

Latest DRAFT following the Public Hearing held on 12/15/2010

To Fergus County Constituents:

This "Draft" is presented showing the changes in RED that were made after the suggestions presented at the Public Hearing of 12/15/10.

The pages will be numbered on the final draft when it is presented for Resolutions to the Board of County Commissioners

FERGUS COUNTY ROAD AND BRIDGE STANDARDS

Adopted by the
Board of Commissioners

Any Month _____, 2011

2011

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Board of Commissioners Message

The following ~~standards policies~~ shall remain in effect until such time as they are amended, revised, and/or rescinded by the Fergus County Board of County Commissioners. Any and all changes must be reviewed and approved by the Board of County Commissioners in writing.

The Fergus County Board of County Commissioners reserves the right to have ultimate authority over decisions made regarding these standards. Variances may be granted in circumstances that warrant deviations from the requirements included herein.

RESOLUTION # _____

DATED this _____th day of _____, 2011

Statutory Requirements

These Standards are devised from the Laws of the State of Montana. To research any references to the Montana Code Annotated (State Laws), use the following website:

http://data.opi.mt.gov/bills/mca_toc/index.htm

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SECTION ONE Requirements for Fergus County Roads

GENERAL ROAD STANDARDS

All roadways shall meet the following minimum standards, except where in the opinion of the governing body, ~~these such~~ minimum standards are inappropriate, or the governing body establishes lesser standards, ~~by prior written authorization.~~ removed

1. Variances may be granted by the Board of County Commissioners and/or Road Supervisor regarding parcel size, topography and wind direction regarding all Road and Bridge Standards.
2. The preferred grade for dedicated and private roads is less than 10%. Anything greater than 10% will require a variance.
3. In flat and rolling terrain, all grades ~~should shall~~ flatten to 4% or less for at least 100 feet ~~to an~~ approaching intersections, and for at least 500 feet entering or leaving turnarounds or cul-de-sacs. In hilly terrain, all grades ~~should shall~~ flatten to 6% or less for at least 25 feet entering and leaving switchbacks or cul-de-sacs.
4. Sub-grades subject to poor drainage, underground seepage, or a high water table must adequately drain for roadbed stabilization. Drains ~~will shall~~ be installed to control or prevent the high ground water level from coming within four feet of the roadway surface.
5. An obviously hazardous steep terrain or high embankment, so deemed by the Road and Bridge Supervisor, may warrant the installation of State approved guardrails.
6. All excavations ~~must shall~~ be made to sub-grade elevations and ~~must shall~~ be true to grade. Plowing, grading, etc ~~or other methods~~ shall not loosen material below sub-grade elevations in cuts during the progress of the work, except with the prior written approval of the governing body. No excavation ~~will shall~~ be made below sub-grade elevation except to remove spongy material, as ordered or approved by the governing body. In the event the contractor does excavate below sub-grade elevation, the contractor shall replace the excavated material with satisfactory material and ~~will shall~~ thoroughly compact the same.
7. The contractor shall at all times take proper precautions for the protection of utility lines, culverts, irrigation crossings, and all other public and private installations which may be encountered during construction. The contractor ~~will shall~~ be financially responsible for the repair, replacement, or restoration of any damaged facilities.
8. Driveways and roadways ~~will shall~~ not be constructed so as to drain onto intersecting roads.
9. Cul-de-sac roads which exceed the maximum length of 800 feet ~~by these standards~~ may be allowed provided that such cul-de-sac roads shall not serve more than 15 lots that require their access from ~~this said~~ cul-de-sac road. The length of the cul-de-sac ~~will shall~~ be measured from the center of the turn around to the center line of the intersecting street, along the center line of the cul-de-sac road. (see section 5 for example)
10. For private roads providing access to three (3) residential structures or less: the driving surface shall be 20 feet, and for private road providing access to four (4) residential structures or more the road right-of-way shall be 24' driving surface and all

roads shall have a right-of-way of 60'. The governing body may require additional right-of-way when topography, road design, or use dictates such.

- a) The sub-base ~~should shall~~ consist of at least 8 inches of pit gravel run, not to exceed 4 inches in size.
 - b) The base ~~will shall~~ consist of at least 4 inches of 1 inch minus crushed or screened gravel.
11. Dust abatement or paving may be required by the governing body.
 12. A weed control plan for any subdivision or any areas to be disturbed ~~must shall~~ be submitted to the Fergus County Weed District for approval by the Fergus County Weed Board. This plan ~~will shall~~ be subject to review and updating on an annual basis.
 13. Road signs shall be purchased by the developer or sub-divider and installed on all newly constructed roads within the subdivision and all roads intersecting with other private, County, and State roads. The Fergus County Planning Department will review and approve the installation of all road signs and will assign a physical address for each lot created and/or developed. Private roads or lanes will not be considered County roads and signs will need to be purchased by the individuals on that road.
(See section five for sign placement distances).
 14. An encroachment permit is available at the Fergus County Planning Office and after review by that office, it will be sent to the Fergus County Road and Bridge Supervisor for approval on all new and altered approaches to County roads. State highway approaches must be approved by the Montana Department of Transportation. If a culvert is necessary ~~under to~~ the ~~approach access~~, it must be installed per the County Road and Bridge Standards, ~~at landowner expense~~.
 15. The sub divider is responsible for the improvement of access road(s) onto any County road(s) according to County standards. Upon approval of a new subdivision, all improvements will need to be installed and approved or a bond equal to 125% (the cost of construction) and a subdivision improvement agreement approved and in place.

STANDARD ROAD TYPES:

- 1.~~a.~~ DIRT ROADS: These roads are maintained when possible. There is not any width or grading standards at the time of the adoption of these Standards.
- 2.~~b.~~ BASE COURSE ROADS: These roads are constructed with pit run gravel that is mixed with natural dirt substances from surrounding areas. The standard width of the road top is 20' to 24' with approximately 6' of the road on each side of the road top sloping at a 3 to 1 angle away from the road top.
- 3.~~c.~~ CRUSHED GRAVEL ROADS: These roads are surfaced with a crushed gravel surface and may either have crushed gravel laid on them or pit run laid on prior to crushing or have shoulders pulled inward to center of road top then crushed & re-laid. These will have the same standard width as the base course roads.
- 4.~~d.~~ MILLED ASPHALT ROADS: These roads are designed to reuse the asphalt removed from State Highways by the Montana Department of Transportation (or other entities) when they are laying a new surface. These roads will have the same standard width as the base course roads.

5.e. ASPHALT SEAL COAT ROADS: An asphalt seal coat shall be used to maintain the road top surface. This shall consist of an application of asphalt material followed by spreading a seal coat aggregate. These roads will have the same standard width as the base course roads.

ROAD APPROACH ENCROACHMENTS

Acceptable **approachs encroachments** will be constructed as near to a 90 degree angle from the existing road surface as possible. The intersection design shall provide acceptable visibility for safe traffic flow. Hill top and small intersections are greatly discouraged and will not be allowed where adequate sight distance cannot be assured.

Minimum **approachs encroachment** width shall be 32' and sight distance shall be 200' for both public and private roads. (See section five for example)

Road and Bridge Supervisor & County Road Districts.

County road supervisor.

The **Each** Board of County Commissioners may in its discretion employ a competent road supervisor, who shall serve at the pleasure of the Board.

Under the direction and control of the Board, the road supervisor shall:

- (a) prescribe the times and places for all work to be done on the county roads;
- (b) report any delinquency or inefficiency of a person employed on a road;
- (c) perform other duties that are prescribed by the Board.

County road districts.

The Board of County Commissioners may in its discretion divide the county into suitable road districts and place each district in the charge of a competent district road supervisor. The Board shall order and direct each supervisor in the work to be done in the district.

The road districts at the time these standards **were are** adopted are:

| | | | |
|-----|-------------|-----|----------|
| 501 | Denton | 504 | Moore |
| 502 | Grass Range | 505 | Roy |
| 503 | Lewistown | 506 | Winifred |

Standard Policy FCR-1-11-1

PETITION FOR NEW ROADS OR ROAD ABANDONMENT

The Board of County Commissioners has a procedure to establish, alter, or abandon a county road.

Fergus County requires compliance with the petition procedure in requesting the establishment, alteration or abandonment of any county road.

Petitions shall be presented on a Road Petition Form to the Board of County Commissioners. The governing body has the authority to request any new County road be built to the road standards of the County.

It is the policy of Fergus County that a non refundable fee is paid by those persons requesting ~~this these~~ procedures. This fee is imposed to recover administrative and other costs. This fee is to be made payable to the Fergus County Road Department and shall be submitted with ~~petition any~~ application.

(see Title 7, Chapter 12, 26 MCA for further information on road abandonment or contact the Board of Commissioners with questions)

Standard Policy FCR-1-11-2

RIGHTS OF WAY (ROW) CONSTRUCTION PERMIT

~~ROAD ENCROACHMENT INSPECTION AND REVIEW~~

~~Anyone requesting to encroach on Fergus County Rights of Way for the purpose of doing construction must obtain a ROW Construction Permit.~~

~~All ROW Construction Permits will encroachment and road approach permits shall~~ **shall** begin at the Fergus County Planning Office prior to receiving a physical inspection by the Road and Bridge Department.

It is the policy of Fergus County that ~~a the~~ non-reimbursable fee ~~be charged~~ for ~~road encroachment~~ inspection and review ~~for all ROW Construction Permits be charged~~. Payment should be made to the Fergus County Road & Bridge Department, and shall be submitted with any request for ~~a ROW Construction Permit. road encroachment inspection.~~ The applicant must ~~also~~ notify the Road and Bridge Department upon completion of the project for final inspection ~~and approval~~.

~~It is also the policy of Fergus County that any person who causes, owns, or controls an encroachment on a roadway or right-of-way shall be liable to a penalty of \$50.00 for each day the encroachment is not removed after notification of the violation. The responsible party may be billed if the County removes the encroachment.~~

Standard Policy FCR-1-11-3

ROAD DEDICATION

The Board of County Commissioners and the Fergus County Road Department regulates road design standards for all dedicated roads to facilitate road maintenance and utilization.

A road must intersect with a county road and be continuous in order to be donated to the Board of County Commissioners and must also meet minimum Road Standards. Fergus County will consider all dedicated roads on a case by case basis.

Standard Policy FCR-1-11-4

ROAD MAINTENANCE

“Maintenance” means the preservation of the entire road, including surface, shoulders, roadsides, structures, and traffic control devices as are necessary for its safe and efficient utilization.

The county will maintain all county roads, public bridges (except those maintained by the Montana Department of Highways), and any roads agreed upon with adjacent counties as funding permits. **The Fergus County Road Department maintains county roads and roads which, by agreement are the responsibility of the County (including secondary highways and road agreements with adjacent Counties and the Forest Service and the Bureau of Land Management and other government agencies.) - moved from paragraph 5**

The county will maintain all petitioned county roads as funding permits. For roads dedicated on plats pursuant to the 1973 Subdivision and Platting Act, the County has the authority to place maintenance on the developer.

Whenever any county road becomes obstructed, the Board of County Commissioners shall require the obstruction removed upon being notified **of the obstruction thereof**. Nothing in this section shall be construed as holding the Board of County Commissioners or any member responsible or liable for anything other than willful, intentional neglect or failure to act.

If ~~When~~ a blade operator approaches a closed gate across a county road, he **will shall** not open the gate and continue blading. The blade operator shall notify the Road Supervisor for removal of the obstruction

Road maintenance **will shall** be done in the individual districts on the following basis if funding exists: School Bus Routes, Missile Roads, all other county roads.

Standard Policy FCR-1-11-5

ROAD CUTS

Anyone excavating across a county road, easement, or right-of-way is responsible for the maintenance of the site for one (1) year after completion of the project.

Whenever the natural sod cover on the right-of-way areas is disturbed by irrigation ditches, drain ditches, or otherwise, the Board of County Commissioners shall require that such disturbed areas be seeded to an adaptable perennial grass or combination of perennial grasses and legumes. Every effort ~~will shall~~ be made to establish a sod cover on the disturbed area. All seed used ~~must shall~~ meet certified standards.

Time and method of seeding, fertilizing practices, and grass species shall be those recommended to the Road Supervisor by the Fergus County Extension Service.

Any person contemplating the excavation or construction of any ditch, dike, flume, or canal across a public roadway shall obtain a written permit from the Fergus County Planning Office ~~prior to commencement of work. beginning construction or excavation.~~

~~Each person who excavates or constructs or owns any ditch, dike, flume, or canal, or stores, distributes, or uses water for any purpose and permits the water to flow over any public roadway to the injury thereof, upon notification by the Board of County Commissioners or road supervisor must repair the damage occasioned. If such repairs are not made within a reasonable time, the County must make them and recover the expense thereof in an action at law.~~ — Replaced with the following paragraph from (culverts)

Every person who excavates or constructs or owns any ditch, dike, flume or canal or stores, distributes, or uses water, for any purpose and permits the water to flow over any roadway to the injury thereof, upon notification by the Board of County Commissioners, road supervisor or planner of the area where such overflow occurred, must repair the damages occasioned. If such repairs are not made within a reasonable time (to be determined by the Board of County Commissioners) they must make restitution and the county will recover the expense thereof in an action at law. Every person construction, owning, or using such a ditch or flume who permits an overflow is liable as provided in 45-8-111 (Public Nuisance).

A Fergus County ~~Rights of Way (ROW) Construction Permit Road Encroachment Permit~~ must be filled out and the site inspected before the Board of County Commissioners will approve a permit. The applicant must notify the Road Supervisor for site inspection (prior to) and site review (upon completion) of the road cut project.

The Board of County Commissioners shall determine whether or not the permit is approved and may make comments, plan changes, or provide specifications.

The project must be completed at once in accordance with the plans and specifications furnished by the Board of County Commissioners. Water lines (that are used all year) must be buried at least 6 (six) feet. Construction must not interfere with road use. Signing will be used to deter or reroute traffic during the construction of the road cut. The permit holder shall be responsible for public safety during construction; is liable for construction operations; must bury structure (power lines, water lines, telephone lines, etc.) a minimum of 30 inches beneath the road surface (including ditch bottom and right-of-way); ~~road cut fill must have a base of four (4) inches minimum of 3.4" compacted, crushed gravel and a sub-base of six (6) inches minimum of ¾" minus compacted, crushed gravel;~~ must return the roadway to its former condition and reseed the right-of-way, as recommended by the Road Supervisor, if the natural sod cover is disturbed by construction; maintain settlement of ~~at~~ the site for one year after construction; and keep the structure in repair.

Fergus County is not liable for damages done to underground structures in the event of normal road maintenance. Relocation ~~or of~~ reconstruction of the structure, if necessary, must be done at the expense of the owner.

Persons requesting road cut permits must pay a minimum fee (depending on the nature of the proposed project) for inspection and review of the site. The fee is payable to the Fergus County Road and Bridge Department.

Standard Policy FCR-1-11-6 SNOW REMOVAL

The Board of County Commissioner's ~~policy is state~~ that no private lanes or driveways will be plowed out by the County except in the case of an emergency. Should someone falsify an emergency, they will be charged for the cost of the emergency plowing by the County Road Department, including but not limited to any overtime that may have been incurred as a result of false reporting.

The County does not have the duty to patrol and clean up snow that has been deposited on County roads as a result of the plowing of a private road or lane. The owner of the private road or lane has the liability in a case of an accident caused by the snow. The County is not responsible to open driveways plowed shut in the course of snow plowing.

Fergus County will plow the Missile Roads, School Bus Routes, the mail route roads, and then all other roads as soon as they can be plowed in a safe and prudent manner. Emergencies take precedence over any other schedule. There are roads in Fergus County that have no winter maintenance unless in emergency situations.

To decide exactly which of these routes need plowing, the Road Supervisor will make calls to areas of the County (on days when snow needs to be plowed) to find out where roads are the worst. For bus routes, the School Bus Transportation Director calls the Road Supervisor and tells him which routes should be plowed first.

Snow plowing in Fergus County is the responsibility of the County Road and Bridge Department. Provisions (including equipment and manpower and funding) for snow plowing must be made from the general maintenance division of the County Road Department.

The Fergus County Commissioners may find it necessary to contact the State of Montana, (through the Governor) to declare a disaster or emergency, and possibly emergency funds would be made available. If a disaster is great enough, the counties and State may request the President to declare a federal disaster

No private roads will be plowed by the County except in cases of human life emergencies.

Private individuals will not be paid for the plowing of County roads unless pre-authorized in writing by the Board of County Commissioners or the Road Supervisor.

Damage to any structure or obstruction (including parked vehicles) within the County right-of-way boundaries is not the responsibility of the Board of County Commissioners. The County is not responsible for damage done to existing cattle guard wings. The County is not responsible for damage to mailboxes on County roads unless they are installed to meet the County Road Standards.

See Section Five for examples.

Standard Policy FCR-1-11-7 **UTILITY EASEMENTS**

The Board of County Commissioners shall have the power and authority to grant to any person, association, or corporation the right to construct and maintain in, along, and under any public road or highway within such County, any pipeline for the conveyance of natural or artificial gas, water, or any other substance for the use of any county, city, or town.

All necessary easements & permits must be completed prior to construction.

Discontinuation of a road does not affect the right-of-way of public utility to maintain equipment in any roadway.

An easement is the right acquired to use or control property for a designated purpose. Fergus County regulates easements onto County roads and rights-of-way to prevent damage to them and to assure that they are returned to their former condition.

Standard Policy FCR-1-11-8 **MAILBOXES**

An adopted County policy on mailbox construction and placement is in the public interest.

1. No mailbox or newspaper delivery box ~~will~~ **shall** be installed on a County road after June 15, 1993 unless it complies with Montana Department of Transportation requirements. The requirements include, but are not limited to, those pertaining to construction and maintenance of mailboxes and newspaper delivery box set-backs and pullouts. New installations of mailboxes complying with the guidelines will be solely the obligation of the postal customer using the box, or the landowner, in the event of a postal

customer no longer resides at the delivery address. Mailboxes are not the obligation of Fergus County.

2. Mailboxes or newspaper delivery boxes which have been determined to be hazardous by the local postmaster and/or Road Supervisor ~~must shall~~ be removed by the postal customer / landowner. Replacement or repair of mailboxes found to be hazardous and those which do not comply with the adopted Montana Department of Transportation Guide will be solely the obligation of the postal customer / landowner.

3. It is further noted that the U. S. Postal Service and the Road Supervisor are authorized to remove boxes not in compliance with adopted regulations and that the U. S. Postal Service will not continue to deliver mail to a customer who, after warned of the nonconforming or unsafe condition, does not correct the situation.

4. Fergus County is not liable for replacement or repair of any mail box damages in the course of County road work if the damaged box does not comply with the adopted regulations. (See Section Five for placement of mailboxes)

Standard Policy FCR-1-11-9 ROAD SPEED LIMITS

It is the policy of Fergus County that speed limits within all platted, unincorporated town sites in Fergus County shall be 25 miles per hour. School zones in these areas may be posted with further restricted speed limits. (Normally 15 m.p.h.) This is in effect when school is in session and children are present.

All other speed limits (unless otherwise posted) follow State standards.

Standard Policy FCR-1-11-10 RIGHTS-OF-WAY

Fergus County has the right to the acquisition of property for controlled access facility. Counties may procure private or public property and property rights for controlled access highways, facilities and service roads. A right-of-way is given, dedicated, and set apart for controlled access highways and facilities through, over, upon, or across any county road.

When a right-of-way is procured or condemned, an instrument in writing conveying the right-of-way, incidents, and land description must be signed, acknowledged by the person making it, and filed in the County Clerk and Recorder office.

When county road construction disturbs a right-of-way, the right-of-way may be seeded to perennial grass or perennial grass and legumes; the seed must be certified, and the time and method of seeding, fertilizing, and plant species must be recommended by the county extension service.

SECTION TWO

REQUIREMENTS FOR FERGUS COUNTY BRIDGES AND CULVERTS

Standard Policy FCR-2-11-1 BRIDGES

GENERAL BRIDGE STANDARDS

The Fergus County Road and Bridge Department has replaced deficient bridges with culverts when the hydraulics and site conditions allow. Any bridge that cannot be replaced with a culvert will be replaced with a new bridge. If it is possible to abandon an existing bridge due to lack of use or an alternate route, the Board of Commissioners may consider simply removing an existing bridge and not replacing it with either a culvert or a new bridge. All new bridge and culvert designs are subject to the approval of the Fergus County Road and Bridge Department.

Should replacement with a culvert not be an option, a new bridge shall be constructed to meet AASHTO (American Association of State Highway Transportation Officials) and MDT (Montana Department of Transportation) standards as modified or amended by this bridge standard.

Permits

Necessary permits shall be obtained to construct the new structure unless otherwise directed by the Board of County Commissioners. The Guide to Stream Permitting in Montana shall be followed to determine which permits are required for various types of work. A 124 permit (FWP) Fish Wildlife and Parks, a 318 permit (DEQ) Department of Environmental Quality, 404 Permits (Corps). The Fergus County Planning office needs to be contacted regarding floodplain and zoning issues.

~~Private individuals with upcoming bridge projects will require a 310 Permit (Fergus County Conservation District) in place of the 124 Permit. The Fergus County Conservation District may require an erosion and sediment control plan as well.~~

Signing

Object markers ~~will shall~~ be installed at each corner of the new bridge or at the ends of the guardrail leading to the fill section over a culvert.

Riprap

Riprap ~~must shall~~ be installed per the direction of the Fergus County Road and Bridge Supervisor or the hired Engineers' recommendation for erosion protection on bridge abutments and culverts outfalls.

The Board of Fergus County Commissioners with the Supervisor of the Road and Bridge Department ~~must shall~~ prioritize bridges requiring rehabilitation or replacement annually. With the exception of emergency situations and special exemptions, replacement of existing structures shall follow the order of the priority list.

The Fergus County Road and Bridge Department shall maintain every bridge over a natural stream necessary to be constructed and maintained in any city or town. The city or town in which any such bridge is situated shall pay the whole or part, not less than one-half, to be determined by the Board of County Commissioners, of the cost of planking, re-planking, paving, or repaving the bridge. The city or town shall construct and maintain in good repair the bridge approaches. Such bridges and all persons on them shall be subject to the reasonable police regulations of the city or town in which any such bridge is situated.

GENERAL CULVERT STANDARDS

Standard Policy FCR-2-11-2 CULVERTS

The Board of County Commissioners may authorize repairs to streambeds and watercourses and the banks thereof when any bridge is in danger of being damaged or lost because of erosion or changes in the beds or banks. The proper permits shall be obtained for these projects.

Every person who excavates or constructs or owns any ditch, dike, flume or canal or stores, distributes, or uses water, for any purpose and permits the water to flow over any roadway to the injury thereof, upon notification by the Board of County Commissioners, road supervisor or planner of the area where such overflow occurred, must repair the damages occasioned. If such repairs are not made within a reasonable time (to be determined by the Board of County Commissioners) they must make restitution and the county will recover the expense thereof in an action at law. Every person construction, owning, or using such a ditch or flume who permits an overflow is liable as provided in 45-8-111 (Public Nuisance).

The road department of Fergus County is responsible for the installation and maintenance of culverts across County roads. Culverts are placed in roads to prevent excess water flow from crossing road tops and from washing out the existing roads.

The sizes and locations of culverts are left to the discretion of the Road Supervisor. Sizes are determined by the Road Supervisor and his crew based on the amount of water running at present, and by the history of run-off water amounts in the area. When installing the culvert, the ends are extended past the actual width of the road. All necessary permits will be obtained prior to installation or replacement of culverts when necessary.

When diversions are created by an individual that change the normal flow of water to culverts on County roads, it will be that individuals' responsibility to mitigate costs due to damages on County roads.

Standard Policy FCR-2-11-3 CATTLE GUARDS (also called car gates)

Cattle guards, appurtenances, and gates may be constructed and maintained adjacent to county roads. Where a county road connects with a state or federal highway

which is fenced on both sides, the Board of County Commissioners may ~~request the construction construct~~ and ~~maintain maintenance~~ extensions of the fence across the right-of-way of the intersecting county road. They shall have constructed a pass which will permit passage of vehicles but will prevent loose livestock from passing onto the state or federal highway. In the extensions of the fence, there shall be maintained a gate to permit the passage of livestock and vehicles. Such passes may be removed when, in the judgment of the board, the need therefore no longer exists.

Fergus County may replace, install, improve, maintain, and or abandon cattle guards on the County roads within Fergus County. The landowner of said cattle guards is to assume responsibility of the fencing in the immediate area on both sides of the cattle guard necessary to attach the pre-existing fences with the new or repaired cattle guard.

Placement of existing cattle guards will be the responsibility of the Fergus County Road & Bridge Department and they will provide all labor and equipment for the replacement or repair of cattle guards with the Fergus County's accepted standard cattle guard at Fergus County's expense. The cost of the cattle guard is the responsibility of the land owner. Maintenance of cattle guards within the County's rights-of-way will be the responsibility of the Road and Bridge Department. When a property owner requests maintenance of a cattle guard within the County's right-of-way, it ~~will shall~~ be at the discretion of the County as to the extent of the maintenance. Maintenance shall be sufficient to allow safe travel and efficient retention of cattle. Should the County Road and Bridge Supervisor determine that a cattle guard cannot be repaired for safe travel, the cattle guard will have to be replaced at the landowners' cost.

If there is not currently a cattle guard on a County road, a landowner may formally request the placement of a cattle guard so long as it is located on a County road. When a landowner requests the installation of the new cattle guard, the landowner will need to complete a petition and submit it to the Board of County Commissioners. The Board of County Commissioners will consider such petitions on a case by case basis. The cost of purchasing the cattle guard is the landowners' responsibility and the Fergus County Road and Bridge Department will provide all labor and equipment for the new installation if the request is approved.

NOTE: The Fergus County Board of County Commissioners reserves the right to place conditions upon the approval of a new cattle guard and its installation. These conditions may include, but are not limited to the landowners' purchase of the cattle guard, location requirements and scheduling by the road and bridge department.

Abandonment of a cattle guard will happen when it has been determined by the Road Supervisor that an existing cattle guard on a County right-of-way is no longer needed, the Board of County Commissioners will notify affected property owners in writing of its intention to abandon and remove the cattle guard. Affected property owners may appeal the abandonment in writing to the Board of County Commissioners within thirty (30) days. Upon receiving the written appeal, the Board of County Commissioners will decide upon the merits or demerits of the request and take appropriate action. (See Section Five for a sample of approved Cattle Guard Construction)

SECTION FOUR

SUBDIVISIONS

Standard Policy FCR-3-11-1 SUBDIVISIONS

Any person dividing their property into any type of subdivision will need to contact the Fergus County Planning office for instruction and to have the subdivision rules and regulations made available to them. The Road and Bridge Department and the Fergus County Planning office work together to provide safe encroachments and adequate and legal access on to County roads.

A proposed subdivision encroachment road from a County road on to a proposed subdivision must meet the standards described in earlier chapters.

It is the policy of Fergus County that any person subdividing property within Fergus County shall contact the Fergus County Planning Office for encroachment permits and instructions on how to proceed further with the division of the land.

SECTION FIVE

NOXIOUS WEEDS

Standard Policy FCR-4-11-2 NOXIOUS WEEDS CONTROL (IN FERGUS COUNTY)

Section 7-22-2116 MCA Unlawful to permit noxious weeds to propagate -- notice required in sale.

The Weed District has a County Weed Management Plan that is available for review from the Weed Coordinator.

The Fergus County Road and Bridge Department works closely with the Weed District Coordinator to locate, identify, and control the noxious weeds on County roads within the County rights-of-way.

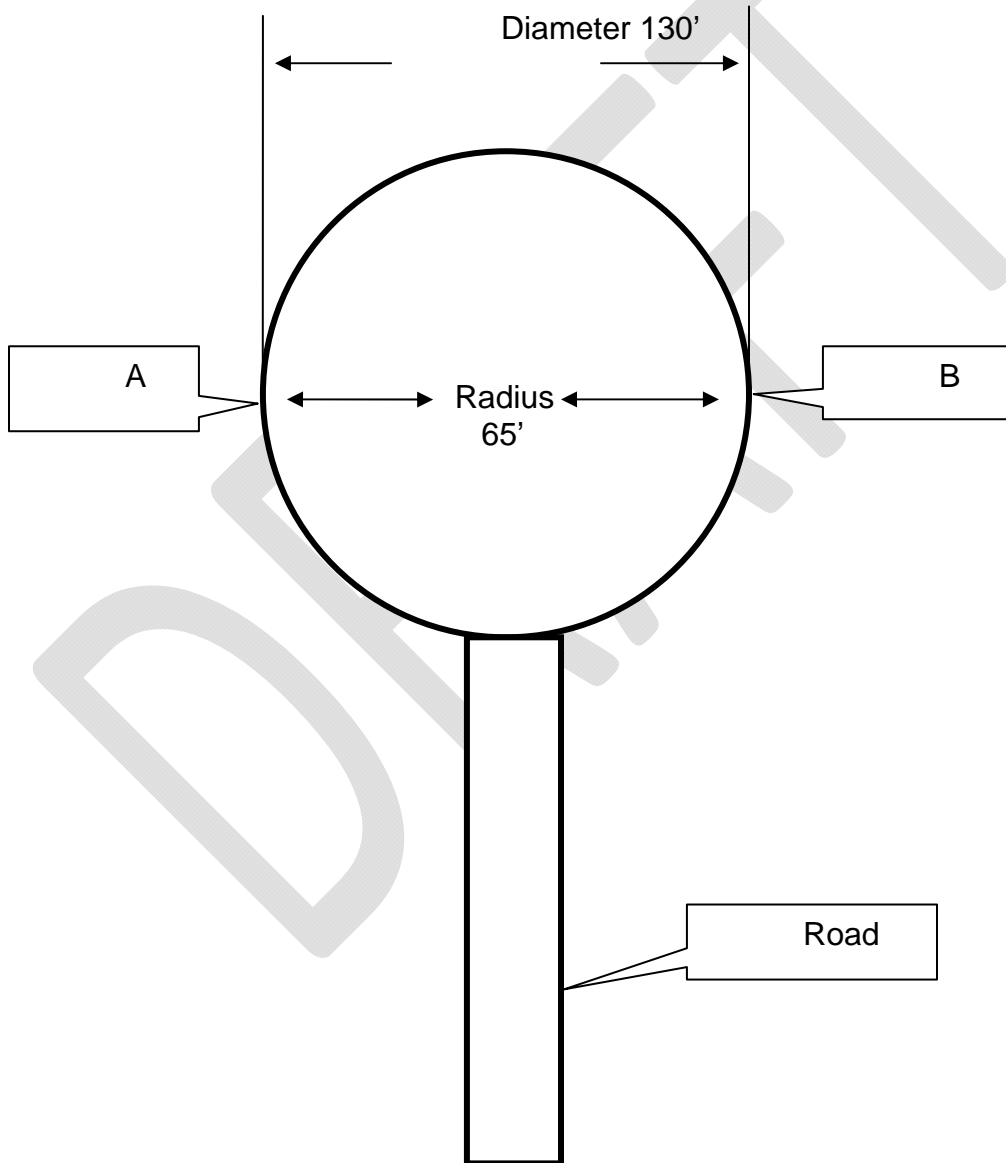
SECTION FIVE

EXAMPLE PICTURES

Proper Turn Around for a Cul-de-Sac

A Cul-de-Sac Radius is 65 feet from center, Diameter being 130 feet from point A to B.

Road width 20 to 24 feet.



PROPER INSTALLATION OF MAILBOX ON A COUNTY ROAD

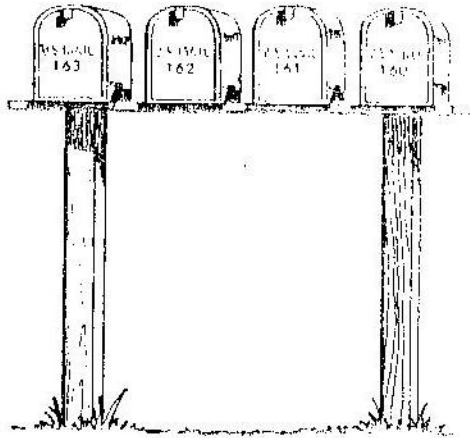
Suggested Way to Group Boxes (Single or Double Tier)

Whenever possible boxes must be located so that carrier's vehicle is off pavement when serving them.

Box number must be painted on box in numerals not less than one inch high.

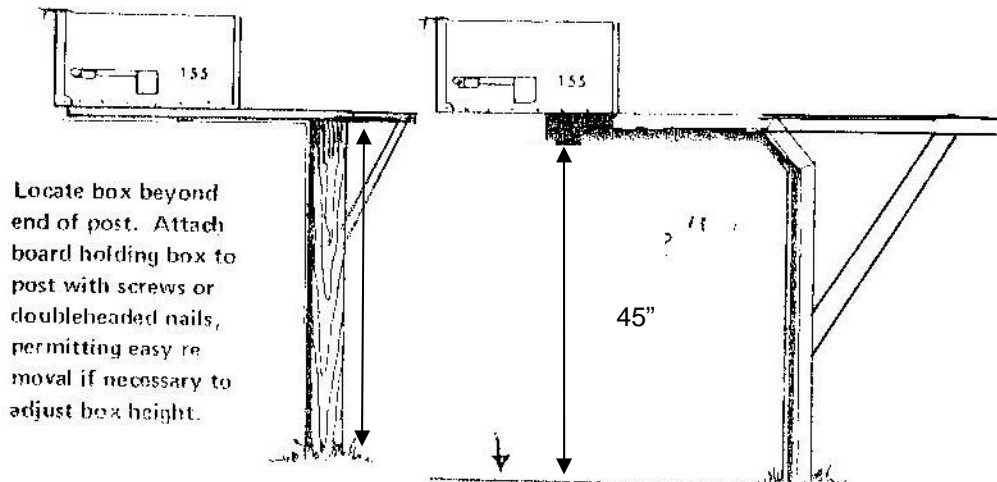
Post must be neat and of adequate strength and size.

Approach to box should be a hard level surface (gravel, cinders, stone).



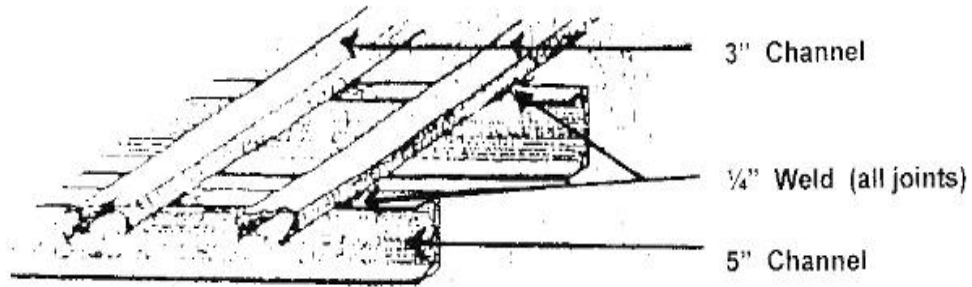
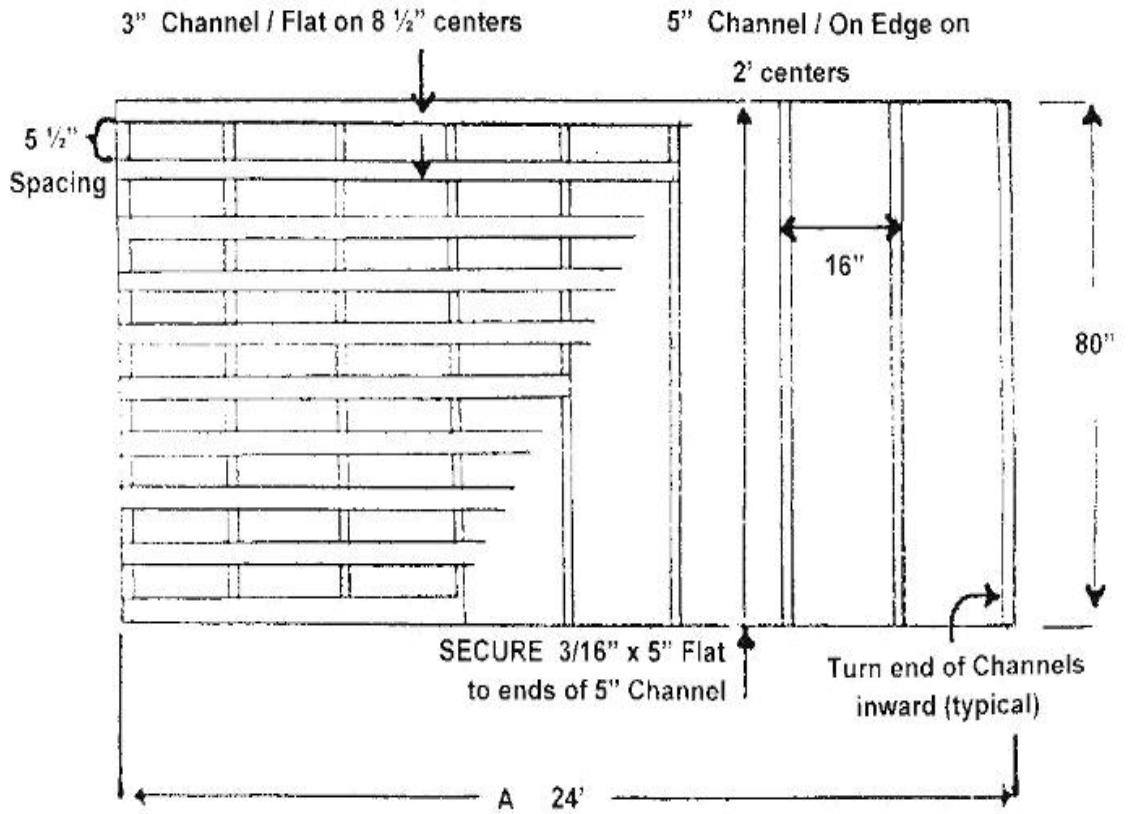
Suggested installation of a single box.

Suggested installation where snow removal is a problem.



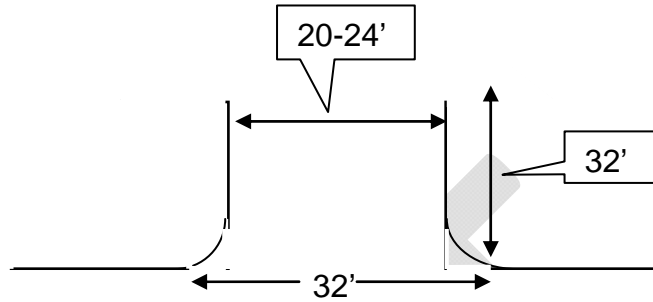
Locate box beyond end of post. Attach board holding box to post with screws or doubleheaded nails, permitting easy removal if necessary to adjust box height.

ACCEPTED CATTLE GUARD (Car Gate) STANDARDS



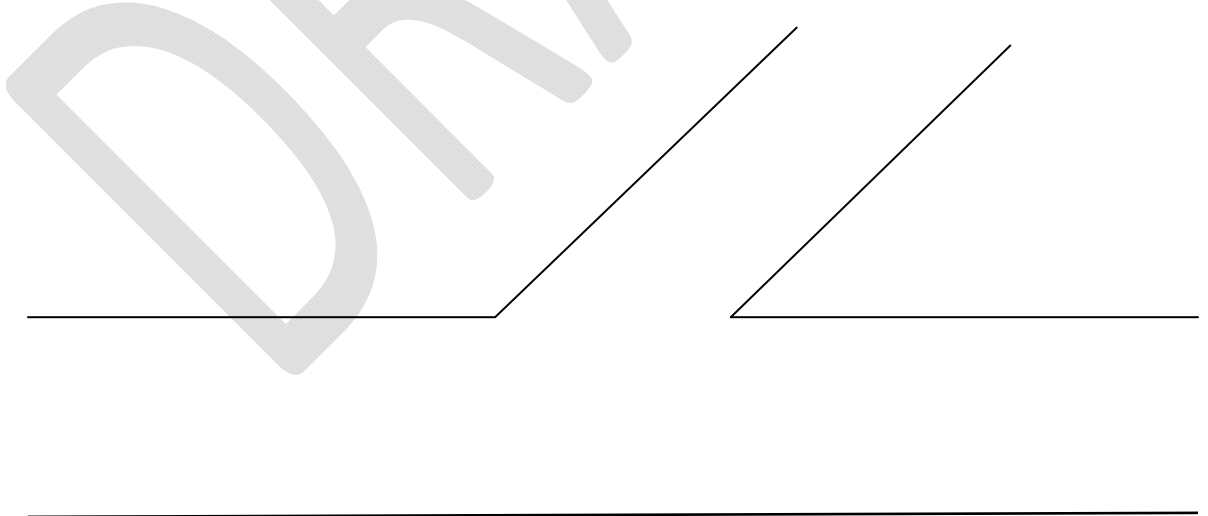
PROPER APPROACH INSTALLATION ON TO A COUNTY ROAD

Note approach enters County Road at 90° angle for minimum of 32 feet

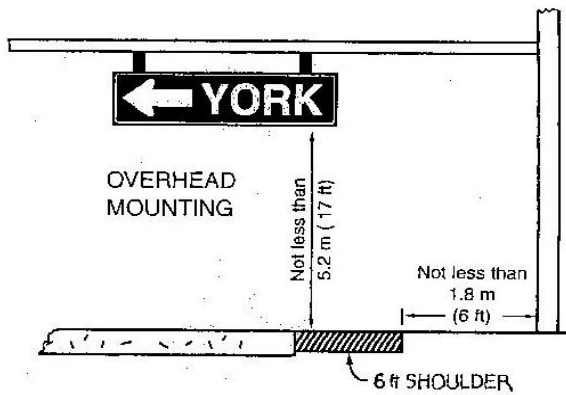
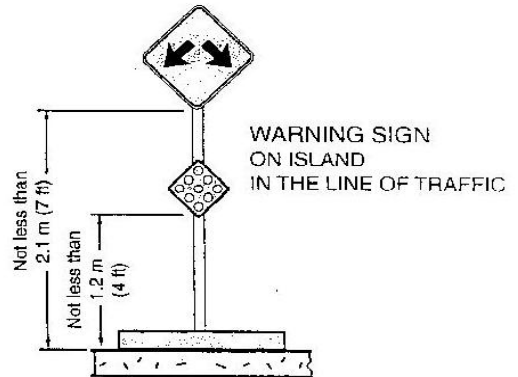
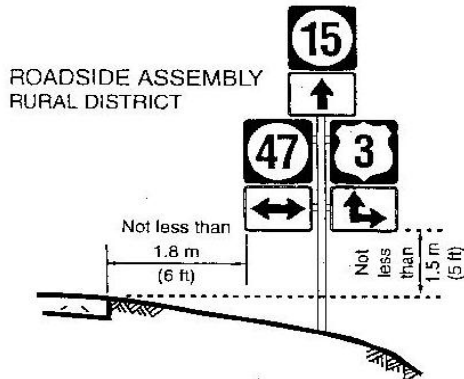
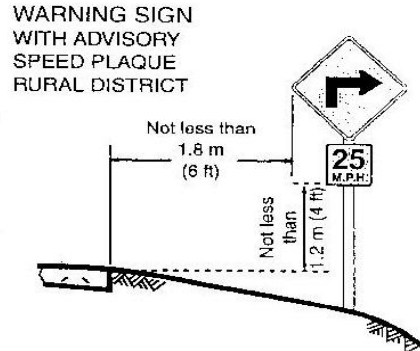
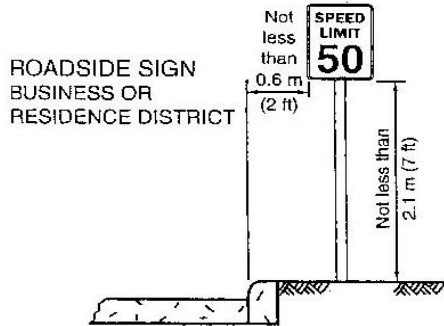
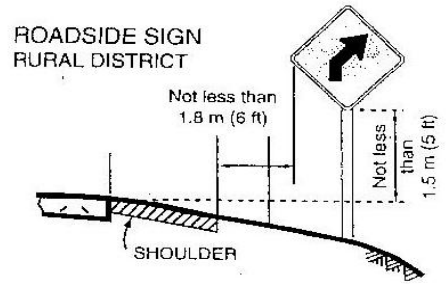
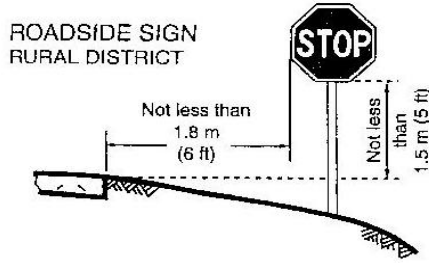


IMPROPER APPROACH INSTALLATION ON TO A COUNTY ROAD

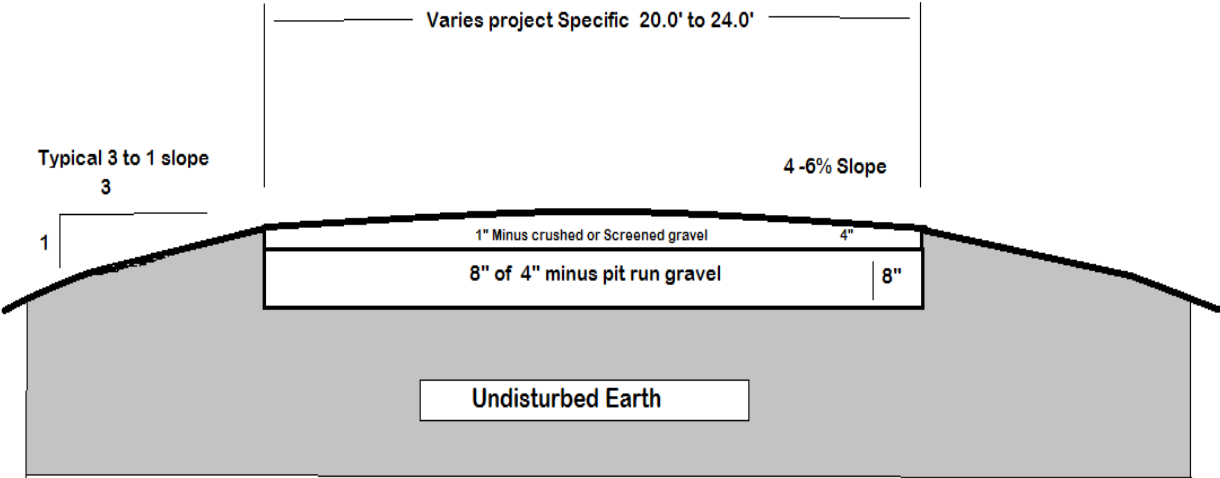
Note approach does not enter County Road at 90° angle



HEIGHTS AND LATERAL LOCATIONS OF SIGNS FOR TYPICAL INSTALLATION



TYPICAL ROAD SECTION



Section Six

Resources

The following are resources used in the design and completion of these standards.

- County Township Maps
- Montana Road and Bridge Standards
- MCA – Montana Codes Annotated
- ARM – Administrative Rules of Montana
- Manual of Uniform Traffic Control Devices (Millennium Edition)
- Fergus County Weed Management Plan
- Montana Noxious Weed Act
- Fergus County Subdivision Requirements
- Fergus County Community Council
- LTAP – Local Technical Assistance Program

The following was added by suggestion of the Community council:

For further information or more detail, go to :

http://data.opi.mt.gov/bills/mca_toc/index.htm

- Petition for Establishment, Alteration
or Abandonment of a County Road
..... County Commissioners' office
- Petition for a Cattle Guard (Car Pass)
In an Established County Road
.....County Commissioners' office
- Fergus County Rights of Way (ROW)
Construction Permit
..... Fergus County Planning office