

**PROCEDURE FOR ACCEPTING PRIVATE RURAL
AND/OR SUBDIVISION ROADS INTO THE
OLDHAM COUNTY ROAD MAINTENANCE SYSTEM**

* * * * *

In July of 1990 the state legislature passed KRS 100.277 requiring county governments to accept roadways that were built as part of subdivisions when required to be built to standards. The county (Fiscal Court) then decided that when the court facilitated other subdivisions improving their roads, pursuant to KRS 179.470, and if these roads were brought up to court standards, they would be accepted into the county system. See KRS 179.470 attached.

On April 16, 1991 Oldham County Fiscal Court amended the Oldham County Subdivision Regulations regarding Residential Street Construction Standards per Article VI, Section 1. Basically, the new minimum standards are as follows:

- (1) Subgrade compacted to 95% proctor and/or acceptance by actual proof-rolling of compacted subgrade.
- (2) 9" of compacted D.G.A.
- (3) 4" of compacted asphalt base or binder.
- (4) 1 " of compacted asphalt surface. The 1" asphalt surface shall be placed after subdivision is approximately 80% developed.

NOTE: The developer is responsible for maintenance of the new roadways until the final surface course is constructed and approved.

All subdivision roads constructed to the new county standards shall become county maintained roads upon acceptance by the Fiscal Court.

Subdivision roads constructed previous to April 16, 1991 that were constructed to previous standards must be brought up to new county standards in order to become county maintained roads.

The following steps and procedures must be followed by individuals, groups, or homeowners associations in order to start the process of having roadways accepted into the Oldham County Road Maintenance System:

- (Step # I) Contact the County Judge/Executive, Honorable David Voegelé, Oldham County Fiscal Courthouse, 100 W Jefferson St., LaGrange, Kentucky 40031, (502) 222-9357. Requests shall be in writing and shall also include the name, address and phone number of contact person(s).

(Step #2) The County Judge/Executive will forward the request to the County Engineer who will then:

- (a) Determine the status of the Road Performance Bond and initiate terms and conditions to release the bond if necessary.

NOTE: Every developer is required to post a road performance bond with The Oldham County Planning and Zoning Commission guaranteeing that the new subdivision roads will be initially constructed to minimum county standards. This bond is released upon satisfactory performance by the developer.

- (b) Make a written preliminary estimate to determine the approximate costs involved to upgrade the roads and drainage systems to current minimum county standards.

- (c) Schedule a meeting to discuss the improvements and costs of the improvements with the property owners involved.

(Step #3) Submit a petition to Oldham County Fiscal Court signed by at least 50% of the property owners adjoining the affected roadways. Petitions should have the following information:

LOT #1	Lot Owner	Current Mailing Address	Amount Pd.	Balance
LOT#2	Lot Owner	Current Mailing Address	Amount Pd.	Balance

NOTES: Each Joint Owner must sign the petition if the property is held by more than one person. Both husband and wife must sign petition or all joint owners.

In some subdivisions there are existing county roads. Only property owners abutting the roads that are not county roads may participate in the petition process. Only these will be required to participate in payment. If others wish to contribute to the cost, that would be allowed.

(Step #4) Oldham County Fiscal Court approves petition contingent upon road and drainage improvements and upon payment for the road and drainage improvements by the petitioners. The County Engineer will then prepare bid documents and advertise for sealed bids as required by law.

(Step #5) Sealed bids are received and publicly opened at a meeting of the Oldham County Fiscal Court. Oldham County Fiscal Court meets the first and third Tuesday at 2:00 PM each month, in the Oldham County Fiscal Courthouse.

NOTE: At this point in time no money has been spent by the individuals, groups, or homeowner's associations. Advertisement costs are born by Oldham County Fiscal Court. Petitioners must now decide whether or not to proceed with the process.

(Step #6) Petitioners must submit payment for at least 60% of the total project costs. The remaining 40 % of the total project costs will be billed to the property owners after the completion of the project. Funds shall be held in a new road fund account until disbursement is required.

(Step #7) Oldham County Fiscal Court shall then enter into a contract with the lowest and best responsive bidder for road and drainage improvements. Bids shall also require a satisfactory time to complete project. County Engineer will inspect work as performed by the Contractor to ensure work is being constructed according to terms of the contract.

(Step #8) County Engineer will advise Oldham County Fiscal Court that construction is complete and will recommend that the roads be accepted for county maintenance. Oldham County Fiscal Court will then formally accept the roads into the county road system. Final bills are sent to property owners. If the bills are not paid, collection procedures will commence. After the roadways are accepted into the County Road Maintenance System then the county (Oldham County Fiscal Court) will be responsible to maintain and improve these roadways as provided by law. This includes establishing speed limits and normal roadway maintenance such as re-surfacing, drainage maintenance and snow/ice removal.

PETITION FOR PAVING OF ALL ROADS AND ESTABLISHING OLDHAM COUNTY MAINTENANCE ON ALL ROADS WITHIN SECTION _____ OF _____ SUBDIVISION

We the undersigned, being abutting property owners to the roads in _____ Subdivision, Oldham County, Kentucky, do hereby petition the Oldham County Fiscal Court pursuant to and in accordance with the terms and conditions set out in KRS 179.470 (2) and (4) for County maintenance of all roads in said subdivision. It is understood that the street surfaces in the subdivision will be repaved by the homeowners, per Oldham County specifications. Oldham County will participate in the paving by bidding the contract and financing up to 40% of the project with the understanding that Oldham County will be reimbursed for the monies paid by the County on behalf of the homeowners. Said maintenance is contingent upon 60% of the amount required to bring the roads up to county standards being deposited with the County in advance upon the day set by Fiscal Court for deposit along with reaffirmation by 50% or more of the land owners that they accept this financial responsibility.

LOT NUMBER(S) _____

LOT OWNER(S) _____
(Print)

CURRENT MAILING ADDRESS

(Print)

BOTH HUSBAND AND WIFE OR ALL JOINT OWNERS MUST SIGN PETITION

SIGNED: _____ DATE: _____

SIGNED: _____ DATE: _____

AMOUNT PAID: \$ _____
