORMLY ON BOTH SIDES OF PIPE.

ENTRANCE WIDTH @ RIGHT-OF-WAY		
TYPE	MIN. (FT)	MAX. (FT)
RESIDENTIAL	20	24
FIELD	20	30
COMMERCIAL	30	40
SHARED (SEE ALSO EXHIBIT 9-202-2d)	30	40

Douglas County Public Works
3755 E. 25th Street
LAWRENCE, KANSAS 66046

STANDARDS FOR TYPICAL RESIDENTIAL, FIELD, COMMERCIAL, AND SHARED ENTRANCES

File Location: //Design/Design Projects/Double Entrance Standard

(d) Obtain inspection and approval of the installed culvert by the County Engineer.

9-202.2 SHARED ENTRANCES.

(a) A shared entrance is an entrance intended to serve more than one property. It is typically located on or near a common property line shared by adjacent property owners or developers. A shared entrance is desirable because it eliminates an additional point-of-conflict along the roadway, thereby reducing the possibility of traffic accidents.

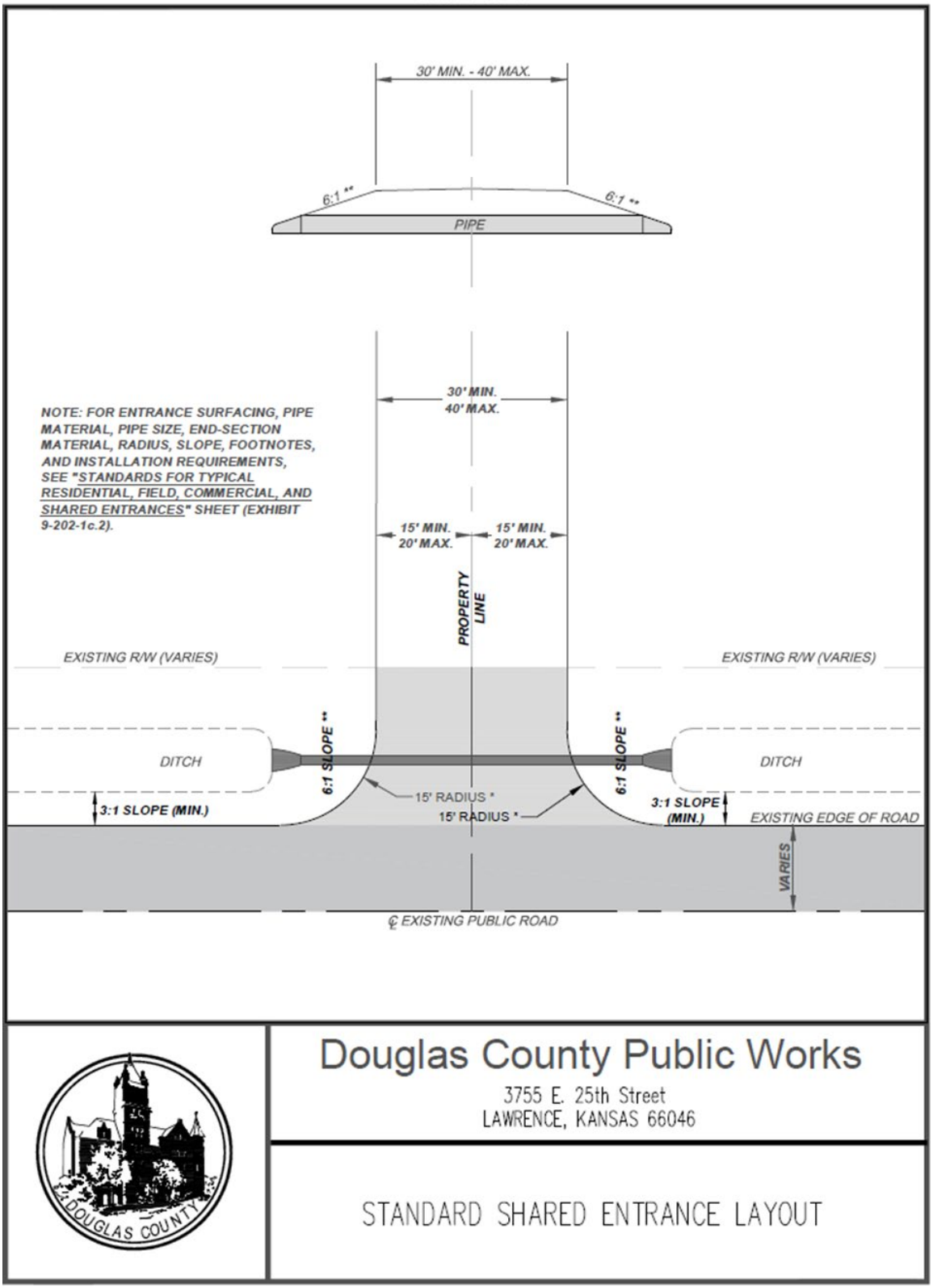
(b) When conditions allow, the County Engineer may require the installation of a shared entrance onto County maintained roads in order to reduce the number of entrances and maintain desirable entrance spacing. A typical example for the requirement of shared entrances is when a series of relatively small, adjacent tracts are developed or development is expected in the near future. A shared entrance may also be required by the County Engineer to maximize sight distance depending on roadway and site conditions.

(c) A shared entrance onto a County maintained road shall be contained on public road right-of-way, and upon proper installation and acceptance shall be maintained by the County in a manner similar to maintenance of other private entrances on County maintained roads.

(d) Construction of a shared entrance onto a County maintained road shall conform to the directions and requirements of the County Engineer including, but not limited to, the specifications for entrance installation, the initial specifications of which are attached hereto as Exhibit 9-202- 1c.1 (to the extent applicable to a shared entrance) and standards for shared entrance installation, the initial standards of which are attached hereto as Exhibit 9-202-2d. Said specifications and standards are hereby adopted by reference and incorporated herein. The County Engineer is authorized to amend and supplement said specifications or standards from time to time as the County Engineer determines, in the exercise of the County Engineer's engineering judgment, reasonable; provided, however, that the County Engineer may not amend or supplement said specifications or standards in a way that significantly increases the cost of installing the shared entrance, unless the County Engineer receives approval from the Board of County Commissioners. Copies of the then current specifications and

standards shall be available in the office of the County Engineer.

EXHIBIT 9-202-2d



(e) A properly constructed and approved shared entrance onto county rights-of-way (including township maintained roads) shall not be deemed a private road or street, and shall not be prohibited by the Joint Subdivision Regulations of the City of Lawrence and Douglas County, as in effect on the effective date of this Resolution; provided, however that the portion of the entrance that is shared must be within the county right-of-way. Any shared portion of the entrance and driveway that extends beyond the boundaries of the county right-of-way shall be deemed a private road or street and prohibited by such Subdivision Regulations. Shared entrances onto township maintained roads must be constructed and approved in accordance with regulations or policies of the applicable township.

9-202.3 COUNTY ENGINEER DISCRETION. The County Engineer is hereby delegated and granted the authority to permit a variance from the specifications and standards referenced in Sections 9-202-1c and 9-202- 2d, as from time to time amended, on a case-by-case basis in situations in which the County Engineer determines, in the exercise of the County Engineer's engineering judgment, that strict application of the specifications or standards will involve increased risk to property or public safety, or that strict application of construction requirements are not appropriate for the specific site conditions. In the event that the County Engineer exercises the County Engineer's engineering judgment to permit a variance from the above specifications and standards in any particular instance, the County Engineer shall set forth in writing the reasons for such decision and maintain such writing in the files relating to the subject entrance, unless the variance is a minor variance of the construction requirements due to specific site conditions.

9-202.4 VIOLATIONS.

(a) Any person who shall install or construct a culvert or entrance into private property from a county maintained road without obtaining a permit as required by this Section 9-202 shall be guilty of violating this Section and the Resolution enacting this Section.

(b) Any person who shall obtain a permit as required by this Section 9-202 to install or construct a culvert or entrance into private property from a county maintained road, but (i) shall install or construct the culvert in such a manner so as to not

comply with the plans and specifications approved by the County Engineer and (ii) shall fail to remedy the deficiencies within thirty (30) days of notice by the County Engineer sent to the property owner by certified mail, return receipt requested, or within such additional time as the County Engineer may grant, shall be guilty of violating this Section 9-202 and the Resolution enacting this Section. In addition, if the deficiencies are not remedied within said thirty (30) day period, or within such additional time as the County Engineer may grant, the Department of Public Works may abate such violation at the expense of the owner of the property.

(c) Any person who shall violate the provisions of this Section 9-202 shall be civilly liable to Douglas County in the amount of $100, which civil liability shall be in addition to criminal liability set forth in K.S.A. 68-543 and shall be in addition to costs of Douglas County in abating any violation. Each day that the violation exists shall be deemed a separate violation.

9-202.5 ASSESSMENT OF COSTS OF ABATEMENT; NOTICE OF COSTS; APPEAL.

(a) The Department of Public Works shall keep an itemized account of the expenses, including labor, materials, and equipment costs, incurred by the County in the abatement of any violations of this Section 9-202. Following an abatement, the Department of Public Works shall cause an assessment entitled “Notice of Costs” to be mailed to the property owner by certified mail, return receipt requested. The owner shall have thirty (30) days from the date of the Notice to make full payment. The Notice of Costs shall state:

(1) The common or legal description of the property, or both;

(2) The nature of the violation that was abated;

(3) The nature of the work performed to abate the violation;

(4) The amount of the costs incurred for the abatement of the nuisance either in a lump sum or in an itemized form;

(5) That the failure to pay the entire amount within sixty (60) days shall allow the County to file a lien against the property or to pursue litigation for the recovery of the costs, or both. Partial payments will not be accepted and shall be considered as nonpayment under this Section; and

(6) That an appeal of the proposed assessment must be made in writing and received by the Department of Public Works within sixty (60) days from the date of the Notice.

(b) Upon the expiration of the sixty (60) day period, if no appeal has been received by the Department of Public Works, a copy of the Notice of Costs shall be forwarded to the County Clerk who shall enter the amount on the County assessment roll, which shall constitute a special assessment against and a lien upon the property and shall be collected as any other assessment by the County.

(c) If a written appeal of the proposed assessment is received by the Department of Public Works prior to the expiration of the sixty (60) day period, an appeal of the assessment before the County Administrator or his designee shall be scheduled by the Department of Public Works for a date no sooner than twenty (20) days following the date the appeal was received. Written notice of the time and place of the hearing shall be given to each appellant by first class mail at the address provided with the written appeal request, and shall be mailed at least fifteen (15) days before the date set for the hearing. The appeal hearing shall be conducted by the County Administrator or his designee, who shall make a written determination of whether the assessment was authorized by this Section 9-202 and whether the amount of the charges should be canceled, reduced, or remain the same. If the County Administrator or his designee determines that the proposed assessment, or any part of it, is proper and authorized, the County Administrator or his designee shall so certify to the County Clerk who shall enter the amount on the County assessment roll, which shall constitute a special assessment against and a lien upon the property and shall be collected as any other assessment by the County. The decision of the County Administrator or his designee shall be considered a final order of the Board of County Commissioners.

(d) The County Administrator or his designee may reduce or cancel a proposed assessment if it is determined that any of the following did not substantially conform to the provisions of this Section:

(1) The notice of violation;

(2) The work performed by the Department of Public Works in abating the violation; and

(3) The computation of charges incurred in abating the violation.

(e) If, after a lien has been entered in the assessment roll, there is a written request of the owner who alleges that the owner did not receive notice of the proposed assessment, the County Clerk shall refer the matter for appeal procedures pursuant to Subsection 9-202-5.d. The lien may be canceled or reduced by the County Administrator or his designee if, after hearing, it is determined:

(1) The owner did not receive notice of the proposed assessment; and

(2) The circumstances are such that a reduction or cancellation of the charges would have been appropriate had the owner received notice of the proposed assessment.

(f) Immediately upon its being placed on the assessment roll, the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for state and county property taxes, which shall be upon the same parity. The lien shall continue until the assessment and all interest due and payable thereon are paid.

(g) The County Clerk shall add the amount of the assessment to the next regular tax bill levied against the property. All assessments remaining unpaid after thirty (30) days from the date of recording on the assessment roll shall be come delinquent and shall bear interest at the rate of interest for delinquent ad valorem real property taxes. The County Treasurer shall collect the assessment at the same time and in the same manner as ordinary property taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.

(h) The person who is the owner of the property at the time at which the notice of violation is sent shall be personally liable for the amount of the assessment, including all interest, civil penalties, and other charges.

(i) Nothing in this Subsection shall limit the County from utilizing other collection methods to recoup abatement costs.

9-202.6 SAVINGS CLAUSE. If any section, subsection, sentence, clause, or phrase of this Section 9-202 is for any reason held to be invalid or unconstitutional by final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Section. The Board of County Commissioners declares that it would have adopted this Section and each subsection, sentence, clause, or phrase, despite the fact that any one or more subsections, sentences, clauses, or phrases would be declared invalid or unconstitutional. (HR Res. 09-2-2 replaced Res. 02-12-8)

9-203 MINIMUM DESIGN AND CONSTRUCTION STANDARDS FOR LOCAL AND COLLECTOR ROADS

a) General. These standards are to be minimum standards set forth for the various improvements herein outlined. If conditions dictate, these standards may be varied with the consent of the County Engineer. It shall be the responsibility of the County Engineer to outline the reasons for any significant variations and, if requested, submit those reasons to the Board of County Commissioners for its approval.

The “Standard Specifications for State Road and Bridge Construction” adopted by the Kansas Department of Transportation (KDOT), 2015 or current edition, shall be the standard construction specifications unless otherwise noted in this Section.

The “LPA Project Development Manual”, Chapter 5, 2018 or current edition, as distributed by KDOT, shall be the minimum road design standards unless otherwise noted in this Section. Although these standards allow design flexibility in certain circumstances, the County Engineer must approve any deviations from the tabled design standards.

Bridge design shall conform to the standards in the KDOT “Design Manual, Volume III – Bridge Section”, current edition, unless otherwise noted in this Section. The County Engineer must approve any deviations from the standards in that manual.

Drainage structure design shall conform to the standards in the KDOT “Design Manual, Volume 1, (Part C), Elements of Drainage & Culvert Design”, current edition, unless otherwise noted in this Section. The County Engineer must approve any deviations from the standards in that manual.

Road classifications shall be as shown on the latest MPO-KDOT-FHWA Roadway Functional Classification Map, unless otherwise noted. For new roads, the proposed roadway classification and appropriate design standards will be determined by the County Engineer.

b) Design Details.

1) Right-of-Way: Minimum widths shall be as stipulated in latest version of the Subdivision Regulations, Subdivision Design Standards, or wider as required to accommodate the grading section. Note: Road classifications shown in Subdivision Design Standards are based on Access Management road classifications, which may differ from the MPO-KDOT-FHWA Roadway Functional Classification Map.

2) Earthwork: The minimum depth of roadside ditch shall be 2.0 feet, measured from the top of the roadway subgrade, unless otherwise approved by the County Engineer. The minimum compaction efforts required for fill sections shall be Type B (MR-90).

3) Road Surface Materials:

(a) Local Aggregate Road: 2-inch SS-3 road rock on 4-inch compacted Combined Material (AB-3) with 4% crown.

(b) Local Road (Hard Surfaced):

(1) Alternate (1): 4-inch compacted AB-3 with 4-inch Asphaltic Concrete Surface, 2 to 4% crown.

(2) Alternate (2): 8-inch compacted AB-3 with a prime and double chip seal, 2% to 4% crown.

(c) Minor Collector Aggregate Road: 2-inch SS-3 road rock on 6-inch compacted Combined Material (AB-3) with 4% crown

(d) Minor Collector Road (Hard Surfaced):

(1) Alternate (1): 6-inch compacted Combined Material (AB-3) with 4-inch Asphaltic Concrete surface, 2% to 3% crown

(2) Alternate (2): 10-inch compacted combined material (AB-3) with Prime and Double Chip Seal, 2% to 3% crown.

(3) Alternate (3): 6-inch full depth Asphaltic Concrete with 2% to 3% crown.

(e) Major Collector Aggregate Road: 2-inch SS-3 road rock on 8-inch compacted Combined Material (AB-3) with 4% crown

(f) Major Collector Roads (Hard Surfaced): Pavement section to be approved by County Engineer. Pavement design should utilize design guidelines and methods from widely accepted

industry sources, e.g. AASHTO, FHWA, and National Asphalt Pavement Association. Cross slope shall be 2%.

4) Prime and Double Chip Seal Rates of Application:

(a) Alternate 1

(1) MC-30 Prime - 0.3 gallons per square yard.

(2) RC-800 Seal - 0.35 gallons per square yard (for each of 2 seals)

(3) Cover Material (CM-K) – 0.01 cubic yards/ square yard (for each of 2 seals)

(b) Alternate 2

(1) MC-30 Prime – 0.3 gallons per square yard

(2) CRS-1HP Seal – 0.35 gallons per square yard (for each of 2 seals)

(3) Cover Material (CM-K) – 0.01 cubic yards/square yard (for each of 2 seals)

(c) Alternate 3

(1) MC-30 Prime – 0.3 gallons per square yard

(2) CRS-1HP Seal – 0.36 gallons per square yard (for each of 2 seals)

(3) Cover Material (CM-L-2)—0.009 cubic yards/square yard (for each of 2 seals)

5) Bridge design live loading: HL-93 for new bridges

6) County-maintained drainage structures on local roads shall be designed to pass the 10-year return interval storm runoff (Q10). County maintained structures on major and minor collector roads shall be designed to pass the 25-year return interval storm runoff (Q25). Design headwater elevation shall be below road subgrade elevation. For drainage structures on dead end roads with residential development or other critical access needs, the County Engineer may require a higher level of service.

7) For new roads, roadway shall be surfaced full roadway width, which includes shoulders. For relatively short-length projects, e.g. culvert replacement projects, on existing roads, roadway surfacing width shall be at least 18’ wide or match existing traveled way width, whichever is wider, and additional culvert length will be provided to accommodate future surface widening to meet tabled design standards.

8) Minimum crossroad drainage structure shall be reinforced concrete or aluminized corrugated metal pipe, 18-inch diameter meeting the Kansas Department of Transportation Standards for strength and thickness. Minimum cover over crossroad pipe culverts shall be 18 inches, unless otherwise approved by County Engineer.

9) Entrances shall comply with the current Douglas County construction standards for entrances on county routes. Entrance pipes shall be reinforced concrete or aluminized corrugated metal pipe, minimum 12-inch diameter, meeting Kansas Department of Transportation Standards for strength and thickness.

10) Construction Traffic Control Details shall be shown on the plans and submitted to the County Engineer for approval prior to construction.

c) Construction Specifications.

1) All base and surfacing material shall be placed under the supervision of the County Engineer or his/her representative.

2) Combined Material (AB-3) shall be mixed to specified moisture content utilizing the Central Plant Method or Travel Plant Method. The road mix method may be used for aggregate surfaced roads and hard surfaced roads requiring less than 500 tons of base material. The specified moisture content shall be the optimum moisture content as determined by laboratory analysis.

3) The Combined Material (AB-3) base for hard surfaced roads shall be placed full lane width. Placement methods must be pre-approved by the County Engineer or his/her representative. The material shall be distributed at the desired uniform rate, and placed in a manner to minimize segregation. Areas of segregation shall be remedied by the contractor as directed by the County Engineer or his/her representative.

4) If the required compacted depth of the aggregate base course or shoulder exceeds six inches, construction shall be in two or more lifts of approximate equal thickness.

5) Immediately after placing the base material, the aggregate base course shall be compacted to a density of not less than 95% of maximum standard Proctor density. Final surface of base course shall be to uniform line and grade per plans.

6) The compacted base course shall be maintained and cured until the moisture content of the entire thickness of the base does not exceed 70 percent of optimum moisture content.

7) The County Engineer or his/her representative shall determine when the surface of the base has cured sufficiently to permit the bituminous application or other surfacing to be applied. If the Contractor chooses not to apply the bituminous prime or other surfacing at that time, he must maintain the surface at his expense (including application of the necessary water) until such time as it is applied.

8) The design application rates for prime and seal coats may be adjusted in the field by the County Engineer or his/her representative depending on traffic, weather, and surface conditions

9) The bituminous prime coat shall have sufficient time to thoroughly penetrate the base before application of the first seal.

10) The second seal coat shall not be applied until 30 days after the application of the first seal coat unless otherwise approved by the County Engineer. [Res. 20-02, replaced Res. 05-15, Sec. 1]

ARTICLE 3. TRAFFIC CONTROL

9-301 SPEED LIMITS

a) Except as provided in K.S.A. 8-1557, and amendments thereto, the limits specified in this subsection or established as authorized by law shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits:

1) In any urban district, 30 miles per hour, except where otherwise posted;

2) on any separated multilane highway, as designated and posted by the secretary of transportation, 70 miles per hour;

3) on any county or township highway, 55 miles per hour, except where otherwise posted; and

4) on all other highways, except where otherwise posted, 65 miles per hour.

b) Pursuant to K.S.A. 8-1560, the county commission may determine based on an engineering and traffic investigation or without an engineering and traffic investigation, the proper maximum speed for such county or township highways and shall declare a reasonable and safe maximum limit thereon , and that limit shall be effective when posted upon appropriate fixed or variable signs.

c) Pursuant to subsection b, the county commission hereby declares that all speed limits posted as of the time this Code is adopted are the

reasonable and safe maximum limit thereon. Any alteration to these speed limits will be made by resolution, will be included in Appendix B to this Code and shall be effective when posted upon appropriate fixed or variable signs.

9-302 GROSS WEIGHT LIMITS

a) The Director of Public Works may determine and declare upon the basis of an engineering investigation, the maximum gross weight limits for any roadway or bridge within the county, and these limits shall be effective when posted upon appropriate signs adjacent to said roadway or bridge. No person, firm, association, partnership or corporation shall drive a vehicle in excess of the posted gross weight limits upon such roadways or bridges with written permission of the Director of Public Works.

b) When the department of transportation shall determine upon the basis of an engineering investigation maximum gross weight limits on any bridge which is on a state highway connecting link, said maximum gross weight limits shall be effective at all times when appropriate signs giving notice thereof are erected adjacent to said bridges.

c) Pursuant to subsection (a), the Director of Public Works hereby declares that all maximum gross weight limits posted as of the time this Code is adopted are effective as posted. Any alteration to these gross weight limits will be documented by the Director of Public Works, will be kept for public inspection in the Public Works office, and will shall be effective when posted upon appropriate fixed or variable signs.

9-303 PARKING REGULATIONS

a) The county commission may determine based on an engineering and traffic investigation or without an engineering and traffic investigation, whether or not parking should be allowed along all or a portion of any county or township highways and shall declare the parking regulation which shall be effective when posted upon appropriate fixed or variable signs.

b) Pursuant to subsection a, the county commission hereby declares that all no parking signs posted as of the time this Code is adopted are effective as posted. Any alteration to these speed limits will be made by resolution, will be included in Appendix C to this Code and shall be effective when posted upon appropriate fixed or variable signs.

9-304 OTHER TRAFFIC CONTROL DEVICES

a) The Director of Public Works may determine and declare all traffic regulations not set forth above for any roadway or bridge within the

county, and these limits shall be effective when posted upon appropriate signs adjacent to said roadway or bridge.

b) Pursuant to subsection (a), the Director of Public Works hereby declares that all regulatory signs and traffic control devices posted as of the time this Code is adopted are effective as posted. Any alteration to these traffic regulations will be documented by the Director of Public Works, will be kept for public inspection in the Public Works office, and will shall be effective when posted upon appropriate fixed or variable signs.

c) The Director of Public Works shall place, maintain, change and remove traffic control signs, signals, and devices, when required to make effective and carry out the provisions of this Code or any resolution of the County, and may place, maintain, change and remove such additional traffic control devices as he or she may deem necessary to regulate traffic or to warn or guide traffic.

9-305 EMERGENCY, TEMPORARY, AND EXPERIMENTAL REGULATIONS. The Sheriff or the Director of Public Works is hereby empowered to make emergency, temporary or experimental regulations, including speed limits, effective upon signs being properly posted, as follows: to establish no parking zones on special occasions or to expedite traffic for safety purposes; to make and enforce temporary regulations in construction zones; and to make and enforce temporary or experimental regulations to cover emergencies or special conditions or to determine the advisability of permanent regulations for recommendation to the Board of County Commissioners, and test traffic-control devices under actual conditions of traffic. When the Sheriff or Director of Public Works exercises this emergency authority, the County Commission shall be notified of the temporary regulation within five (5) working days of the action. No emergency, temporary or experimental regulations created pursuant to this Section shall remain in force for more than 90 days. (Res. HR-03-1-1, Sec. 2).

ARTICLE 4. MINIMUM MAINTENANCE ROAD DECLARATION

9-401 GUIDELINES ESTABLISHED. The Board hereby establishes the following guidelines for the declaration of minimum maintenance roads. Such guidelines are intended to be reviewed by the Board of County Commissioners whenever requests or recommendations are made for the declaration of minimum maintenance roads. The failure of any road(s) proposed for minimum maintenance status to meet all the following guidelines shall not prohibit the Board of County Commissioners from adopting a resolution declaring a road(s) as minimum maintenance:

a) Roads which have been constructed with federal aid monies shall not be declared as minimum maintenance roads;

b) The average daily traffic volume on the road should be less than 24 trips per day;

c) The primary use of the road should be to provide access for low speed agricultural vehicles;

d) A residence, residential subdivision, or other intensive land use located on the road must have an available alternative access even if it is not as convenient;

e) Physical problems with routine maintenance such as difficult soil conditions or expensive drainage correction problems shall be given strong weight in a minimum maintenance road designation; and

f) A minimum maintenance level of service will not have a significant impact on local traffic circulation and traffic will be able to utilize other local roads with minimal hardship. (Res. 92-10-2, Sec. 1)

9-402 DISCONTINUATION OF MINIMUM MAINTENANCE DECLARATION. The procedure for discontinuance of a minimum maintenance road designation shall be the same as that provided in K.S.A. 68-5, 102, and amendments thereto for establishment of such a road. (Res. 92-10-2, Sec. 2)

9-403 SPECIAL NOTICE PROCEDURE. All owners of land adjacent to roads proposed for minimum maintenance status shall be notified by first class mail no less than ten (10) days prior to a public hearing on such proposal by the Board of County Commissioners. The failure to send or receive such notice shall not invalidate any minimum maintenance road proceeding. (Res. 92-10-2, Sec. 3)

9-404 HEARING BEFORE THE TOWNSHIP BOARD OF HIGHWAY COMMISSIONERS. Upon the adoption of a resolution by the Board making the determination that one or more roads or parts of roads may be declared minimum maintenance roads as provided by K.S.A. 68-5-102(b), the Board shall send a copy of the resolution to the Township Board of Highway Commissioners in each township in which a portion of the road which is to be vacated is located, and the Township Board of Highway Commissioners shall hold a public hearing on the proposal to declare such road or roads to be minimum maintenance. In the event that a Township Board of Highway Commissioners desires to have a road or roads declared to be minimum maintenance roads, prior to submitting the request to the County Commissioners, the Township Board of Highway Commissioners shall hold a

public hearing on the proposal to declare the road or roads to be minimum maintenance roads. In either such event, the Township Board or Boards shall cause to be published once in the official County paper at least ten (10) days prior to the date of the hearing a notice of a public hearing to be held stating the description of the road to be declared to be a minimum maintenance road and the date, time, and place of the hearing, and all owners of land adjacent to the portion of the road or roads proposed for minimum maintenance status shall be notified by first class mail no less than ten (10) days prior to the public hearing. Any person wishing to appear at such hearing and give evidence or testimony thereon may do so. At the conclusion of such hearing, the Township Board shall make a recommendation to the Board of County Commissioners as to what roads or parts of roads described in such resolution should be declared to be minimum maintenance roads. (Res. 94-2-1, Sec. 1)

ARTICLE 5. PUBLIC ROAD ACCESS MANAGEMENT STANDARDS

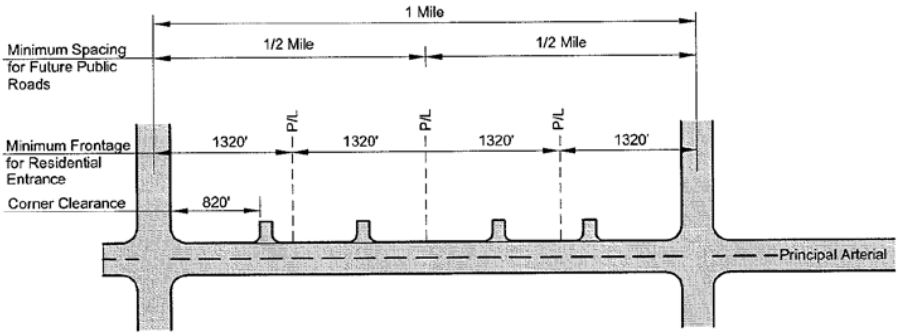
9-501 The Entrance Spacing Standards for Entrance Permits for platted and unplatted property onto public roads in the unincorporated areas of Douglas County (regardless of which governmental entity maintains the public road) are hereby adopted as follows:

Access Class	(feet) Minimum Frontage	(feet) Desirable Entrance Spacing	(feet) Corner Clearance From Intersection
Freeway:	Subject to KDOT policy		
Principal Arterial:*	1320	1320	820
Minor Arterial:	660	660	600
Major Collector: Posted or design speed (as determined by County Engineer) 55 mph less than 55 mph	 660 500	 660 500	 600 450
Minor Collector:	330	330	250
Local:	250	250	200
*Access to state and federal highways subject to KDOT policy. Some Entrance Spacing Standards concepts are shown on Figure 9-501.			

Notwithstanding the foregoing, no entrance permit other than a field permit may be issued for entrance onto a public road that is then designated a “minimum maintenance road” pursuant to K.S.A. 68-5,102, as amended. (Res. HR-06-10-7; Res. HR-07-1-1)

Conceptional Schematics to Illustrate Concepts of Minimum Property Frontage, Corner Clearance and Minimum Public Road Spacing

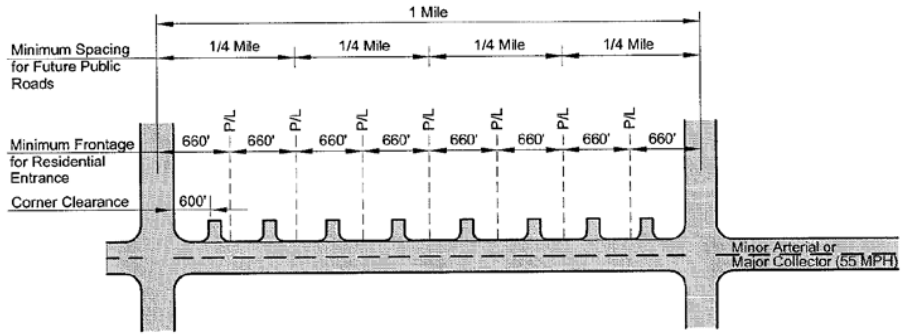
Principal Arterial



P/L = Property Line

Note: Shared entrances constructed at or near property lines are allowable, and may be required by the County Engineer.

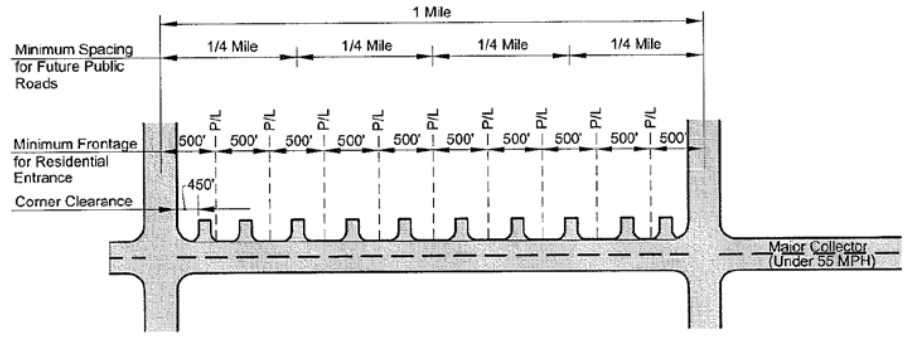
Minor Arterial or Major Collector (55 MPH)



P/L = Property Line

Note: Shared entrances constructed at or near property lines are allowable, and may be required by the County Engineer.

Major Collector (40-50 MPH)



P/L = Property Line

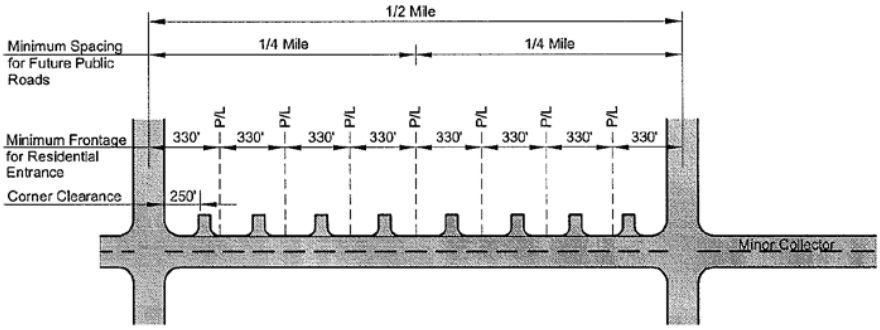
Note: Shared entrances constructed at or near property lines are allowable, and may be required by the County Engineer.

Figure 9-501

Page 1 of 2

Conceptional Schematics to Illustrate Concepts of Minimum Property Frontage, Corner Clearance and Minimum Public Road Spacing

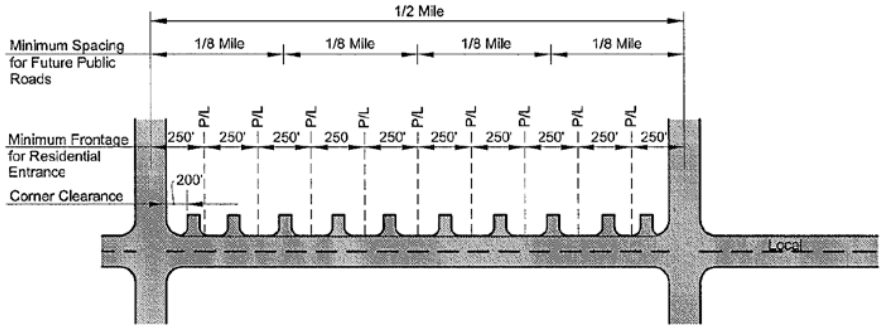
Minor Collector



P/L = Property Line

Note: Shared entrances constructed at or near property lines are allowable, and may be required by the County Engineer.

Local



P/L = Property Line

Note: Shared entrances constructed at or near property lines are allowable, and may be required by the County Engineer.

Figure 9-501

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9-502 No property for which a deed, an affidavit of equitable interest, or plat of survey is recorded with the Office of the Douglas County Register of Deeds on or before October 25, 2006, which instrument identifies the property as a separate tract of real estate, shall be denied an entrance permit onto a public road classified as Minor Collector or Local for purposes of construction of a residential dwelling solely for the reason that the property does not have sufficient frontage along a public road if the property has not been further divided since the effective date of Section 9- 501 and any of the following apply with respect to the subject property:

a) It has 250 feet of frontage along a public road right-of-way and the dwelling or mobile home gains its primary access directly to and from an existing public roadway within such public road right-of- way; or

b) It has 250 feet of frontage along a public road right-of-way and the dwelling or mobile home will gain its primary access directly to and from a public roadway to be constructed within such public road right-of-way if (1) engineered plans for construction or improvement of the public roadway to current county standards have been approved by the County Engineer, and (2) a sufficient bond or letter of credit, in an amount determined by the County Engineer, is provided to ensure construction or improvement of the public roadway to current County standards; or

c) It has access to a public road by virtue of a private road approved by the Board prior to October 30, 2006; or

d) Is located within a subdivision which has been platted as provided in the Subdivision Regulations for the unincorporated area of Douglas County; or

e) A deed or an affidavit of equitable interest for the property was recorded with the Register of Deeds on or before August 17, 1994 describing the property as a single tract under one ownership and the property would have been eligible for a residential entrance permit on the date of recordation; or

f) A variance of the above requirements is granted by the Board of Douglas County Commissioners, based upon a finding that all of the following conditions have been met:

1) That the variance requested arises from such condition which is unique and is created by this Article and not by an action or actions of the property owner;

2) That the granting of this variance will not adversely affect the rights of adjacent property owners or residents;

3) That the strict application of the provisions of this Article will constitute unnecessary hardships upon the property owner represented in the application;

4) That the variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare; and

5) That granting the variance desired will not be opposed to the general spirit and intent of this Article.

The provisions of this Section shall not apply to property divided after October 30, 2006. (Res. HR-06-10-7; Res. HR-10-1-1)

9-503 For purposes of this Article, the following words shall have the following definitions:

a) The term field permit means an entrance permit which allows access to a public road only for agricultural purposes, but not for purposes of access to a residential or commercial building. No entrance permit for the construction or placement of dwellings, mobile home, or commercial building shall be issued with respect to property that gains its access to an adjacent public road by a field permit.

b) The term frontage means the portion of private property touching the adjacent public road right-of-way from which the property gains its primary access, provided, however, that such private property must have a depth equal or greater than required by applicable Zoning Regulations or Subdivision Regulations.

c) The term public road right-of-way means any right of way within which a public road may be constructed, whether or not a public road actually is constructed, including state highways, county roads, township roads, and any other road that has been dedicated to and accepted for public use.

d) The term public road means the part of the public road right-of-way that is improved and ordinarily used by the public for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roads, the term public road refers to any one road separately and not to all of the roads collectively. (Res. HR-06-10-7)

9-504 The Minimum Public Road Spacing Standards for spacing between new public roads intersecting with other public roads (regardless of which governmental entity maintains the public road) for purposes of approval of subdivision plats pursuant to the Douglas County Subdivision Regulations shall depend upon the road classification of the other public road and are hereby adopted as follows:

Access Class	(feet) Minimum Public Road Spacing
Freeway:	Subject to KDOT policy
Principal Arterial:*	2640
Minor Arterial:	1320
Major Collector: Posted or design speed (as determined by County Engineer) 55 mph less than 55 mph	 1320 1320
Minor Collector:	1320
Local:	660
*Access to state and federal highways subject to KDOT policy. Some Minimum Public Road Spacing Standards concepts are shown on Figure 9-501.	

(Res. HR-06-10-7)

9-505 The Minimum Frontage Spacing , Desirable Entrance Spacing and Minimum Public Road Spacing standards set forth in Section 9-501 and Section 9-504 are based upon a one-mile section being exactly 5280 feet. Thus, distances of 2640, 1320 feet, 660 feet and 330 feet are intended to require 1/2 mile, 1/4 mile, 1/8 mile, and 1/16 mile nominal distances, respectively. If any particular one-mile section is shorter than 5280 feet, the distances set forth in Section 9-501 and Section 9-504 shall vary proportionately. For instance, if a section has a length of 5275 feet, the minimum frontage along a Principal Arterial abutting that section is 1318.75 feet (1320 x 5275/5280), thus allowing as many as four entrances along that section. (Res. HR-06-10-7)

9-506 The road classification~~s~~ shown on **Exhibit 9-**506, Road Classifications is adopted as the Road Classification Map for the Access Management Standards. (Res. HR 13-2-1)

Proposed for adoption on February 20, 2012.

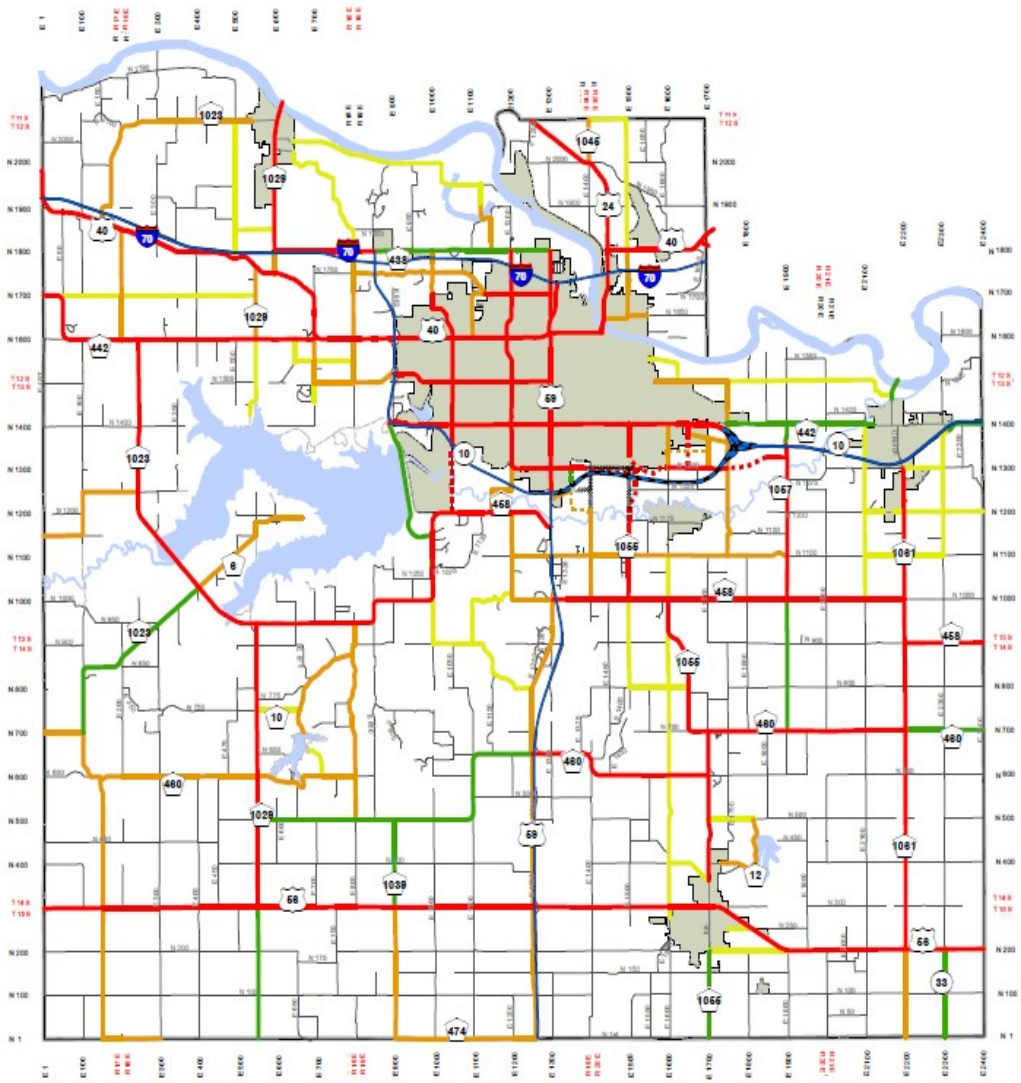

Exhibit 9-506

Road Classifications

- Freeway
- Future Freeway
- Principal Arterial
- Future Principal Arterial
- Major Collector
- Future Major Collector
- Minor Arterial
- Future Minor Arterial
- Minor Collector
- Future local/rural
- Roads eradicated after completion of SLT
- Park Road*
- City Road*
- Local Road

* Shown for informational purposes, not part of road classification.

N

MAP DISCLAIMER: All data, information, and maps are provided "as is" without warranty or any representation of accuracy, timeliness of completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. Douglas County makes no warranties, express or implied, as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose.

9-507 Recognizing that configuration of existing land parcels, topography, sight distances, and other engineering considerations may make it impractical or undesirable to strictly comply with the desirable entrance spacing standards and corner clearance standards set forth in Section 9-501, and further recognizing the strict compliance with the minimum frontage, desirable entrance spacing, and corner clearance standards, may impair a property owner's right to access abutting public roads, the County Engineer is hereby authorized to grant exceptions to the standards set forth in Section 9-501 as follows: (i) if sound engineering design practices for a particular tract dictate different spacing of entrances, the County Engineer may grant exceptions to the desirable entrance spacing standards and the corner clearance standards; and (ii) if provisions of state common law requires access to property abutting public roads, the County Engineer may grant exceptions to the minimum frontage standards. Entrance permits issued pursuant to clause (ii) shall be issued only to comply with state law requiring access to property abutting public roads and shall be limited to a field permit.

In addition, the County Engineer is authorized to grant exceptions to strict compliance with the standards set forth in Section 9-501 upon the division of a tract of property, on which a residential building existed on December 31, 2006, if the property owner or owners entered into an agreement with the County Engineer, to be recorded with the Office of the Douglas County Register of Deeds, limiting the location, number, and type of current and future entrance permits to be granted each resulting division, as the County Engineer determines necessary or advisable to substantially comply with the purpose and intent of these Access Management Regulations; provided, however, that the total number of permissible entrance permits onto the public road for access to a residential or commercial building shall not be increased as a result of any such agreement.

The decision of the County Engineer pursuant to this Section may be appealed to the designee of the Board of County Commissioners and to the Board of County Commissioners in accordance with Section 9-512. (Res. HR-08-4-1)

9-508 No building permit shall be issued for construction on a tract of land that gains its primary access from (i) a public road, unless a lawful entrance permit has first been issued, provided, however, that no building permit for a residential, commercial, or industrial use shall be issued if the entrance permit is a field

permit; or (ii) a private road, unless approved by the Board. (Res. HR-06-10-7)

9-509 Entrance Permits onto township-maintained roads classified as Minor Collector or higher classification shall be issued according to the following process:

a) Each respective Township shall administer and issue entrance permits onto roads that it maintains.

b) The County Engineer or designee shall provide the following information on the township entrance permit:

1) Certification that proposed entrance installation meets the requirements of this Article.

2) Required or optimal entrance location, if any.

3) Approved entrance type (single, shared, residential, field, commercial, etc.)

c) No building permit shall be issued for a tract of land that gains its primary access from a township-maintained road classified as Minor Collector or higher unless the entrance permit includes approval of the County Engineer or designee. (Res. HR-06-10-7)

9-510 Entrance Permits onto township-maintained roads classified as Local shall be issued by the appropriate Township, and do not require approval of the County Engineer or designee. (Res. HR-06-10-7)

9-511 If the County Engineer, in the County Engineer's professional opinion, determines that a proposed entrance may result in an unreasonable safety risk to the traveling public or property owner due to configuration of land parcels, topography, sight distances, traffic characteristics or other engineering considerations, and if no feasible means of mitigation or alternative entrance location exists along the property frontage, the County Engineer is authorized to deny an entrance permit for purposes of construction of a residential dwelling, even if the frontage along the public road satisfies the standards set forth in Section 9-501 or is exempt from those standards based upon Section 9-502. (Res. HR-06-10-7)

9-512 If any owner of a tract of property is denied an entrance permit onto a public road for purposes of construction of a residential dwelling pursuant to the provisions of Section 9-502 *solely* for the reason that the property does not have sufficient frontage along a public road, and that the property is located on a public road classified as anything other than a Local or Minor Collector

road (in other words, the property satisfies one of the criteria in 9-502 but is not located on a Local or Minor Collector road), the owner may file an application with the Douglas County Department of Public Works for a variance to the strict application of this Article. Such request shall provide justification for the requested variance and shall be heard by the designee of the Board of County Commissioners within a reasonable time after the filing of the application. In addition to other relevant issues, the person hearing the owner's application may consider and require alternatives to the requested entrance permit so as to reduce the number of entrances onto the public road, including but not limited to requiring shared entrances, frontage roads, obtaining an entrance from a different road, or combining adjacent tracts of property under the same ownership or control into one tract. In reaching a decision on the owner's application, the designee of the Board of County Commissioners shall consider the economic impact of the denial of an entrance permit or the requirement of an alternative entrance, the extent to which the denial or alternative requirement interferes with the owner's reasonable investment-backed expectations, and the adverse impacts of the proposed access to the safety of the public road. The designee's decision shall be in writing and shall be promptly conveyed to the owner. Any owner adversely affected by the decision of the designee of the Board of County Commissioners may appeal the decision to the Board of County Commissioners by written notice filed with the Board within 30 days of the written decision of the designee, specifically stating the basis for the appeal and the requested relief. The Board of County Commissioners may affirm, reverse, or affirm in part and reverse in part the decision of the designee, or may remand the application back to the designee for further consideration in accordance with instructions provided by the Board. (Res. HR-06-10-7; Res. HR-10-1-1)

9-513 If any provision or condition of this Article shall be held to be invalid or unenforceable, the validity or enforceability of the remaining provisions and conditions will not be affected thereby. (Res. HR-06-10-7)

ARTICLE 6. PERMITS FOR OVERSIZE OR OVERWEIGHT VEHICLES

9-601 DEFINITIONS. For purposes of this Article, the following terms have the following definitions:

a) Applicant means a Person who applies for a Permit.

b) Application means an application for a Permit, including an application pursuant to K.S.A. 8-1911, and amendments thereto, and K.S.A. 17-1915, and amendments thereto.

c) Board means the Board of Douglas County Commissioners.

d) County Road means any public road in the unincorporated areas of Douglas County, Kansas under the Board's jurisdiction, including Township-maintained roads but excluding any highway under the jurisdiction of the Secretary of the Kansas Department of Transportation.

e) Director means the Director of the Douglas County Department of Public Works or designee.

f) Permit means a permit issued pursuant to this Article to operate or move an oversize vehicle on a County Road or bridge.

g) Person means an individual, trust, trustee, limited liability company, corporation, partnership, and any other association or organization.

h) Trustee means the Trustee of the applicable Township or designee.

9-602 DESIRE TO EXERCISE POWERS. The Board desires to exercise the powers conferred upon it by K.S.A. 8-1911, and amendments thereto, to issue or deny permits of oversize and overweight loads and, in addition, exercises its home rule authority to adopt additional regulations not inconsistent with K.S.A. 8-1911.

9-603 TRANSFER AND DELEGATION OF PERMITTING AUTHORITY. The Board finds that

a) the authority of the Douglas County Clerk to issue permits pursuant to K.S.A. 17-1915, and amendments thereto (to permit operation of vehicles having a height of 16 feet or more), and

b) the authority of the Board to issue permits pursuant to K.S.A. 8-1911, and amendments thereto (to permit operation of oversize or overweight vehicles), both relating to public roads under the Board's jurisdiction, can be more efficiently and effectively exercised by the Director, and the Board hereby transfers and delegates such permitting authority to the Director. The Douglas County Clerk and other Douglas County offices shall forward any such applications to the Director and the Director shall handle such applications in accordance with this Article.

9-604 UNLAWFUL USE OF PUBLIC ROADS. It shall be unlawful to operate or move on a County Road, or for the owner or lessee to cause or knowingly permit to be operated or moved, a vehicle or combination of vehicles if the vehicle or combination of vehicles is of a size or weight of vehicle or load exceeding the maximum specified under Article 19 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto, or of a height exceeding the maximum specified at K.S.A. 17-1914, and amendments

thereto, without first receiving a Permit for such operation. The Permit may be for a single trip or for annual operation. Further, it shall be unlawful to violate the terms and conditions, or for the owner or lessee to cause or knowingly permit the violation of the terms and conditions, of any Permit issued pursuant to this Article, including but not limited to failing to follow the permitted route on the permitted date.

9-605 APPLICATION FOR PERMIT. Before operating or moving a vehicle or combination of vehicles of a size or weight for which a Permit is required under Section 9-604, or before the owner or lessee causes or knowingly permits any such operation or move, an Application shall be filed with the Director to permit such operation or move. The Director shall review the Application for the possible need for professional consultation, and, if deemed necessary by the Director, shall inspect each route/location for which such approval is requested, and, if determined appropriate, approve the issuance of a Permit therefor, with such terms and conditions as the Director determines appropriate. The Director shall take reasonable effort to accommodate the needs of each Applicant while at the same time considering the continued integrity and safety of County Roads and bridges. An Application may be denied upon the Director's determination that the granting of the Permit would compromise the integrity or safety of County Roads.

9-606 TOWNSHIP-MAINTAINED ROADS. If the Director determines that any Application includes a route/location involving the use of Township-maintained roads, the Director shall forward such Application or otherwise communicate the information from such Application to the Trustee of the appropriate Township. The Trustee shall review such Application, inspect each route/location for which such approval is requested, and make a recommendation to the Director to issue or deny a Permit for such route/location, with or without conditions. The Trustee should take reasonable effort to accommodate the needs of each Applicant while at the same time considering the continued integrity and safety of the applicable Township-maintained County Road. The Trustee's involvement is in an advisory role. Only the Director may issue the Permit.

9-607 PROFESSIONAL CONSULTATION. The Director is authorized and has sole discretion to utilize professional consultants for all or any portion of the review of an Application. When the Director determines professional consultation is necessary, the Applicant shall deposit an amount that the Director estimates as compensation for professional consultation. The Director shall then retain

the professional consultant on the matters the Director determines necessary. If the deposited amount is greater than the actual consultation fee, the overage shall be refunded to the Applicant upon Permit issuance or denial. If the deposited amount is less than the actual consultation fee, the underage shall be paid by the Applicant prior to Permit issuance.

9-608 PERMIT TERMS AND CONDITIONS; PERMIT DURATION AND FREQUENCY OF USE. Any Person operating or moving a vehicle or combination of vehicles pursuant to a Permit shall comply with all provisions of this Article and all terms and conditions of the Permit. Term of the Permit shall be 14 calendar days from the issuance date of the Permit. The Director may extend a Permit term for just cause. Term of the annual Permit shall be 365 calendar days from the issuance date of the Permit.

9-609 APPLICATION PROCESS AND INFORMATION TO BE SUBMITTED. The Director shall determine procedural matters for submitting an Application and issuance of a Permit based on the following general guidelines. The Director shall develop such forms and standards as the Director determines necessary for the issuance of Permits pursuant to this Article. At a minimum, the Application shall contain details on the vehicle or combination of vehicles, load or cargo, requested route, and the requested date of the operation or move. The Applicant shall provide any additional information the Director determines necessary. Absent exigent circumstances, the Application, together with the Application fee, proof of required insurance, and all other required documentation shall be submitted no later than 3 days prior to the requested date for the Permit.

9-610 APPLICATION FEE. The Application fee for a single trip Permit is based on the following guidelines.

Base fee ..... $ 50.00
Additional fee based on travel length on
County Roads ..... $ 10.00 per mile
Professional consultation fee, if required ..... As estimated

The base fee is not refundable, even if a single trip Permit is not issued.

The Application fee for an annual Permit is based on the following guidelines.

Base fee $300.00
Professional consultation fee, if required ..... As estimated

9-611 APPLICANT RESPONSIBILITY AND SECURITY DEPOSIT. The Applicant shall be personally responsible for any and all damage occurring as a result of the permitted activity. Prior to issuance of any single trip Permit, the Applicant shall deposit with the Director a certified cashier's check or other official check in the amount of $1,000.00, payable to Douglas County. If the Director determines a proposed permitted activity poses greater risk of damage to County Roads and bridges than routine transportation of oversize and/or overweight vehicles and/or loads, the Director may condition issuance of a Permit upon provision of a larger deposit. A security deposit will not be required for issuance of an annual Permit.

The Applicant shall replace any traffic control or directional signs moved to allow for the load to pass IMMEDIATELY UPON PASSAGE OF THE LOAD.

Upon completion of the move, the Director shall, if deemed necessary by the Director, inspect the route/location and determine the extent of any damage caused. The Director shall notify the Applicant of any such damage. The Applicant shall cause such damage to be repaired within 48 hours if the damage is of a type the Director permits third-parties to repair. Failure to repair any damage shall be a violation of this Article and is subject to the penalties contained herein.

If the Applicant fails or refuses to repair such damage or if the damage is of the type the Director does not permit third-parties to repair, the Director shall cause such damage to be repaired. The cost of repairs shall be deducted from any funds deposited by the Applicant and the balance shall be refunded. If the cost of repairs exceeds any funds deposited, the Applicant shall pay the County and/or Township the amount of the excess within 30 days of the date the Director mails notice to the Applicant of the excess.

9-612 APPLICANT INSURANCE AND PROOF THEREOF. The Applicant, driver(s), vehicle(s) and/or load(s) thereon shall carry liability insurance in the following amounts:

a) Housetrailers, manufactured homes, and mobile homes not exceeding 16 ½ feet in width: insurance amount as provided by K.S.A. 8-1911(h)(3), and amendments thereto;

b) All others: combined single limit of a minimum of $500,000.00 for bodily injury and property damage.

Proof of insurance shall be provided to the Director prior to issuance of a Permit and such proof of insurance shall accompany the vehicle, item, and/or person insured during any activity permitted.

9-613 PERMIT DISPLAY. Any Permit issued pursuant to this Article shall be present and available for inspection by any law enforcement officer or other authorized agent, as designated by the Director or Trustee, during all activities permitted. Any sticker or decal issued with the Permit shall be displayed on the load and/or vehicle in a manner the Director directs.

9-614 TRAFFIC CONTROL. Applicants and other holders of Permits shall comply in all respects with the latest edition and addenda of the "Manual on Uniform Traffic Control Devices" and any other requirements the Director determines necessary, and shall pay for all costs thereof.

9-615 PENALTY. Any Person who fails to comply with the provisions of this Article, including violation of terms and conditions of a Permit when operating a vehicle pursuant to a Permit, shall be guilty of a Class C misdemeanor and subject to the maximum penalties prescribed by Chapter 21 of the Kansas Statutes Annotated for conviction of a Class C misdemeanor and, in addition, subject to an action brought by the Board or the Director enjoining such violation pursuant to the provisions of K.S.A. 19-101d, and amendments thereto, and/or penalties provided for violations of Article 19 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto. Any Person who violates the provisions of this Article a second time within 12 months of a previous violation shall be guilty of a Class B misdemeanor and subject to the maximum penalties prescribed by Chapter 21 of the Kansas Statutes Annotated for conviction of a Class B misdemeanor. If the Director determines any Person has not complied with the provisions of this Article and the rules and regulations of the Director relating thereto, the Director may revoke any annual Permit, if applicable, and may withdraw the privilege of such Person from receiving additional Permits in the future. Any Person who fails to comply with the provisions of this Article and is apprehended during an unauthorized activity shall: 1) immediately cease all unauthorized activity; 2) be issued a citation, notice to appear, or warrant by a law enforcement officer; and 3) apply for a Permit, as provided by this Article.

9-616 TYPICAL VEHICLES AND LOADS INCLUDED. Typical vehicles and/or loads covered by this Article include, but are not limited to, the following: Any vehicle, trailer or load with a width greater than 8 1/2 feet; any vehicle, trailer or load with a height greater than 14 feet; and any vehicle, trailer or load with

the weight on any wheel exceeding 10,000 pounds. Examples are: hauled construction vehicles; houses being relocated; and house trailers, manufactured homes, or mobile homes. Vehicle/load combinations must meet the requirements of K.A.R. 36-1-37(a), as amended, to be eligible for movement under an annual permit.

9-617 EXEMPTIONS. The following vehicles and/or loads are exempted from the provisions of this Article: Farm tractors, combines, fertilizer dispensing equipment or other farm machinery, or machinery being transported to be used for terracing or soil or water conservation work upon farms; and vehicles owned by counties, cities and other political subdivisions of Kansas, except this Section shall not exempt trucks owned by counties, cities and other political subdivisions specifically designed and equipped and used exclusively for garbage, refuse or sold waste disposal operations from the maximum gross weight limitations contained in the table in K.S.A. 8-1909, and amendments thereto.

9-618 ADDITIONAL POWERS, RULES, AND REGULATIONS. The Director is authorized to establish and enforce such additional rules and regulations necessary for the orderly administration of this Article. Without limiting the scope of the Director's authority in establishing and enforcing rules and regulations to administer this Article, the Director is authorized to adopt rules and regulations generally restricting annual permit holders to the use of County routes and limiting the dimensions, weights, and types of vehicle/load combinations eligible for an annual Permit. The violation of any such rule or regulation shall constitute a violation of this Article.