

**ORDINANCE NO \_\_\_\_:2019**

AN ORDINANCE AMENDING THE CITY OF MOREHEAD, KENTUCKY CODE OF ORDINANCES, TITLE 9, GENERAL REGULATIONS, CHAPTER 93, STREETS AND SIDEWALKS SECTION 93.04, GUIDELINES FOR ACCEPTANCE OF PRIVATELY OWNED STREETS/ROADWAYS AND EASEMENTS TO AMEND THE REQUIREMENTS FOR STREET LIGHTS BEFORE ACCEPTANCE OF ANY STREET/ROADWAY BY THE CITY OF MOREHEAD

**WHEREAS**, the current ordinance provides that any proposed street/roadway must have a minimum of one (1) street light in place for every one hundred (100) feet of street/roadway, unless waived by the Board of City Council;

**WHEREAS**, after extensive evaluation of the current street lights in the City by the City's Building Inspector and Public Works Director and the fact that LED lighting is now available, a recommendation was made that the street lighting requirement be changed to one (1) street light every five hundred (500) feet;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of City Council of the City of Morehead, Kentucky that Title 9, General Regulations, Chapter 93, Streets and Sidewalks, Section 94.05, Guidelines for Acceptance of Privately Owned Streets/Roadways and Easements be amended as follows:

93.04 Guidelines for Acceptance of Privately Owned Streets/Roadways and Easements

(A) Pursuant to KRS 82.400, should any person desire to offer for dedication by recorded plat any public way or easement within the city limits, excluding those located in a subdivision (which are specified in the adopted subdivision regulations) he/she shall file with the Board of City Council a recordable map or plat of the territory or easement, showing the proposed name, nature and dimensions of the public way or easement offered for dedication. In addition to the map or plat the following are required:

(1) All landowners of the street/roadway or easement must be willing to execute a deed of conveyance to the city conveying the street/roadway or easement and any and all land needed for turning purposes and maintenance purposes.

(2) The proposed street/roadway or easement must meet all city specifications as set forth in Sections D and E. The owner/contractor must certify under oath that the street/roadway has been privately maintained for a period of one (1) year and provide written certification from a qualified engineer that the street/roadway meets all specifications required herein. Further, any bridge structure shall be certified by a duly qualified engineer to meet a minimum weight standard of twenty (20) tons.

(3) At least two (2) landowners must benefit from the dedication of the street/roadway and the acceptance by the city.

(4) The proposed street/roadway must have a minimum of one (1) street light in place for every [~~one hundred (100)~~] five hundred (500) feet of street/roadway, at every cul-de-sac, intersection, sharp turn and where found necessary at the discretion of the Public Works Director and City Planner, unless waived by the Board of City Council.

(B) The request for acceptance must be in writing and addressed to the Board of City Council. Upon receipt, the Board of City Council shall turn said documentation over to the building Inspector and Director of Public Works. The Building Inspector and Director of Public Works shall review the plat, any information submitted as required and the proposed street/roadway or easement. Thereafter the Building Inspector and Director of Public Works shall make a recommendation to the Board of City Council of the initial cost to city, the annual maintenance fee and a recommendation as to whether the dedication should or should not be accepted.

(C) If the Board of City Council decides that the proposed dedication would be beneficial to the public interest and suitable for the immediate or future acceptance of the city, it shall approve the plat by ordinance and the Mayor shall subscribe a certificate of approval on the plat and acknowledge the execution thereof before any public officer authorized to take acknowledgments of deeds. Thereafter, the landowners shall execute a deed of conveyance to the city. The deed of conveyance and plat shall be recorded in the office of the Rowan County Clerk. The city clerk shall maintain a listing of streets/roadways or easements accepted.

(D) Specifications for New Commercial Streets/Roadways

(1) The sub grade for street/roadway shall be made from suitable materials free from stumps, trees, vegetation top soil, etc. Excavation and backfill should be placed to conform to Kentucky Department of Transportation Standard Specifications for Road & Bridge Construction.

(2) All streets/roadways shall have a minimum paved width of twenty-two (22) linear feet with a surface consisting of a ten (10) inch compacted mat of crushed stone base (DGA), two (2) inch compacted mat of bituminous base, two (2) inch compacted mat of bituminous surface. Bituminous tack coat shall be applied between base, binder, and surface installation at a minimum of .15 gallon/square yards. These requirements may be increased by the city depending on the traffic flow expected on said street/roadway.

(a) All crushed stone base and asphalt paving used shall conform to requirements contained in Kentucky Department of Transportation Standard Specifications for Road and Bridge Construction and shall be installed according to said specifications.

(b) The owner(s)/contractor(s) are to certify that material meets Kentucky Department of Transportation Specifications upon final inspection of roadway and prior to the city's acceptance of said roadway.

(c) Weigh sheets and tickets are to be supplied to verify tonnage upon final inspection and prior to the city's acceptance of said roadway.

(3) All streets/roadways shall have a two (2) foot wide minimum shoulder and be ditched on each side at least twenty (20) inches deep from the lowest elevation of the blacktop. If stone shoulders are required DGA stone shall have a compacted thickness of five (5) inches.

(4) All driveway entrances are to have paved a two (2) foot wide entrance apron and tile sized for proper drainage where drainage runs through driveway (a minimum of fifteen (15) inches).

(5) Ditchline culverts must have a 24" x 24" surface water catch basins every forty (4) feet unless alternative designs are approved in writing by the Director of Public Works and the City Building Inspector. All culverts that run under a paved road must be certified by a hydrologist or qualified engineer as to the sufficiency of the drainage system.

(6) All culverts that run under a paved street/road must be certified by a hydrologist or qualified engineer as to the sufficiency of the drainage system.

(7) Any dead-end street, whether commercial or residential, presented for acceptance by the city shall terminate with an approved cul-de-sac or other approved turn around.

(E) Specification for New Residential Streets/Roadways.

(1) The sub grade for streets/roadway shall be made from suitable materials free from stumps, trees, vegetation, top soil, etc. Excavation and backfill should be placed to conform to Kentucky Department of Transportation Standard Specifications for Road and Bridge Construction.

(2) All streets/roadways shall have a minimum paved width of eighteen (18) linear feet with a surface consisting of a six (6) inch compacted mat of crushed stone base (DGA), a two (2) inch compacted mat of bituminous binder and a one (1) inch compacted mat of bituminous surface. Bituminous tack coat shall be applied between bind and surface installation at a minimum of .1 gallon/square yards. These requirements may be increased by the city depending on the traffic flow expected on said street/roadway.

(a) All crushed stone base and asphalt paving used shall conform to requirements contained in Kentucky Department of Transportation Standard Specifications for Road and Bridge Construction and shall be installed according to said specifications.

(b) Owner/contractor to certify that material meets Kentucky Department of Transportation specifications prior to final inspection and prior to city's acceptance of street/roadway.

(c) Weigh sheets and tickets are to be supplied to verify tonnage prior to final inspection and prior to city's acceptance of street/roadway.

(3) All streets/roadways shall have a two (2) foot shoulder and be ditched on each side.

(4) All driveway entrances are to have a two (2) foot wide paved entrance apron and a tile sized for proper drainage where drainage runs through the driveway, (a minimum of fifteen (15) inches).

(5) Ditchline culverts must have 24" x 24" surface water catch basins every forth (40) feet unless alternative designs are approved in writing by the Director of Public Works and the City Building Inspector. All culverts that run under a paved road must be certified by a hydrologist or qualified engineer as to the sufficiency of the drainage system.

(6) All culverts that run under a paved street/road must be certified by a hydrologist or qualified engineer as to the sufficiency of the drainage system.

(F) In addition to the requirements provided herein, all roadways, streets, and bridges shall be constructed in accordance with the Kentucky Department of Transportation (K-Dot Standard Specifications for road and bridge construction and said K-Dot Standard Specifications are hereby adopted by reference.

**INTRODUCED, SECONDED AND GIVEN FIRST READING** at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**INTRODUCED, SECONDED AND GIVEN SECOND READING** at a duly convened meeting of the Board of City Council of the City of Morehead, Kentucky held on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

**ATTESTED:**

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**LAURA WHITE-BROWN, MAYOR**

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**CRISSY CUNNINGHAM, CITY CLERK**