

DEXTER TOWNSHIP

6880 DEXTER-PINCKNEY ROAD
DEXTER, MICHIGAN 48130

ORDINANCE NO 11

AN ORDINANCE REGULATING PRIVATE ROADS AND STREETS AND THE USE THEREOF, THE CONSTRUCTION AND MAINTENANCE OF PRIVATE ROADS AND STREETS, WITHIN DEXTER TOWNSHIP, TO PROVIDE FOR THE ADMINISTRATION, ENFORCEMENT, AND FEES TO DEFRAY ADMINISTRATIVE AND ENFORCEMENT COSTS INCIDENT THERETO

THE TOWNSHIP OF DEXTER HEREBY ORDAINS:

An Ordinance under the provisions of Public Act 246 of 1945 as amended, to regulate the construction, maintenance and use of Private Roads and Streets within Dexter Township, the use thereof by traffic, the administration and enforcement thereof, fees to defray the administrative and enforcement costs incident thereto, and to insure that all residences and buildings within the Township of Dexter may be accessible to police and fire protection, and for other purposes, as follows:

SECTION I - INTENT

The Dexter Township Board hereby finds that unobstructed, safe, and continuous access to lots and parcels of real estate is necessary to promote and protect the health, safety, and welfare of the public through police and fire protection and ambulance service. The Dexter Township Board further finds that such access is necessary to insure that such services can safely and quickly enter and exit private property at all times. The Dexter Township Board further finds that access to the interior of various sections within Dexter Township should be promoted through the orderly development of the Township and such access should meet minimum standards and specifications to permit the subsequent upgrading and dedication of such access rights of way by the Washtenaw County Board of Road Commissioners or other municipal corporations when public dedication is desirable or required, without future undue and unnecessary costs to abutting property owners. The procedures, standards and specifications hereinafter set forth are determined to be the minimum procedures, standards and specifications necessary to meet the intent of this Ordinance.

SECTION II - SPECIFICATIONS

A. Public Roads - All roads and streets which are to be dedicated to the public shall conform to the then current construction

standards of the Washtenaw County Road Commission. All reviewing inspection and approvals of such roads will be by the Washtenaw County Road Commission.

B. Private Roads and Streets

1. Minimum width of easement to be 66 feet.
2. The connection between the Private Road and a public street shall conform to the standards and specifications of the Washtenaw County Road Commission and the applicant shall obtain a street entrance permit issued by said Road Commission prior to approval of any Private Road by the Dexter Township Board.
3. Minimum 150 feet diameter turnaround at the end of the Private Road.
4. Minimum 230 feet centerline radius on all horizontal curves.
5. Either alligned with an apposing street at an intersection, or have a minimum 125 feet offset. Must have 90 Degree angle of intersection with public roads.
6. Construction standards - All standards of Private Road construction shall conform to the then current adopted Washtenaw County Road Commission "Standards and Specifications for Plat Development and Street Construction" except for the following:
 - a. Sand subbase - minimum width 24 feet; minimum thickness 6".
 - b. 22A gravel surface - minimum width 22 feet; minimum thickness 6".
 - c. Paving will not be required.
7. Private Roads must have names, approved by the Dexter Township Board, and a standard Washtenaw County street name sign shall be erected and maintained by the owner(s) at the public road connection.
8. A person may elect to build a Private Road to the county road standards, and if such election is made, all construction shall conform to Washtenaw County Road Commission requirements and the procedure shall be handled in the same manner as in Sec II, A, above.

C. Permanent Access Easement

1. Since the Permanent Access Easement shall serve only one single family residence, no specific width or thickness standards of the road are required. However, those providing this type of access must conform to the intent of the Ordinance with their proposed construction and they must provide assured safe and continuous access for both the resident and for emergency vehicles.

2. Minimum width of easement to be 66 feet.

3. Some means of turnaround must be provided, either in the easement or property served.

4. The connection between the Permanent Access Easement and a public street shall conform to the standards and specifications of the Washtenaw County Road Commission and the applicant shall obtain a driveway permit issued by said Road Commission prior to the approval of any Permanent Access Easement by the Dexter Township Zoning Inspector. Any connection between a Permanent Access Easement and an approved Private Road shall conform to the specifications contained in Section II above, and the applicant shall secure the approval of the Dexter Township Board for said connection, prior to the approval of any Permanent Access Easement by the Dexter Township Zoning Inspector.

SECTION III - ADMINISTRATION

A. Private Roads and Streets

1. Approving Authority: Using the specifications contained in Section II above, the Dexter Township Board shall have the authority to approve or deny applications for Private Roads and Streets. In special circumstances, owing to conditions peculiar to the property, and where literal enforcement of the specifications would result in unnecessary and undue hardship, the Board is authorized to relax the specifications, as dictated by the special circumstances. This action can be taken only after the Board reviews the comments of the Township Engineer relative to the impact of the reduced specifications. The Dexter Township Board will then approve the application; deny the application; or approve the application imposing such conditions as it deems necessary to meet the intention and to achieve the objections of this Ordinance. The breach of any such conditions shall automatically invalidate the permit.

2. Permit Application Requirements: The application shall be made in writing, and accompanied by 4 copies of the following information:

a. A legal description of the lot or parcel to be served by the Private Road; a legal description of the easement; the names and addresses of all persons or parties owning an interest in the title to the lots or parcels to be served.

b. A survey drawing showing the outline of the proposed easement and private road; the dimensions and bearings thereof; the existing topographical contours at 2 feet intervals of the easement area and all adjacent land within 50 feet; soil characteristics, wet areas, trees, streams, and other bodies of water, and existing buildings within 50 feet of the proposed easement; the proposed easement in relation to the nearest property lines and the location of all proposed improvements to the easement area. The survey drawing shall be prepared by a Registered Land Surveyor or Civil Engineer and shall bear the seal of the same.

c. Plans and profile drawings and cross sections of the proposed improvements showing clearly all materials, grades, and dimensions. Such drawings and cross sections shall be prepared by a Registered Civil Engineer and shall bear the seal of the same.

d. A complete statement of all of the terms and conditions of the proposed easement, including all agreements or intended agreements regarding the maintenance and improvement of the easement and roadway.

e. The application shall be signed by the property owner or his agent, in which case, it shall be accompanied by a duly executed and notarized Power of Attorney, and shall represent that the applicant is making the application on behalf of all persons having an interest in the easement area.

f. The required fee. Said fee for the review of the application, inspection by the Township Engineer of the plans and improvements, and other costs incurred by the Township in the consideration of a Private Road Permit shall be determined, and may be modified from time to time, by Resolution of the Township Board.

3. The application, including the requirements of 2a through 2f above, is to be submitted to the Township Clerk for review as to completeness, and subsequent submission to the Dexter Township Board. The Dexter Township Board shall act upon said application within 60 days or the span of 2 regular Township meetings. The Township Clerk will notify the applicant in writing of the action by the Township Board, and if the Private Road Permit has been approved, a copy will be forwarded to the applicant.

4. Inspection procedure. The applicant is required to inform the Township as to progress on the roadway in order that the Township Engineer can make road improvement inspections - at a minimum, upon completion of basic grading and upon placement of gravel. The Township Engineer shall make a final inspection upon completion of the construction and certify the fact of completion in accordance with the terms and provisions of the permit and submit the same to the Township Clerk. The Township Clerk will then notify the Dexter Township Zoning Inspector of the completion of the roadway. No certificate of Zoning Compliance shall be issued by the Dexter Township Zoning Inspector for buildings upon lots or parcels of real estate which are to be provided access by means of a Private Road, until the final inspection and certification by the Township Engineer has been given; except as in par 6 below.

5. Expiration of approval. A Private Road Permit shall be valid for a period of two years from date of issuance. If the improvement has not been completed upon expiration of said two years, then the permit shall be void and of no force and effect. All fees not expended by the Township in the administration of the Permit, will be returned to the applicant.

6. In the event the applicant, after receiving a Private Road Permit from the Township Board, desires to begin construction of buildings, prior to construction and/or completion of the roadway, the Township will accept a Performance Bond which will secure the completion of said private roadway. The amount of the bond will be based upon recommendation of the Township Engineer as to his professional estimate of cost of said roadway. In the event the applicant defaults as to the conditions of the Private Road Permit, the bond will be forfeited to the Township and the Township will then apply the funds to the completion of said roadway.

7. Private Road certification. The Township Board, by resolution, upon receipt of the Township Engineer's final inspection report, will certify the private road in question as conforming to the standards of Dexter Township, and accepted as an approved private road.

B. Permanent Access Easement

1. Approving authority: The Dexter Township Zoning Inspector.

2. Permanent Access Easement application requirements: The application shall be made in writing, and accompanied by 2 copies of the following information:

a. A legal description of the lot or parcel to be served by the Permanent Access Easement; a legal description of the easement, and the names and addresses of all parties owning an interest in the title to the lot or parcel to be served.

b. A drawing of the lot or parcel with the dimensions and bearings showing the outline of the proposed easement and placing the location of any improvements

c. Driveway permit issued by the Washtenaw County Road Commission

d. Proof of registration/and or recording of the Permanent Access Easement with the Washtenaw County Register of Deeds.

3. The Dexter Township Zoning Inspector shall issue a Permanent Access Easement only if all the specifications, as contained in par C, Section II, are met by the applicant.

SECTION IV EXEMPTIONS

All improved private roads or easements, serving more than one dwelling, in existence as of the date of adoption of this Ordinance, are considered to meet the standards of this Ordinance as required by Section 5.02 of the Dexter Township Zoning Ordinance.

SECTION IV EFFECTIVE DATE

This within Ordinance is hereby given immediate effect.

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I, WILLIAM EISENBEISER, Clerk of Dexter Township, do hereby certify that the within Ordinance was adopted by the Dexter Township Board at a regular meeting on the 4th day of January, A.D., 1977, by the following roll call vote:

AYES	<u>4</u>
NAYES	<u>0</u>

William Eisenbeiser
WILLIAM EISENBEISER, Clerk

Dated: 4 JAN 77