

ORDINANCE 01-64

AN ORDINANCE REGULATING TOWN OF UNICOI ROADS

WHEREAS the Board of Mayor and Aldermen finds a need to regulate the pavement of roads, streets, and subdivisions, and

WHEREAS, it is essential that the Town of Unicoi establish certain minimum standards for roads constructed within the corporate limits of the Town of Unicoi by private contractors or individuals when title thereto is to be transferred to the Town, and

WHEREAS, it is desirable that the Town of Unicoi ascertain and insure that certain minimum standards for roads have been fully complied with before the Town will accept title thereto, and

WHEREAS the Town of Unicoi has found it to be in the best interests of its citizens and the community as a whole

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Unicoi, Tennessee that:

The Town of Unicoi has written Ordinance 01-64 which documents the town's rules, regulations, and minimum specifications for roads, if the Town of Unicoi is to assume ownership of and responsibility for the maintenance of roads, herewith attached.

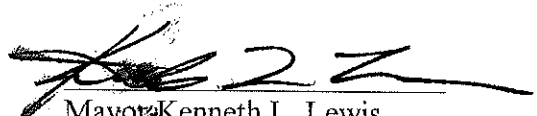
This ordinance shall take effect from and after its passage, the public welfare requiring it. This ordinance replaces Ordinance 94-06 and Resolution 99-34.

Passed on First Reading 3-19-01:

	<u>Yes</u>	<u>No</u>
Mayor Lewis	✓	—
Vice Mayor Hopson	✓	—
Alderman Martin	✓	—
Alderman Bird	✓	—
Alderman Lynch	✓	—

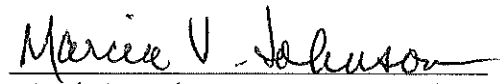
Passed on Second Reading 4-16-01:

	<u>Yes</u>	<u>No</u>
Mayor Lewis	✓	—
Vice Mayor Hopson	✓	—
Alderman Martin	✓	—
Alderman Bird	✓	—
Alderman Lynch	✓	—




Mayor Kenneth L. Lewis

ATTEST:



Marcia V. Johnson, Town Recorder

APPROVED AS TO FORM:



Lois B. Shults-Davis, Town Attorney



ROAD POLICY

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I - PURPOSE OF ROAD POLICY

Road construction is the first step in the process of community development. Public road upkeep and improvement becomes a public responsibility and the public must pay for widening, paving, and for the correction of any defects. It is therefore in the best interest of the public to insure that streets are developed in accordance with sound rules and proper minimum standards. The Town of Unicoi Board of Mayor and Aldermen has adopted standards for the development and maintenance of streets within the Town of Unicoi and has authorized the Town of Unicoi Planning Commission to insure that these standards are met.

II- ROAD CONSTRUCTION SPECIFICATIONS

A - General Requirements For Road Construction

- 1 - Any owner or developer of land lying within the corporate limits of the Town of Unicoi wishing to construct a road shall submit a plan of such proposed road to the Town of Unicoi Planning Commission for approval prior to the making of any street improvements or installation of utilities.. This plan shall meet the standards of design for street acceptance as set fourth by the Town of Unicoi Board of Mayor and Aldermen minimum street standards. Once the preliminary plat has been approved by the Planning Commission the developer can proceed with street improvements as outlined in this policy.

- 2 - After completion of a street, which meets the town's specifications, the developer shall submit a final plat to the Town of Unicoi Planning Commission. The final plat shall show:
 - a - The lines of all streets and roads, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b - Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, boundary line, and including north point.
 - c - All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - d - Location and description of monuments.
 - e - The names and locations of adjoining streets and the location and ownership of adjoining property.
 - f - Date, title, name and location of street, graphic scale and north point.
 - g - Location sketch map showing street in relation to area.

- 3 - When the final plat has been approved by the Planning Commission one copy will be returned to the developer, with the

approval of the planning commission certified thereon, for filing with the County Registrar as the official plat record.

B - Inspection Procedure

In order to insure the proper development within the corporate limits of the Town of Unicoi, an inspection system has been established. The Planning Commission will appoint an individual to inspect the progress of all developing roads within its jurisdiction. That individual will inspect each developing road three (3) times.

- 1 - There will be an inspection immediately following clearance of the right-of-way, and construction of subgrade.
- 2 - Immediately following the laying and compacting of the six (6") gravel base.
- 3 - Before final approval is requested in order to insure that ditching, paving, culverts, seeding, etc., have been accomplished.

The owner/developer will be responsible for notifying the committee during each of the above mentioned steps. The committee will make its inspection promptly to insure a minimum of delay to the developer.

C - Road Specifications/Minimum Street Acceptance Standards

The following minimum standards are prescribed for roads constructed by private contractors or individuals if title to these roads is to be accepted by the Town of Unicoi:

The right-of-way for any road shall be at least forty feet (40') in width. All roads shall have at least twenty-two feet (22') of paved road bed with a minimum of three feet (3') of shoulder on each side of the road. The paved portion of the road shall consist of a minimum of four inches (4") of gravel base which base must be of one inch (1") diameter, or less, gravel and shall be topped by two inches (2") of fine gravel or chat properly graded and rolled or packed. The road will then be paved with a minimum of two inches (2") of asphalt. The asphalt topping must be of the same quality as that used by the State of Tennessee on state secondary roads. Road banks shall be sloped to prevent rapid run-off of water and rock or mud slides. Ditch lines shall be deep enough to carry that volume of water resulting from one inch of rain falling within one hour. Tiles and culverts shall be of concrete or corrugated metal material and shall be of sufficient size to properly drain all ditch lines and feeder streams coming into them. Any tile or culvert at least eighteen inches (18") and not more than twenty-four inches (24") in diameter shall have a header built of eight inches (8") of reinforced concrete or eight inch (8") concrete or cinder blocks filled with concrete and reinforced both horizontally and vertically with steel. Tiles or culverts over twenty-four (24") in diameter shall have a

twelve inch (12") header constructed according to the specifications contained in this paragraph.

III - PROCEDURES TO OBTAIN ACCEPTANCE AS A PUBLIC ROAD

The Town of Unicoi will not accept title to and the Town of Unicoi will not be authorized to spend tax monies to maintain any road unless the provisions outlined below have been completed.

A - Newly Constructed Roads

All private contractors or individuals who construct any roads in the Town of Unicoi after passage of this ordinance are required to enter into agreement with the Town of Unicoi Planning Commission prior to construction of the road(s) if title thereto is to be conveyed to the Town of Unicoi.

- 1 - Such agreement shall specifically state that the builder of the road shall be responsible for the maintenance and upkeep of the road for a period of one year.
- 2 - At the discretion of the Town of Unicoi, the road builder may be required to post satisfactory bond to insure that the road(s) are properly maintained for a period of one year.
- 3 - If the contractor or private citizen and the Planning Commission agree on the construction of the road, the Planning Commission will monitor the construction and when the road is completed to the specification contained herein, will brief the Town Governing Body on the road and recommend that the Town Governing body accept title for the road.
- 4 - The one year maintenance requirement by the builder shall begin on the date the Town Governing Body formally accepts title to the road.
- 5 - If a contractor or a private individual does not agree with the Planning Commission on the type construction for a planned road, the contractor or private individual may appeal the decision of the Planning Commission to the town Governing Body. The decision of the Town Governing Body will overrule any decision of the Planning Commission.
- 6 - If a contractor or a private individual does not agree with the decision of the Town Governing Body, they may appeal said decision to appropriate courts.

All conveyances of title by deed or otherwise, to the Town of Unicoi for any road or roads not formally accepted by the Town of Unicoi shall be null and void.

The property owner or other individual transferring the right-of-way to the town of Unicoi shall be responsible for all costs, including recording costs, of the instrument conveying title.

B - Old Roads

In order to make a request in the Town of Unicoi to have an existing road accepted by the town as a town road, placed on the official town road map and maintained by the town, the following criteria must be documented, then a request may be made to the Unicoi Planning commission for road acceptance:

- 1 - The road has been traveled routinely by the general public.
- 2 - The road serves a minimum of three residences.
- 3 - All of the residents living on the road sign a survey expressing their desire for the road to become a public road, and their ability and willingness to deed a forty foot right of way to the town, and cover the expense of preparing and registering the deed.

If the Planning Commission approves the request it is then forwarded to the Board of Mayor and Aldermen for review and acceptance.

IV - PROCEDURES FOR CONVERTING A PUBLIC ROAD TO A PRIVATE ROAD

Requests for conversion of a public road to a private road must be in writing and submitted to the Unicoi Planning Commission for review. If approved by the Planning Commission, the change must be implemented by the Board of Mayor and Aldermen by ordinance. If a deed is required to complete the transaction, the citizen requesting the transfer will be responsible for all related costs.

V - DRAINAGE REQUIREMENTS – ALL ROADS

- A - Each plat submitted for approval shall include a drainage plan. The plan shall include controls for water altered from its natural course and shall control the water until it is returned to its natural course. The controls shall include temporary measures for sedimentation and erosion control. The plan shall be prepared by a qualified person.
- B - The minimum culvert size shall be 18 inches and shall extend at least one foot beyond the toe of the slope.

VI - PUBLIC ROADS

The Town of Unicoi Planning Commission has developed and made available to the public, a list of all roads in the Town of Unicoi whose title has been transferred to the Town from the County, or deeded to the Town by the former owners, and which the Town maintains. The list is as follows:

Any roads within the Unicoi Town Limits, not listed above, are designated as private roads.

VII - PRIVATE ROAD LIST

The following list represents all privately owned and maintained roads within the Town of Unicoi corporate boundaries:

A. D. Tittle Road
Alan Lane
Ambrose Court
Arrowood Lane
Barr Lane
Beechtree Point
Benedetto Road
Bessie Gaddy Road
Bonnie McCourry Road
Boos Lane
Bradley Park Road
Brown Ridge Road
Broyles Road
Buffalo Mountain Lane
East Buffalo Springs Road
West Buffalo Springs Road
Byrd Lane
Campbell Park Lane
Campbell Park Road
Charles Lynch Road
Connie Lane
Covered Bridge Lane
Cross Circle
David Powers Lane
David Scott Drive
Davis Ridge Road
Deer Ridge Road
Deer Trail Road
Dewey Bryant Road
Dogwood Lane
Don Stamper Road
Dove Meadows Court
Dove Meadows Lane
Edith McInturff Lane
Garrett Lane
Gerald Tolley Road
Glen Effler Road
Grindstaff Road

Gregg Lane
Hartley Road
Hemlock Lane
Hensley Lane
Highline Road
Hillside Drive
Hilmon Road
Hollifield Lane
Hopson Circle
Hopson Heights Road
Hopson Ridge Road
Hummingbird Lane
Hunter Lane
Ike Briggs Road
Ivy Lane
Jack Hicks Road
Jack Horton Road
Jack Young Lane
Jacobs Lane
James Hopson Lane
Jerry Culbertson Lane
Joe Smith Lane
Jones Cemetery Road
Like Hill Drive
Larry Grindstaff Road
Larry White Road
Lee Moore Road
Leonard Gouge Road
Lindsay McInturff Road
Little Mountain Lane
Mallard Crossing Road
Maple Hill Road
Martin Lane
McCourry Lane
McNabb Mountain Trail
Mockingbird Court
Mockingbird Lane
Moore Lane
Mosley Hollow Road
Neece Lane
Norris Road
Oliver Road
Optimist Camp Road
Parkey Lane

Phil Hawkins Road
Pine Ridge Road
Pinnacle Lane
Placid Lane
Plemons Lane
Ponce Lane
Poplar Place
Ragan Lane
Ramey Lane
Randolph Road
Ratliff Lane
Ray Drive
Ricky Buchanan Lane
Robert Garland Lane
Robin Lane
Rockwell Park Lane
Roller Lane
Rose Hill Lane
Schlabach Lane
Scotts Camp Circle
Sears Lane
Seeley Road
Seldom Rest Farm Road
Short Street
Spring Flats Road
Stephenson Road
Steve Wilson Lane
Stewart Garland Road
Tall Timbers Lane
Tarlton Lane
Three Springs Road
Tipton Drive
Tony Street Lane
Tweed Lane
Unaka Circle
Valley Lane
Valmar Road
Village Lane
Virgil Hicks Road
Volunteer Drive
Wetzlar Road
Wildwood Lane
Willie McInturff Road
Willow Oak Drive

Wise Lane
Woodby Lane
Woodsmoke Drive

VIII - ADMINISTRATION

The Town will keep a schedule of paving and maintenance priorities. The Town Recorder will provide monthly reporting to the Mayor of monthly and year-to-date Road Expenses, with a comparison to budget. The Town Recorder will maintain records of all completed paving projects since the inception of the Town of Unicoi.

IX - PERMITS – ROAD CONNECTIONS

Anyone who connects to a city street shall obtain a permit to do so. This permit must be reviewed and approved by the Road Commissioner prior to construction. The following conditions must be met to secure a permit to connect onto a town road:

- A - All driveways must be located at right angle with the town road.
- B - Suitable tile, adequately sized shall be installed in a manner that will not impair or alter existing drainage. The tile shall be a minimum of 20 feet in length.
- C - Driveways shall be located with as long a site distance as possible. Where possible, the drive shall not be located on a curve or hill.
- D - Driveways shall not be located near road intersections.
- E - The driveway width shall be adequate to provide sufficient turning radius and the driveway shall be as near level as possible at the road entrance to provide for easy and safe ingress and egress and to provide good visibility.
- F - Properties with 50 feet or less of public road frontage are permitted only one drive entrance. Properties with more than 50 feet frontage are allowed only two entrances.
- G - Some exception may be made to these requirements at the discretion of the Town provided that the topography or site situation warrant a variance.
- H - It shall be unlawful for any grading contractor to initiate construction of a driveway entrance until a permit is obtained by the property owner or contractor as required in this ordinance.
- I - The Town may require a bond to cover damages to the town road from construction of driveways or installation of utilities along or across the town road. The amount of such bond shall be determined by the Town.
- J - Any violation of the aforementioned permit requirements shall be considered a misdemeanor punishable as other misdemeanors under the law.

A permit must be obtained and approved prior to making cuts or punches on town roads/streets.

Anything done on city property, must have prior Town approval before it is done.

X - SIGNS

- A - Any signs removed to allow delivery or installations must be replaced by the property owner.
- B - Any signs knocked down or destroyed by contractors or suppliers must be repaired or replaced by the property owner who hired/contracted the work.
- C - Green road name signs indicate that the road is a public road, owned and maintained by the Town of Unicoi . Contact Town Hall to order these signs.
- D - Blue road name signs indicate that the road is a private road. Contact the Unicoi County Sheriff's Office Dispatcher to order these signs.
- E - New business signs must be erected in accordance with Town of Unicoi zoning regulations.

XI - REPAIRS

Citizens should route all complaints, notifications and requests through the Town Recorder who will maintain a log of all requests, notifications, etc., with indication of action taken, solution and/or resolution. The Town Recorder will notify the Highway Contractor of dead animals and road debris that needs to be collected as well as requests for maintenance and repairs.

Unicoi Road, Route 107 (Limestone Cove Road) and Unicoi Drive between Unicoi Road and Route 107 are State roads and therefore maintained by the State of Tennessee.

XII - SNOW REMOVAL

The Town is responsible for snow removal on public roads. Citizens should contact Town Hall regarding any complaints or special requests.

XIII - MOWING RIGHT-OF-WAY

The Town is responsible for clearing growth from right of ways on public roads. Citizens should contact Town Hall regarding any complaints or requests.

XIV - CULVERT INSTALLATION

The Town of Unicoi will be responsible to installing and maintaining culverts on public roads. Property owners will be responsible for installation and maintenance of culverts under driveways and private roads.

XV - ROAD STRIPING

In an effort to reduce roadway maintenance costs, the Town of Unicoi limits road striping to a minimal number of secondary roads. The secondary roads with striping are Unicoi Drive, Marbleton Road, Green Oaks Road, Springbrook Road and Zane Whitson Drive. State roads within the Town are striped by the State.