

CHAPTER 7.40
ENTRANCE PERMITS

7.40.010 **TITLE:** This Chapter shall be known and may be cited and referred to as the "Entrance Permits" Ordinance of Pottawattamie County, Iowa. (*Ordinance #2002-07/May 31, 2002*)

7.40.020 **PURPOSE:** The purpose of this Ordinance is to establish standards for the construction of entrances, to provide a process for the issuance of entrance permits, to provide for a process to remove improperly constructed entrances, to provide a procedure for the maintenance of existing entrances and to establish a penalty for failure to obtain an entrance permit. (*Ordinance #2002-07/May 31, 2002*)

7.40.030 **DEFINITIONS:** For the purpose of this Ordinance, certain terms or words used herein shall be defined as follows:

.01 **COUNTY:** Pottawattamie County, Iowa.

.02 **COUNTY ENGINEER:** The County Engineer of Pottawattamie County, Iowa. (*Ordinance #2002-07/May 31, 2002*)

7.40.040 **JURISDICTION:** The provisions of this Ordinance shall apply to all roads under the jurisdiction of the Pottawattamie County, Iowa, County Engineer. (*Ordinance #2002-07/May 31, 2002*)

7.40.050 **ENTRANCE LOCATION:** The County Engineer will view the proposed location and determine adequate sight distance, correct slope between the road and fence line and other specific criteria determined by the County Engineer as follows:

.01 Adequate sight distance along the county road in each direction from any given point of access where a vehicle must stop before entering the county road. (*Ordinance #2002-07/May 31, 2002*)

.02 The finished surface elevation of an entrance onto a road shall initially be sloped away from the county road at approximately a 4% slope to prevent surface water from draining onto the county road. (*Ordinance #2002-07/May 31, 2002*)

7.40.060 **CULVERT PIPE REQUIREMENTS:** If the location of the entrance onto the county road is approved, the County Engineer will determine, if a culvert pipe is required, the type, size and length size of culvert pipe.

.01 **Type of Culvert Pipe:** Culvert pipes shall be approved by the County Engineer. Used culvert pipe showing rust or having holes will not be approved. New culvert pipe shall meet County and Iowa Department of Transportation standards for entrance pipe and shall be a minimum of 30 (thirty) feet in length.

.02 **Size of Culvert Pipe:** The size of the culvert pipe will be determined by the County Engineer based on the drainage area.

.03 **Length of Culvert Pipe:** The County Engineer will determine the length of culvert pipe based on the top width requested and approved, entrance use, ditch depth and type of road being entered.

7.40.070 **INSTALLATION RESTRICTIONS:** All entrances shall be constructed in accordance with the following criteria:

.01 The entrance shall be designed and constructed in accordance with County and Iowa Department of Transportation standards.

.02 The County Engineer shall approve the type and location of all fill materials utilized in the construction of the entrance and materials utilized to surface the entrance. No filling will be permitted in the right-of-way of the county road other than is necessary to construct the proposed entrance.

.03 No excavations will be made within the limits of the traveled portion of the roadway.

.04 Adequate traffic control and advanced warning devices shall be placed during the construction of the entrance.

7.40.080 **MAINTENANCE OF CULVERTS:** All maintenance of the entrance, including the culvert, shall be the financial responsibility of the property owner. In the event maintenance is needed, the County Engineer shall give notice to the property owner. If the property owner fails to make the necessary corrections within 30 days, this provision shall not prohibit the County Engineer from performing necessary maintenance on the entrance to protect the county road and assessing the cost back against the property.

7.40.090 **INSTALLERS APPROVAL:** The County Engineer shall have the authority to approve the individual(s) that will construct the entrance. Criteria that will be utilized to determine acceptability of an individual will include, but not be limited to, insurance, and access and/or possession of adequate traffic signage needed to construct the entrance.

7.40.100 **ENTRANCE PERMIT REQUIRED:** It shall be unlawful for any person to construct an entrance onto a county road until an Entrance Permit shall have been issued by the County Engineer. No Entrance Permit shall be issued by the County Engineer unless the proposed entrance compliances with all of the provisions of this Ordinance.

7.40.110 **APPLICATION FOR ENTRANCE PERMITS:** All applications for Entrance Permits shall be filed with the County Engineer on approved forms, and shall be accompanied by such documentation as may be deemed necessary for the County Engineer to make an appropriate determination on the application.

7.40.120 **ACTION BY COUNTY ENGINEER:** The County Engineer shall take action on all Entrance Permit applications as soon as is reasonably possible. Said Entrance Permit shall specify the location of the entrance, pipe diameter, pipe material, length of the pipe, entrance width, slope collar, diaphragm, and the type and location of the surfacing, as dictated by the location.

7.40.130 **EXPIRATION OF PERMIT:** If the work described in any Entrance Permit has not been completed within six (6) months of the date of issuance thereof, said Entrance Permit shall expire and be voided.

7.40.140 **INSPECTIONS:** The County Engineer is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Ordinance. In the event said construction does not comply with the terms of this Ordinance, the County Engineer shall notify the property owner of said deficiencies.

7.40.150 **PENALTY FOR VIOLATION:** The penalty for violating the provisions of this Chapter shall be as set forth in Chapter

1.75, except that the schedule of civil penalties shall be modified as follows:

- A. First Offenses 50.00
- B. Second Offense and Subsequent Offenses \$100.00