

Boyd County Road Department Policy and Procedures Manual

Boyd County, Kentucky



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ACRONYMS

ADT	Average Daily Traffic count
Ag CMV	Agricultural Commercial Motor Vehicle
ANSI/ISEA	American National Standards Institute & International Safety Equipment Association
ATV	All Terrain Vehicles
BMP	Best Management Practices
DNR	Department of Natural Resources
FDM	Facilities Development Manual
I or IH	Interstate Highway
IoH	Implement of Husbandry
LFA	Local Force Account
MSIP	Municipal Street Improvement Program
MUTCD	Manual for Uniform Traffic Control Devices
NBI	National Bridge Institute
PASER	Pavement Surface Evaluation and Rating
PPE	Personal Protective Equipment
PSC	Public Service Commission
PS & E	Plan, Specifications and Estimate
ROW	Right-of-Way
USH	United States Highway
KYTC	Kentucky Department of Transportation

Boyd County Road Department (BCRD)

Policy and Procedure Manual Disclaimer

This policy and procedure manual is intended as a guidance tool for utilization by BCRD employees in their daily operations, as well as to delineate the operational functionality of BCRD with the public. Should any provisions contained herein be inconsistent with existing Federal or Kentucky law, or current Boyd County Fiscal Court policies then those rules or policies should hereby supersede any of the rules and/or policies contained herein.

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Introduction

The Boyd County Road Department operates the County Road system under its jurisdiction to provide a safe and convenient means for the vehicular transportation of people and goods. The department oversees the maintenance of over 500 miles of the County Road System. The Road Department also provides technical assistance and various services to other local units of government. These services are critical to maintaining a safe, convenient, and efficient transportation system serving communities, residents, and businesses throughout Boyd County.

Purpose of the Manual

The purpose of this manual is to outline specific transportation Standard Operating Procedures as they relate to the Boyd County Road Department. The manual is intended to provide important information to the general public and to serve as an internal manual providing clear direction to department staff and decision makers.

General Maintenance Activities

The Boyd County Road Department is responsible for the maintenance of county roads. The general maintenance consists of all activities aimed at keeping the system in a serviceable condition. This includes, but is not limited to: pothole repairs, mowing, centerline painting, culvert replacement, ditching, wheel rut repairs, minor overlays, signing and litter control.

A primary concern is to maintain a safe and drivable pavement while protecting the County's investment in quality roads. When necessary, the Road Department will reconstruct or resurface roadway segments that do not meet current design standards. Additional improvements may include widening the pavement and shoulders, flattening ditch in-slopes, flattening horizontal curves, improving or increasing sight distance, and drainage improvements.

Mission Statement

*The Boyd County Road Department will
strive to maintain all County roads in a
safe and
reasonable condition
at all times.*

Figure 1. State and County Highway System



Road Department Administration

Road Department Foreman

The Boyd County Road Department is led by the Road Department Foreman. The Road Department Foreman is in charge of all maintenance and construction work on the County Road System in the county.

Road Department Contact Information

To report problems regarding a county road or to submit general concerns or comments, please use the following:

Mail

12327 Anthony Drive
Ashland KY, Kentucky 41102

Phone

606-928-5272

Internet

Visit the Boyd County Road Department website at

www.boydcountyky.gov/road/

TextMyGov



Boyd County

Report Issues & Find Information

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Frequently Asked Questions

The following are some frequently asked questions that relate to Boyd County Road Department services. Additional information regarding these questions can be found in this manual.

I noticed a dead animal on the road, who do I contact?

Dead animals on the roadway may create a potential hazard to the traveling public. If a large dead animal (i.e., deer, a large dog, etc.) is lying on the roadway please contact either 911 or the appropriate authority that has jurisdiction of that road (for example, County, City, or State). If it is a County maintained road please contact 911 or the Boyd County Animal Control at (606) 324-0745.

Who do I notify if there is a road hazard on or along a county road?

Hazardous conditions may develop on county roads for a number of reasons. Storms may cause trees or limbs to fall onto the roadway while heavy rain may result in flooding at isolated highway locations. Potential hazards may result from debris falling off of trucks or other vehicles. If a potentially hazardous condition exists on a road you should contact 911 or the Road Department at (606)928-5272. Road Department will in turn notify the appropriate personnel to remove the hazard.

How do I find out where the right-of-way is located on my property?

If you are unsure of exactly where the right-of-way line is for your property, please contact the appropriate highway authority. Before doing anything within the right-of-way, it is important that you contact the Boyd County PVA for information. Please note that the Boyd County Road Department does not locate property lines. The property owner should call a surveyor to locate property lines.

Does the Road Department provide dust control on any roads that motorists use as a detour or alternate route around County roads that are under construction?

The County Road Department does not normally provide dust control.

Can I park in the County Road Right of Way (ROW)

Parking within the County Road Right of Way (ROW) can create unsafe travel conditions along county highways. No vehicle may be parked on the road surface, and no part of a vehicle may extend into the area of the road surface. If a vehicle is parked in the County Road ROW, then neither the BCRD or the Boyd County Fiscal Court will be responsible for any damages that occur to any said vehicle for any reason.

More Frequently Asked Questions

My property (mailbox, fence, etc.) was damaged by a snowplow, who should I contact?

You should contact the Boyd County Road Department at (606) 928-5272. If it is determined that the mailbox was damaged by actual physical contact by a County snowplow then the mailbox will be replaced by the Road Department. If the mailbox is damaged due to snow plowing, and not actual physical contact with a Boyd County snowplow, the mailbox replacement and costs are the responsibility of the property owner. Before calling, it may be helpful to review the following to determine if the Road Department may be responsible for the property damage.

The County may be responsible for the following:

- If it is shown that a piece of County snow removal equipment has caused damage by actual physical contact with a mailbox, the Road Department will repair or replace the damaged mailbox. If a replacement mailbox is needed, the Road Department will replace as best available at the time of replacement.
- If it is shown that a piece of County snow removal equipment has caused damage by actual physical contact with a fence or other structure, the Road Department will review the incident on a case-by-case basis to determine what, if any, responsibility that the Road Department has to repair the damage. Property owners are reminded that the Road Department will not be responsible for damage, even if caused by actual physical contact, that occurs to structures that have been improperly located within the public right-of-way (please refer to **Public Right-of-Way** section of this manual for additional details).

The County is not responsible for the following:

- Damage that is caused to a mailbox, or other properly located structures outside the public right-of-way, as a result of plowed snow or the force of snow being discharged by County snow removal equipment.
- Damage that is caused to any fences, headwalls, trees, shrubs, plantings, and other structures that are improperly located within the public right-of-way (please refer to **Public Right-of-Way** section of this manual for additional details).
- Damage that is caused to lawns or for the deposition of gravel in road ditches. If there are extenuating circumstances, these situations may be reviewed at the County's discretion on a case-by-case basis. Any vegetation damage sustained due to de-icing products used on the roadway will not be treated or repaired by the County.
- Damage to abandoned vehicles that have been left on the County Highway. If the Road Department personnel come upon an abandoned vehicle, they will contact the Sheriff's Department to request the vehicle to be removed at the owner's expense. **If a vehicle is blocking one or more lanes halting snow and ice control operations, the Road Department has the authority to move the vehicle by whatever means are necessary to reopen the roadway.** Any damage incurred in such a move shall be the owner's responsibility.

Boyd County Road System

The Boyd County Road System forms the secondary system of roadways within the county and constitutes the inter connecting roads supplementing the State Highway System. It is comprised mainly of roadways of secondary through-traffic importance and generally consists of roads that provide and facilitate local service. The Boyd County Road System is administered by the Boyd County Road Department as authorized under Kentucky Statutes.

The County Road System includes all roads that have been selected by the Boyd County Fiscal Court and approved by KYTC in accordance with Chapter 178 of the Kentucky Revised Statutes (KRS). County roads are designated alphabetically and the marking and signing is uniform throughout the county. Improvements or construction of roadways on the County Road System must conform to minimum geometric design standards.

Purpose

County Road Systems are meant to provide a high level of mobility to the traveling public. County Road Systems have historically provided farm to market routes and connect cities and villages to higher level state highways. Highways within urbanized areas will have high levels of access control to ensure they meet the requirement of providing mobility with a minimum number of access points. Roads providing primary access to commercial areas and residential areas should be located on the local road system.

Jurisdiction

Roads are commonly classified by ownership or purpose. Jurisdictional responsibility refers to governmental ownership of a particular road; however, governmental ownership does not necessarily reflect who is responsible for the on-going maintenance of the facility. The Boyd County Road Department is responsible for conducting routine maintenance and minor repairs on county roads. Major repairs and reconstruction of State highways are the responsibility of the KYTC.

Functional Classification

Functional classification is a process by which streets and highways are grouped into classes according to the character of service they provide, ranging from a high degree of travel mobility to land access functions. Federal regulations require that each state classify roadways in accordance with the Federal Highway Administration's Highway Functional Classification: Concepts, Criteria and Procedures.

It is the policy of the Boyd County Road Department to review the County Road System on a bi-annual basis to ensure that the roadways are serving their intended purpose (i.e., mobility or accessibility). The primary criteria for defining the Boyd County Road System includes functional classification, average daily traffic (ADT) volumes, posted and observed travel speeds, and access control.

Driveways

Driveway Maintenance

The maintenance and replacement of a driveway, and culvert, is the responsibility of the property owner or occupant. Any expense incurred by the Boyd County Road Department due to lack of proper maintenance will be at the owner's expense (i.e., thawing of culvert pipe not cleaned, not structurally sound, obstructed by excessive snow pushed into ditch, etc.). **Yard pipe is the responsibility of the property owner.**

Driveway Surfacing

Any driveway disturbed during county construction activities will be restored in-kind (such as blacktop, gravel, etc), but only to the extent removed by the Road Department personnel. Blacktop surfacing shall be permitted to the roadway surface, but typically shall conform to the normal elevation of adjacent highway shoulders, sloping down, and away from the roadway. Driveway aprons determined to be restorable per above shall be either blacktop or gravel as applicable within twelve (12) inches of the roadway edge.

Notice on Driveway Culverts

- a) Material of culvert pipe must be double walled HDPE.
- b) All driveway culverts must be 15" minimum diameter (or larger depending on site conditions as specified by BCRD.)
- c) The overall driveway culvert size, length, must be approved by the Boyd County Road Department.

Driveway Culvert Replacement as part of projects:

The Boyd County Road Department will share some costs of driveway culvert installation (up to forty (40) linear foot) with the property owner as part of replacement and ditch re-grading projects. *(Homeowner provides the culvert pipe and delivery to a designated location, and the Boyd County Road Department provides the driveway culvert installation).*

RIGHT-OF-WAY

TOWN ROAD

RIGHT-OF-WAY

CULVERT

DITCH BOTTOM

COUNTY HIGHWAY

RIGHT-OF-WAY

RIGHT-OF-WAY

RIGHT-OF-WAY

PRIVATE DRIVEWAY

EDGE OF PAVEMENT

EDGE OF SHOULDER

THE COUNTY HIGHWAY DEPARTMENT WILL TYPICALLY PERFORM ROUTINE MAINTENANCE ON LAND LOCATED WITHIN THE HIGHWAY RIGHT-OF-WAY. (SHADED AREA)

AT PRIVATE DRIVEWAYS, THE DEPARTMENT WILL TYPICALLY MAINTAIN TO THE EDGE OF THE HIGHWAY PAVEMENT ADJACENT TO THE DRIVEWAY. THE LANDOWNER IS RESPONSIBLE FOR MAINTAINING THEIR DRIVEWAY AND CULVERT.

AT MUNICIPAL STREET INTERSECTIONS, THE DEPARTMENT WILL TYPICALLY MAINTAIN TO A POINT EQUAL TO THE NORMAL HIGHWAY SHOULDER BREAK POINT (THE EDGE OF THE GRAVEL SHOULDER). THE MUNICIPALITY IS RESPONSIBLE FOR MAINTAINING THE MUNICIPAL STREET AND THE MUNICIPAL CULVERT.

Public Right-of-Way

A public right-of-way is an easement that allows the public to traverse private property. The most common right-of-ways are land owned by the county adjacent to Boyd County Road System and along recreational trails. The Boyd County PVA will provide right-of-way information to property owners, registered land surveyors, and to utilities for county maintained roads and trails. In addition to accommodating county roads or travel ways, the public right-of-way is commonly used to accommodate public utilities. Utility companies may on occasion work within the public right-of-way to repair existing utilities or to install new utilities to accommodate new developments occasion work within the public right-of-way to repair existing utilities or to install new utilities to accommodate new developments.

Right-of-Way Encroachments

If any Boyd County Road right-of-way shall be encroached upon, under or over by any fence, stand, building or other structure or object, the County Road Department Foreman may request the Code Enforcement Officer to order the occupant or owner of the land through or by which such highway runs, and to which the encroachment shall be appurtenant, to come into compliance with the Ordinance by the removal of the same beyond the limits of such road within 30 days of notification. Thus, as with other encroachments to a roadway, "roadside receptacle" is accidentally damaged in the process of removing snow, mowing the right-of-way graveling the shoulder, or any other act of maintenance or construction on the roadway right-of-way, it is the owner of the object, the landowner's or occupant's obligation and responsibility to repair or replace the receptacles.

Purpose

It is the goal of the Boyd County Road Department to provide right-of-ways which are safe and free of unnecessary hazards or the traveling public. It is also necessary for utility companies to have access to right-of-ways to provide valuable and necessary services to Boyd County residents and businesses. This section describes proper and improper uses of the public right-of-way.

Boyd County Road Right-of-Way

Boyd County Ordinance requires that the Boyd County Code Enforcement issue a permit for any work done within a county road right-of-way. The county road right-of-way is typically described by a line extending 30' to 60' on each side of the road centerline as designated for that roadway. Utilities are often located within the public right-of-way adjacent to county roads. Anyone planning on performing work within a county highway right-of-way should contact the Boyd County Road Department concerning the permitting process prior to starting any work. Anyone who fails to contact the Road Department and performs work within the county highway right-of-way may be subject to a \$1000.00 penalty fee and will be responsible for any costs associated with correcting any work if necessary.

If an emergency situation for a utility, a permit must be obtained from Code Enforcement as soon as possible after the fact. Anyone, including utilities, who fails to contact the Boyd County Road Department and performs work within the county road right-of-way will be responsible for any costs incurred by the county associated with correcting any road to pre-work condition if necessary.

Fences and Other Structures

Fences and other structures are required to be located outside the public right-of-way. No person shall build or reconstruct any fence within the public road right-of-way.

Headwall Structures

Headwalls, or retaining walls, while being aesthetically pleasing, may pose potential hazards to the traveling public and may hinder highway maintenance and/or snow removal. If a property owner constructs a new headwall, the entire structure must be located outside the public right-of-way.

Driveway Approaches

Any new concrete driveway approaches constructed within the public right-of-way must be located a minimum of twelve (12) inches from the edge of the county road surface. Concrete driveway approaches are not permitted to the edge of the county road surface. The minimum of twelve (12) inches from the edge of the Boyd County Road surface to transition to the concrete driveway surface may be either pavement or gravel as determined as best by the property owner, regardless, new concrete driveway approaches MUST terminate a minimum twelve (12) inches from the edge of the county road surface.

Plantings, Crops, and Other Vegetation

The Boyd County Road Department is responsible for providing a safe and reliable travelway to accommodate the traveling public. Plantings, crops, and other vegetation that is growing within the public right-of-way has the potential to create a safety hazard, may make it difficult for the Road Department to perform routine maintenance, and may interfere with existing utilities and/or traffic control devices (i.e., stop signs, speed limit signs, no passing signs, etc.). The Road Department will take action to correct such obstructions if they become a hazard.

Obstruction of Intersections

No person shall maintain, plant or permit to remain on any private or public premises situated, at the intersection of two (2) or more roads, any hedge, tree, shrub or other growth which may obstruct the view of the operator of any motor vehicle or pedestrian approaching such intersection.

Obstruction of Traffic Signs

It is unlawful for any person to plant, cause to grow, allow to grow, or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign. It shall be the duty of every owner of such tree, brush, shrubbery or vegetation to remove such obstruction. If the owner does not adequately maintain any trees, bushes, shrubbery or vegetation then the Road Department will have the authority to perform the necessary maintenance including the possible removal of the obstruction.

Routine County Maintenance

The Road Department performs routine mowing and other maintenance along most County Highways throughout the growing season. In the process of mowing, or other maintenance activities, the Road Department personnel may come upon plantings, crops, or other vegetation that encroaches on the public right-of-way. In extreme cases, the Road Department personnel should notify the Road Department Foreman of the encroachment. The Road Department Foreman will direct the Road Department personnel on next steps/actions which may include the immediate clearing of the obstruction if it creates a potential safety hazard to the traveling public. If it is determined that the obstruction does not create an immediate hazard, the Road Department Foreman or designated department personnel may notify the property owner of the encroachment and request removal.

Utility Maintenance

Utility companies may on occasion clear trees, bushes, shrubbery or vegetation that might interfere with overhead and other utilities located within the public right-of-way. This practice is done to ensure a safe and reliable provision of services throughout the County. Methodologies utilized by utilities or their contractors will conform with best practices for these maintenance activities.

Owner Responsibilities

A property owner may mow the portion of adjacent property that is located within the public right-of-way. Property owners may also clear vegetation within the right-of-way. Extreme caution should be taken when performing maintenance within the public right-of-way. Please note that a permit is required when performing excavation within the county right-of-way. A Code Enforcement permit may be obtained by calling

(606) 928- 5272.

Trees

Questions such as “Who owns the trees?” and “Who is responsible for their care?” often arise when trees are located near or within the public right-of-way. The following provides details regarding trees that are planted within and outside the public right-of-way. **Figure 8** displays an example of who is responsible for the care of these trees.

Within Public Right-of-Way

The duty for caring for trees in the public right-of-way resides with the Boyd County Road Department. The Road Department will have the authority to trim, prune, or cut down trees within a public right-of-way. This is a power that the Road Department may, not must, exercise. The Road Department will cut down a tree if it lies within the public right-of-way and constitutes a hazard to the traveling public. Utility companies may also have the authority to trim, prune, or cut down trees that are located with the public right-of-way and may impact the utility lines or other utility services.

Outside Public Right-of-Way

The duty for caring for trees outside the public right-of-way resides primarily with the property owner. If a tree overhangs or extends into the public right-of-way, the Road Department may trim or prune the tree to improve sight distance, eliminate any obstruction of traffic control signs or devices, and other reasons as determined by the Road Department. In some cases it may be necessary for a tree that is located outside the public right-of-way to be cut down to improve safety for the traveling public or to eliminate potential conflicts with utility lines. Examples may include trees outside the public right-of-way that are dead, dying, diseased or severely leaning, that could cause damage. In such cases the Road Department will notify the property owner of the specific concern.

After receiving notice that a tree is to be removed, the adjacent property owner shall have fourteen (14) days to remove the tree. Despite the landowner's ownership of the tree, the Road Department has the final determination in who may safely remove the tree that is encroaching on the right of way.

Rights to Wood

When it is necessary to remove trees located in the public right-of-way, the adjacent property owner may request to retain the wood, except in cases of diseased trees. For disease damaged trees (*Ash trees damaged by the emerald ash borer [*Agrilus planipennis*] is listed here as an example*), the Road Department may dispose of the wood to prevent the potential spread of any diseases. Methodologies utilized will conform with best practices for these maintenance activities.

Structures Permitted within Setback Lines

The following standards are applicable for Boyd County.

1. Open fences.
2. Petroleum and gas transmission lines, telephone, telegraph, cable television and power transmission poles and line and portable equipment both above and below ground that is readily removable in its entirety. Additions to and replacement of all such structures may be made, provided the owner will file with the Boyd County Code Enforcement Officer an agreement in writing that the owner will move or remove all new construction, additions and replacements erected after the adoption of this chapter at his expense, when necessary to the public interest, i.e., highway construction, airport, sewer and water lines, etc.
3. Underground structures not capable of being used as foundations for future prohibited overground structures.
4. On waterfront properties, piers, wharves, erosion control structures which are part of an approved grading plan, and one pave walkway and/or stairway using the most direct route practical within the view corridor.
5. Access or frontage roads constructed by the public to plans approved by the Boyd County Fiscal Court.
6. Permitted signs and signs placed by the public for the guidance or warning of traffic.

Removal of Noncompliant Structures

It is the policy of the Boyd County Road Department and the Fiscal Court to review on a case-by-case basis structures that do not meet the requirements. The Road Department and Code Enforcement may take action to correct the situation to meet the requirements. Such action may include the removal of noncompliant structures.

Road and Right of Way Setbacks

The following standards are applicable for Boyd County per Boyd County Ordinance 04-15. Boyd County Fiscal Court has determined the need to require persons who intend to encroach upon an actual right of way or easement obtain a permit. For the purpose of determining the distance buildings and other structures shall be setback from any existing county road right of way or county easement, the Boyd County Fiscal Court, Kentucky has ordained as follows:

Any person who erects, builds or otherwise places upon his or her property any temporary or permanent building, dwelling, structure, or any other type structure shall observe the following setback rules and guidelines:

- (1) Any construction along any 60 foot county road right of way shall be setback from the edge of the right of way not less than 10 feet.
- (2) Any construction along any county road right of way of less than 30 feet shall be not less than 40 feet from the edge of the pavement or traveled portion of the roadway which exists upon the right of way or easement.
- (3) In addition to the foregoing, any persons desiring to construct or place any culvert, bridge, driveway or other encroachment upon a county road right of way or easement shall, before undertaking any work obtain a permit from the Office of the Boyd County Judge executive.
- (4) The Boyd County Judge Executive's Office may deny a permit to any person planning to undertake any encroachments which the Office of the County Judge Executive does not believe is contrary to the interest of the county or otherwise may cause unreasonable and intolerable effects upon adjoining land owners or persons or property owners.

Should a person seeking a permit be denied, then that person shall have the right to appear at a regularly scheduled meeting of the Boyd Fiscal Court so as to present an appeal to the full Fiscal Court at which time the Fiscal Court, may, by majority vote, override the decision of the Judge Executive's Office and order that the permit be issued.

(5) Permits issued hereunder shall be signed and dated by the Boyd County Judge Executive or their lawful designee.

Any person who shall violate any provision of this ordinance shall be subject to civil suit by the Boyd Fiscal Court in addition to any other penalties imposed hereunder.

Any person violating the provisions hereof shall be guilty of a Class A Misdemeanor as defined by the Kentucky Penal Code and subjected to the penalties provided for and consistent therewith.

Any person, firm or corporation who undertakes any construction following the passage of this ordinance does so at his/her own peril and may be ordered by a court of justice of the Commonwealth of Kentucky to cease any construction violating this ordinance and further ordered to remove any construction which has already been undertaken prior to said court's ruling.

Utility Accommodations

Utility companies provide essential public services that are necessary to accommodate existing and future development throughout Boyd County. Utilities are frequently located within the public right-of-way and as such impact the maintenance and operation of County Highway system. The coordination between utility companies, contractors, the Road Department, and Code Enforcement is essential if public services are to be provided in an effective and efficient manner. All utilities must follow Boyd County Ordinance guidelines.

Purpose

The purpose of this section is to outline the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the Boyd County Road Department has jurisdiction.

Utility Accommodations Requirements

The Road Department regulates the use, occupation, and utility accommodation of Boyd County Roads. These policies apply to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed within the highway right-of-way. While the Boyd County Road Department strives to accommodate utilities whenever possible, the permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests and safety of the traveling public.

Traffic controls (e.g. lighting, traffic signals, etc.) and other facilities maintained and operated by the Road Department for the purpose of ensuring motorist safety shall not be bound by the policies and procedures contained within this section.

Utility Accommodation Work Permit

An application for a right of way Utility Work Permit must be completed and submitted to Boyd County Code Enforcement. Note that failure to obtain a Utility Work Permit shall result in a \$1000 penalty assessed for the applicable party. A written request detailing the utility installation and specific location must also be submitted with the application. A map outlining the county road in which the utility will be located should be provided and a schematic of the proposed work will be required along with a profile view of the bore if applicable.

Coordination with Planned Improvements

The Boyd County Road Department encourages the coordination of utility repairs and installations to be completed in conjunction with planned roadway maintenance and reconstruction. Combining the installation of utilities with road repairs is the most efficient and effective way to accommodate utilities, and in the long run is better in terms of providing a sound, well maintained travel way for the public. This is of particular importance when new roadways are being constructed as it is the goal of the Road Department to avoid unnecessary open cuts on new or nearly new roadways within the County. Any open cut utility work, regardless of how well the road is repaired, has the potential to compromise the integrity of the pavement surface, the base, and sub-base materials which can lead to significant maintenance problems and potentially shorten the life of the roadway segment.

Preferred Utility Accommodations

The Boyd County Road Department encourages the use of boring as the preferred method to bury utility lines within the public right-of-way. The following sections outline specific actions for boring and open cut utility accommodations.

Boring and Trenching

Boring is the preferred method to accommodate utilities under or parallel any County Roadway. Boring is a well established trenchless method that is widely used for the installation of steel pipes and casings, especially under railways and road embankments. This method can be used advantageously to reduce damage to pavements and disruptions to traffic.

For successful execution of boring projects, the utility should survey the site conditions for surface features, subsurface geotechnical conditions and utility data should be gathered and incorporated in the early stages of design process.

While boring is the preferred method of installation, trenching is also an acceptable method for accommodating utilities parallel to any County Highway.

Any contractor or utility that plans on boring or trenching within the roadway right-of-way is required to both notify and obtain permission from the Road Department.

Open Road Cut Policy

If boring is not an option, and an open road cut utility accommodation work permit is necessary, the utility should notify Code Enforcement as well as the Boyd County Road Department of this request.

The Road Department will review the proposed utility work and will discuss potential options and repair requirements. The decision to allow an open road cut will rest with the Road Department and will in part be based on pavement condition ratings.

Pavement Condition

Boyd County will collect and assimilate pavement condition rating data on a bi-annual basis. In evaluating the request for an open cut utility accommodation work permit (Road Cut Permit), the Road Department will consider the current condition of the roadway and pavement in:

1. Determining if an open road cut will be allowed,
2. Determining the appropriate permit, and;
3. Determining what, if any, additional repairs will be required of the utility or contractor.

The pavement condition ratings provide a general assessment of the pavement and roadway condition and are used as a basis to determine utility fees within Boyd County.

Figure 3 displays the utility accommodation work permit structure that has been adopted by Boyd County Enforcement with regard to open road cut utility accommodation. The Road Department reserves the right to modify the permits if it can be shown that the roadway has deteriorated to a lower pavement rating from current pavement rating. Note that if the roadway surface is ten (10) years or less since paved, for linear cuts **all pavement** must be replaced for entire complete roadway affected. All crosscuts **must be filled immediately, and be fully re-paved within sixty (60) days.** All expenses associated with the open cut accommodation will be the responsibility of the utility or contractor.

Figure 3. Open Cut Utility Permit

Current Pavement Rating	General Description of Pavement	Open Cut Permit	Additional Comments and Requirements
↓	↓	↓	↓
<div>10</div> <div>9</div> <div>8</div>	New or Nearly New Pavement.	Required	The Boyd County Road Department <u>discourages open cut utility accommodation on new or nearly new roadways</u> . Additional repairs, above and beyond standard open cut repair requirements, may be directed to be implemented by the Road Department to adequately accommodate open cut repairs that are allowed on new or nearly new roadways. These measures will be determined on a case-by-case basis by the Road Department.
<div>7</div> <div>6</div>	Generally Good Condition.	Required	Additional repairs, above and beyond standard open cut repair requirements, may be directed to be implemented by the Road Department to adequately accommodate open cut repairs that are allowed on roadways in good condition. These measures will be determined on a case-by-case basis by the Road Department.
<div>5</div> <div>4</div> <div>3</div>	In Need of Repair.	Required	The standard utility accommodation work permit required.
<div>2</div> <div>1</div>	Poor or Very Poor.	Required	The standard utility accommodation work permit required. Utility company or contractor should check with the Road Department as a roadway rated as 1 or 2 may currently be scheduled or programmed for reconstruction. If possible, the utility work should be coordinated with planned roadway improvements.

Installation and Repair Requirements

All utility work within the public right-of-way is subject to review and approval by the Road Department personnel. The preferred utility accommodation, boring, is the least intrusive technique, in particular to the roadway surface. In the long term, boring will have the least impact on the integrity of the roadway surface.

Prior to Beginning Work

Before commencing any work on Boyd County roads or within the County right-of-way, the utility or contractor shall notify the Road Department of the approximate time that work will commence. This notice shall be at least forty-eight (48) hours prior to commencing any work.

On-Site Requirements

Traffic control devices (i.e. signs, cones, etc.) must be used when work is being performed in the public right-of-way. The utility or contractor should make every effort to minimize the disruption of traffic when working within the public right-of-way.

General Requirements

1. Any utility lines should be installed as near as practical to the outside limits of the public right-of-way. This is also to include above ground installation and the setting of utility poles.
2. Contractors should use care when loading and unloading equipment within the public right-of-way. No ditching machinery shall be operated upon the crown of any roadway unless specifically permitted by the Road Department. The Contractor shall pay for any damage to the roadway or right-of-way.
3. The applicant will remove and relocate its utility lines should it become necessary in order to accommodate widening, realigning, and/or improving County roads at no cost to Boyd County.
4. The applicant shall, from the commencement of the installation of utility lines and thereafter for a period of twelve (12) months from the date the installation is completed and accepted, assume all responsibility for damages resulting to the landowner or to any other person caused by the installation of the utility lines and shall hold Boyd County harmless from any obligation or claim or damages that may be alleged or result from such utility construction or operation.
5. The applicant will be responsible to reimburse the Road Department if the Department must repair any work performed by the utility or contractor during a twelve (12) month period following completion of the utility installation.

Open Road Cut Repair Requirements

The Code Enforcement Officer, in consultation with the Road Department has the authority to require more extensive repairs of open cut utility accommodations, especially if the open cut is allowed on new or nearly new roadways. These repairs may be required in order to preserve the long- term integrity of the roadway surface, base, and sub-base.

Specific repairs will be identified and approved by the Code Enforcement Officer, in consultation with the Road Department Foreman on a case-by-case basis. As a minimum standard, at all points where excavations are made in the public right-of-way, the applicant will replace and recompact the base and sub-base and will restore the roadway section to the same or better condition as existed prior to the excavation.

Authority to Enforce Policy

The Code Enforcement Officer, in consultation with the Road Department Foreman, or designee of the Boyd County Road Department, has the authority to enforce the Utility Accommodation Policy and the specific requirements of an individual utility permit. All utilities, including all consultants, contractors, and subcontractors working for utilities, are required to abide by the policy and the specific provisions related to individual utility permits.

Failure to Comply

Failure to comply with the Utility Accommodation Policy will result in corrective actions and/or monetary penalties against the Utility. At the Road Department's option, the following measures may be taken if a Utility fails to comply with the policy or specific permit provisions.

1. Verbal Request for Corrective Action – The request shall include:

- a) The reason(s) why the present or completed operation is (was) not in compliance with the Policy or the permit provisions,
- b) What steps shall be taken to correct the situation, and
- c) What additional action may be taken if step b is disregarded (items that follow).

2. Written Reprimand – A written reprimand shall be sent to the utility for violating the Policy or its permit provisions when the utility does not comply with the verbal request. The written reprimand shall contain the same information as the verbal request and shall serve as documentation for the violation. The Code Enforcement Officer, in consultation with the Road Department Foreman shall be responsible for writing and sending this reprimand.

3. Suspension of Work Activities – If a responsible person of an inspected work site fails to comply with a verbal request, the inspector may order the suspension of all work activities at the site. If this occurs, the Code Enforcement Officer and the Boyd County Road Department Foreman shall be informed of the situation. The Road Department shall then contact an authority of the utility to explain why the operation was suspended and what action needs to be taken before work can resume.

4. Removal of Installed Facilities – Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an unacceptable location, and the utility is notified, the utility shall have two weeks' response time to decide on its corrective action. If the utility fails to take corrective action, the Department shall take action to have that facility relocated or removed at the utility's expense. The permittee shall remove the improperly placed facility and put it in an approved location. If the utility fails to relocate its facility the Department shall have the facility removed and bill the permittee for such work.

5. Permit Revocation – If a utility continues to be in noncompliance with the policy or specific permit provisions, the Road Department may revoke the utility's permit. The utility may reapply for a permit to the Road Department when it can demonstrate a good faith effort to comply.

6. Public Service Commission (PSC) Notification – Continued violations by a utility of the Policy or its permit provisions may cause the Department to notify the PSC and request its assistance in correcting the situation.

7. Withholding Approval of Future Permits – Continued violations by a utility of the Policy or its permit provisions may cause the Code Enforcement Officer to withhold approval of permit applications for that utility until the violations are corrected to the satisfaction of the Boyd County Road Department. The severity and number of written reprimands against a utility may serve as a guide in determining future permit approval.


8. Penalties – Any utility that violates the County's utility accommodation policy will be subject to follow:

- a) Failure to obtain permit = \$1000.00.
- b) Costs of Corrective Actions – The utility will be responsible for all costs associated with repairs or additional work (including assessment and engineering costs) .

9. Appeal Process – The utility must first appeal to the Code Enforcement Officer, in consultation with the Road Department Foreman with assistance of their Corporation Counsel.



Figure 4 SAMPLE CONTRACTOR INFORMATION SHEET AND ROAD CUT PERMIT (See Appendices)



**BOYD COUNTY
GOVERNMENT**

**CONTRACTOR INFORMATION
ROAD AND DRIVE INSTALLATION REQUIREMENTS
FOR CONTRACTOR CONSTRUCTION PROJECTS WITHIN BOYD COUNTY**

1. All drive entrances must be installed before any field work begins.
2. Number 2 stone must be placed before any field work starts for drive entrances.
3. No equipment or trucks of any kind are allowed to cross curbs. Enter and exit only through curb cuts.
4. The roads must be swept and cleaned of any debris, including clay and other soils, at the end of each work day.
5. Any debris that poses any safety hazard to the public shall be cleaned up immediately.
6. There will be no inspections on weekends or after normal Road Department work hours. All road cuts and inspections must be made during the work day, 7 a.m. until 5:30 p.m., Monday through Thursday.
7. If the contractor completes work that is not inspected at the proper time, they may be required, at the Road Department Foreman and Code Enforcement's discretion, to tear out and replace the work at their expense.
8. The Road Department Foreman and Code Enforcement must be notified at least 24 hours before each of these construction phases take place; *digging, concrete, gravel, installation and blacktopping.*
9. Contractor must obtain a signed release from the Road Department Foreman and Code Enforcement before being cleared of the responsibility and liability for each job.
10. Contractor must furnish adequate signage and warning devices at all times.
11. Concrete must be dry no less than 24 hours before any blacktop is installed.
12. Closing of any roads must be coordinated with the Road Department Foreman and Code Enforcement.
13. Road cuts must have concrete placed in them no later than 2 weeks from the date the cut was originally opened.
14. The cut must be cut back 12 inches on each side and 8 inches of concrete poured into within 2 inches of the surface, with asphalt in place in the summer immediately after 24 hours have lapsed. In the winter, the same rules apply with the difference being instead of asphalt there must be cold patch in place, to be replaced as soon as the blacktop plant makes asphalt available.
15. Failure to do so will result in the county repairing the holes and billing the contractor, and the possible loss of the right to cut any more roads.
16. Road cuts must be monitored very closely (*at least 2 times per week*) to make sure there are no low areas.

Failure to keep roads clean may result in a citation. Contractor will also be responsible for any cleanup charges of the road.

This verifies that the contractor has read and understands these regulations.

Signature: _____ Date: _____

Location: _____



**BOYD COUNTY
GOVERNMENT**

**BOYD COUNTY
ROAD CUTTING PERMIT**

ROAD CUT BY PROPERTY OWNER

Name: _____

ROAD CUT BY INSTITUTION OR COMPANY

Name: _____

Address: _____

Phone: _____ Date: _____

Location of Road Cut: _____

Type of Road Cut: { ☐ Curb Cut { ☐ Drive Installation { ☐ Asphalt Cut { ☐ Other

Will the road be closed: { ☐ No { ☐ Yes If yes, date of closure: _____

The Road Department Foreman and Code Enforcement reserve the right to require any additional information they so desire including, design standards, drawings and other pertinent data.

The Road Department Foreman and Code Enforcement must be notified four (4) hours in advance, before any blacktop, concrete or digging is started.

Concrete must be dry twenty-four (24) hours before any blacktop is installed.

There will be NO road cuts on weekends unless it is a utility emergency.

All cuts must be inspected the Road Department Foreman and Code Enforcement and a signed release must be obtained from them before you are free of responsibility.

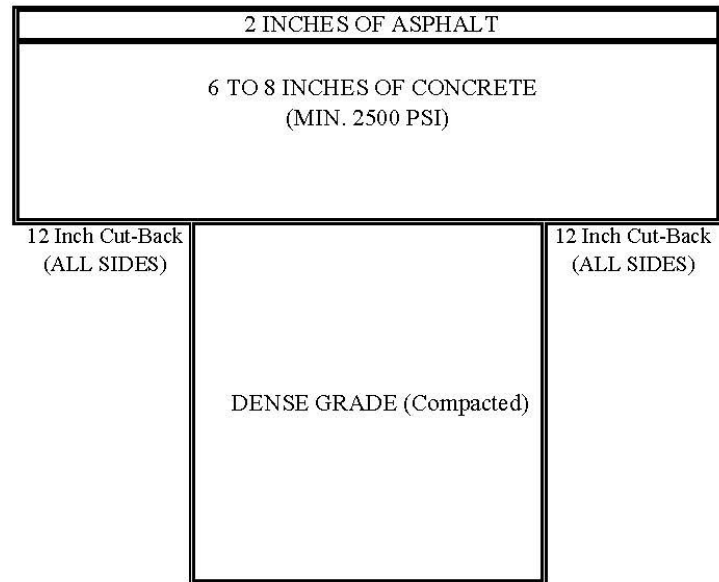
YOU MUST FURNISH YOUR OWN EQUIPMENT AND WARNING DEVICES.

The following signature certifies that the property owner, institution, or company fully understands and accepts responsibility for all repairs to city streets.

Signature _____ Date _____

Fees _____

Expires 60 days from date of issue

**BOYD COUNTY ROAD DEPARTMENT ROAD CUT SPECIFICATIONS**

NOTE:
6 INCHES OF CONCRETE ON RESIDENTIAL STREETS.
8 INCHES ON MAIN ARTERIAL ROADS & THROUGH STREETS

MINIMUM STANDARDS FOR A ROAD

The Boyd County Road Department is responsible for the public safety and county roadways must be of certain dimensions and certain quality standards; therefore it is necessary for the public and developers to know in advance the minimum requirements for acceptance of roads into the Boyd County Road System.

MINIMUM STANDARDS FOR ROADWAYS TO BE ACCEPTED INTO THE BOYD COUNTY ROAD SYSTEM

For any roadway constructed and open to and used by the general public prior to and be used by the general public the minimum standards shall be as follows:

1. Sixty foot (60') right-of-way or forty (40') feet with a ten (10') foot easement on each side for a dead end street.
2. Minimum width of twenty-four (24') feet, shoulder to shoulder.
3. Minimum surface of eighteen (18') feet.
4. All dead end turn-around shall have a minimum diameter of sixty (60') feet.
5. Developer must provide base of #6 limestones.
6. Developer must provide surface of six (6") inches of limestone on regular cut.
7. #2 and #6 limestone shall be used on all fills where settling may occur.
8. No grade shall be more than ten (10%) percent unless blacktopped prior to acceptance request, in which event the grade may be no more than twelve (12%) percent.
9. There shall be at least ten (10") feet between the shoulders and any creek.
10. All drainage ditches shall be at least twenty (20") inches deep and culverts running under the road shall require the prior approval of the Fiscal Court.
11. No culverts shall be less than fifteen (15") inches and more, if deemed necessary by the Fiscal Court area.
12. Culverts laid in a ditch line shall be equipped with two (2') feet surface water catch basins every fifty (50') feet and shall be installed only after prior approval of the Fiscal Court.

13. No drive-way shall be more than twelve (12%) percent grade and shall start from the shoulder of the road.

14. Before roads can be accepted, they must be inspected by a majority of the Fiscal Court.

15. All roads shall be described by meets and bounds and dedicated to public use.

16. No concrete "cement" driveway shall be laid closer than twelve (12") inches from the shoulder of the road.

17. No fence shall be erected closer to the shoulder of the road than six (6') feet, and existing fences in violation of this requirement shall be moved at the owner's expense.

18. All County roads having a slag or gravel surface and accepted after the date of this document shall be blacktopped by the developer with two (2") inches of asphalt base material and one (1") inch asphalt surface material for the Boyd County Road foreman to be able to inspect the roadway.

19. In determining priorities for asphalt surfacing the percentage of lots sold to the lots for sale will be considered.

20. No person shall name or place a marker naming a road without prior approval of the Fiscal Court.

21. Parking is prohibited on that portion of any road normally used for vehicular traffic or foot traffic.

22. Culverts placed in drainage ditches in the process of connecting side roads shall be no less than forty (40') feet in length.

23. There shall be a minimum of one (1") inch to one (1') foot slope on earthen and loose rock cuts, and one (1/2") half inch to one (1") inch on rock cuts.

24. Nothing contained in this document shall require the Fiscal Court to accept any specific roadway. Additionally, the Fiscal Court may establish ownership to roadways under adverse possession, or other state or federal statutes that would allow the County to obtain or retain ownership to roadways under adverse possession or other state or federal statutes that would allow the County obtain or retain ownership of any roadway in the Fiscal Court's discretion.

Road Debris and Obstructions

The Boyd County Road Department is responsible for keeping the county highways free from dangerous obstructions including storm debris, dead animals, farm debris, and other various roadway obstructions.

Purpose

It is the goal of the Boyd County Road Department to provide public travel ways that are safe and free of unnecessary hazards. Highway and/or roadside debris may at times compromise public safety. This section outlines a process for keeping roadways free of debris and obstructions.

Debris and Obstructions

The public is encouraged to report any unsafe conditions observed on the County Highways. Downed trees, road obstructions, debris should be reported as soon as possible. Road hazards on County Maintained Highways may be reported to the Boyd County Road Department during normal business hours. Hazards may be reported after hours by calling 911 and notifying the Boyd County Sheriff's Department.

Parking Obstructions

Parking within the County Road Right of Way (ROW) can create unsafe travel conditions along county highways. No vehicle may be parked on the road surface, and no part of a vehicle may extend into the area of the road surface. If a vehicle is parked in the County Road ROW, then neither the BCRD nor the Boyd County Fiscal Court will be responsible for any damages that occur to any said vehicle for any reason.

Storm Debris and Obstructions

Storm debris can create unsafe travel conditions along county highways. Fallen trees and/or temporary flooding of low-lying areas are common storm related problems. The public should use caution when handling storm debris as there could potentially be hazardous items including downed power and utility lines in the area.

Removal of Fallen Trees

If any tree falls from adjacent land onto any highway, the owner or occupant of the land shall immediately contact the Road Department. The Road Department may assist in the removal in certain situations.

Animal Removal

The Boyd County Animal Control when needed provides large animal removal from County roadways (dead animal removal service is provided by the applicable jurisdiction Animal Control.) If the animal remains create a road hazard please call 911 and report the location.

Farm Debris

Any debris that is left on a County Highway as a result of farming activities should be promptly removed by the farmer, contractor, or property owner. If the debris creates an immediate hazard the Road Department may remove the hazard at the property owner's expense.

Snow and Ice

The pushing of snow and other materials onto or across the highway, or into the public right-of-way, from side roads and driveways is prohibited in Boyd County. Doing so may create potential safety concerns for the traveling public and may impede the snow and ice removal process. Furthermore, snow shall not be stored in any manner which will obstruct or limit vehicular or pedestrian vision, movement, or access. If the Road Department becomes aware of a violation, the property owner may be subject to a penalty.

Snow and Ice Removal

The Boyd County Road Department is responsible for the snow and ice removal (referred to as snow removal) of more than 500 miles of the Boyd County Road System. Snow removal activities may occur any time of the day or night and will likely require overtime by the Road Department personnel. Careful planning and preparation must be done prior to the winter season to ensure safe and efficient snow removal throughout Boyd County.

Purpose

The purpose of this section is to define the level of expectations for snow and ice removal of County maintained roads during a winter storm event. The primary goal of winter maintenance is to achieve "passable roadways" within the limitations imposed by climatological conditions, the availability of resources, and environmental concerns during a winter storm event.

Snow Removal Procedures

The following section outlines the snow removal procedures used by the Boyd County Road Department. Exceptions to this policy may occasionally be necessary as dictated by weather and road conditions.

Decision to Begin Snow Removal

Several factors impact when the Road Department begins the snow removal process. These factors include, but are not limited to, current roadway conditions, current weather conditions, forecasted weather conditions, and the time of day.

Each storm presents unique challenges which must be dealt with accordingly. Given the overall size of Boyd County, it is possible for weather and road conditions to vary greatly from one area of the County to another area. The Road Department will take all factors into consideration and will make a determination on the appropriate time to begin the snow removal process.

Snow Removal Methods

The primary method of snow removal shall be by plowing. Salt, sand/salt or salt with other additives may be used to enhance snow removal or to improve traction. Motorists should expect that snow will be plowed into cross streets and driveways as a normal part of snow removal operations.

Passable Roadway

The intent of the snow removal process within Boyd County is to maintain a safe environment for the traveling public. This does not mean that the traveled portion of a roadway will be cleared to the pavement. In fact, the public should be aware that the traveled portion of a roadway and/or bridges will, at times, have snow and/or ice which will create slippery conditions. Motorists should be aware of these conditions and should exercise caution when driving during these conditions.

The goal of the Road Department is to create a "passable roadway." A passable roadway is defined as a roadway surface that is free from drifts, snow ridges, and as much ice and snow pack as is practical and can be traveled safely at reasonable speeds. A passable roadway should not be confused with a "dry pavement" or "bare pavement", which is essentially free of all ice, snow, and any free moisture from shoulder to shoulder. This "dry/bare pavement" condition may not exist until the weather conditions improve to the point where this pavement condition can be provided.

The definition of "reasonable speed" is considered a speed that a vehicle can travel without losing traction. During and immediately after a winter storm event, a reasonable speed will most likely be lower than the posted speed limit. Motorists can expect some inconvenience and will be expected to modify their driving practices to suit road conditions.

Level of Service and Hour of Operation

The level of snow removal service depends on the type of roadway being serviced. The Road Department maintains County roadways.

The majority of snow removal within Boyd County will occur between the hours of 4:00 a.m. and 9:00 p.m. It should be noted that these service hours are provided as a guideline and may be modified on a case-by-case basis. With the exception of twenty-four roadways, the Road Department will provide reduced service on County Roads beginning at 9:00 p.m. The Road Department will also provide emergency service between 9:00 p.m. and 4:00 a.m. primarily at the request of the Boyd County Sheriff's Department. The Road Department maintains communication with the Sheriff's Department and will respond to specific requests of the Sheriff's Department.

Road Conditions

Winter road conditions can be found at:

<https://goky.ky.gov>

Service Areas

The Road Department reviews snow routes on a regular basis and make adjustments as needed to most effectively and efficiently accomplish the snow removal process.

Snow Emergency

A snow emergency may be declared when the visibility declines to a point that it is hazardous to the driving public or snowplow operators to be on the roads. Under these conditions, snowplowing and/or ice control operations may be suspended until visibility improves. The Road Department, may on occasion determine that it is in the best interest of the traveling public to close a road, or roadway segment. When the Judge Executive (or designee) declares a snow emergency the Road Department will notify Emergency Management, the Sheriff's Department, KYTC, and if possible, local media regarding the specific concerns of the emergency. When the Judge Executive (or designee) declares a snow emergency, the level of service, snow removal hours, and/or department personnel hours may be adjusted as needed to best accomplish the snow removal process.

Road Department Personnel

Snow removal is a long and tiring process that may require drivers to work overnight. It is a primary concern of the Road Department to maximize safety for the traveling public and department personnel. As such, every attempt will be made to limit Road Department personnel to a maximum of 16 hours of snow removal operations at which time drivers will take a minimum six (6) hour break. In some cases (i.e., extreme weather conditions, declared snow emergency, or other emergency situations) it is possible that some drivers may exceed the time limits.

Annual Training

The Road Department may conduct an annual review and training session to cover snow removal policies and to review snowplow routes. If possible, snowplow drivers should drive their route prior to the winter season to observe any potential hazards that might hinder the snow removal process.

Damage to Private Property

The Road Department makes every effort to avoid damage to private property during the snow removal process. However, on occasion a piece of County snow removal equipment may damage private property located immediately adjacent to the roadway.

Motorists Responsibilities

Motorists should limit their travel when hazardous conditions exist. If you must drive, motorists are advised to reduce their speed below the posted speed limits during adverse weather.

Road Department Assistance

It is the policy of the Boyd County Road Department that no County equipment will be used to push, pull or tow a stranded, private vehicle from a roadway or ditch unless it is necessary to reopen a roadway or public travelway. In a life or health threatening situation, Road Department personnel may provide assistance or call for emergency response. At no time will any Road Department personnel use a County vehicle to perform any snow removal on private or commercial property unless in a life threatening or emergency situation.

SNOW REMOVAL INFORMATION FOR THE PUBLIC

The Boyd County Road Department is responsible for the snow removal from the county roadways during the winter. Our first priority is to clear main roadways and streets with significant hills. We then move onto residential areas. Our goal is to keep Boyd County moving. We request your help during snow and ice removal operations and ask that you follow these simple suggestions:

- Please limit travel during storms to trips that are necessary. Once roads have been plowed and salted, the potential for accidents is greatly reduced.
- Please park your vehicles in your driveways and off the road. If you must park on the road, try to park on one side of the road only. Parked cars hinder the speed and efficiency of our snow removal operation.
- Do not plow snow from your driveways and walk ways into the road. Please pile the snow in your yard. Remember, you are also responsible for your snow removal contractor's actions.
- When snow plows are used during snow falls, the initial pass of the snow plow is made to open up the road for traffic flow. The following passes will push the snow to the curb line or road edge. This is necessary in order to allow for the drainage of melting snow into catch basins and to allow more space to plow future snow accumulations.
- To avoid salt hitting your vehicle while driving, move away from the center of the road when you see a salt truck approaching from the opposite direction. Salt trucks are designed to deposit more salt near the center of the road as the salt works its way to the road edge as traffic runs over it. Please try to stay back approximately 200 feet from the rear of a truck while it is deploying the material.
- To ensure that your mailbox is not damaged during snow plowing operations, place your mailbox at least 42" above the ground and the front face of the mailbox door at least 10" from the front face of the curb or road edge.
- Remove your portable basketball hoop from the street and place it on your property. The Road Department is not responsible for damages to this equipment.
- When calling the Road Department, please keep messages simple and direct. Be certain to state your name, phone number, the problems you are calling about, and its location.
- Please keep sidewalks clear.

We're Sorry! When our snow plow drivers clear residential streets, the plows will throw snow to the side and into driveways. There is no way to clear the streets without this inconvenience. Snow plows are designed to remove snow from the roadway to the edge of the road. Residents are responsible for removing this snow.

Pavement Management

Roadway pavement represents one of the largest infrastructure investments for the Boyd County Road Department. Maintaining pavements throughout the County involves complex decisions about how and when to resurface or apply other treatments to keep the highway performing at acceptable levels and costs at a reasonable level. The Boyd County pavement management system consists of three major components:

1. A system to regularly collect pavement condition data.
2. A computer database to store and sort the data.
3. An analysis program to evaluate preservation and repair strategies to identify cost-effective solutions to maintain the County Roads.

Purpose

Critical decisions are made every day that affect the overall performance and operating costs of Boyd County roadways. Information from a pavement management system provides an effective way to achieve better performance with less cost by providing valuable information to the appropriate decision-makers about when and how to repair roadway pavement throughout the County. The purpose of a pavement management program is to maximize the life of the pavement while minimizing the cost of maintaining the roadways.

The Boyd County Road Department is required to inspect and document the pavement condition data on a bi-annual basis. In compliance with this requirement, the Road Department rates pavement conditions utilizing the **Pavement Surface Evaluation and Rating (PASER) rating system**.

PASER uses visual inspection to evaluate pavement surface conditions on a scale of 1 (reconstruction required) to 10 (new construction). The key to a useful evaluation process is identifying different types of pavement distress and linking them to a cause. Understanding the cause for current conditions is extremely important in selecting an appropriate maintenance or rehabilitation technique.

Training Assistance

It is in the best interest of the local agencies and the County to use consistent pavement ratings to identify appropriate maintenance or reconstruction measures. If requested, the Boyd County Road Department will provide the cities training regarding pavement condition ratings.

Pavement Analysis

The Boyd County Road Department utilizes PASER pavement ratings, as recorded by the Road Department. The program includes an evaluation program that analyzes current and future roadway and pavement conditions. The analysis part of the pavement management system helps forecast how long a pavement segment will last when certain repairs are performed under the given traffic loads, current road conditions, and other factors.

“Life Cycle” Maintenance Approach

The Boyd County Road Department uses a “life cycle” approach as opposed to a “worst first” maintenance approach. A “worst first” maintenance approach is one that fixes the poorest rated roadways / pavement first. A “life cycle” approach is one that focuses on extending the life of the pavement throughout the entire County.

Five-Year Needs Analysis

The Road Department utilizes cost-benefit analysis to generate an annual list of priority pavement improvements for a five-year period. The Road Department utilizes historical cost data for materials to estimate pavement maintenance for this period.

Simply because a roadway project is identified as needed within a certain time period does not mean that it must be completed at this time. The Road Department will use the data to help prioritize pavement maintenance and/or reconstruction projects. The combination of the pavement analysis tool, along with the local knowledge of the Road Department and Infrastructure Committee, will lead to the efficient selection of roadway improvements throughout the County.

Typical Maintenance Activities

Typical pavement maintenance is tied directly to the pavement condition ratings. A typical Kentucky pavement experiences extreme temperature ranging from sub-zero temperatures in the winter months to near 100 degree temperatures during the peak summer months. These extremes have significant impacts on roadway conditions. To best handle these conditions it is important to have a maintenance process in place. A typical roadway pavement will require some maintenance approximately every five (5) years. Some roadways will require maintenance sooner while others may be longer. Much of this depends on traffic levels, traffic mix (i.e., passenger cars, heavy trucks, etc.)

Minor Patching

Minor patching is the process of cleaning out and filling with bituminous patch material potholes in asphalt concrete pavements. This technique is used as a stop-gap maintenance for areas where the asphalt is cracked and broken to the point where a hole has formed. Pot holes can form because of severe cracking due to weather or material deficiencies or from normal traffic and plowing activities. Patches are also used as a result of utility repairs and pavement damage due to construction. The primary purpose for minor patching in asphalt pavements is to prevent surface water infiltration into the pavement foundation and to prevent hazardous conditions for vehicles. The technique consists of the following steps:

1. Remove cracked and loose asphalt from inside the pot hole and around the edges.
2. After removing loose material, insert bituminous patching material, rake and compact to create a smooth surface.

Mill and Overlay

There are several maintenance practices that involve milling. An edge mill typically consists of grinding the old bituminous surface along the outer 8 feet of the street. This helps establish a uniform cross-section, especially in instances where the crown in the street is relatively flat. A full width mill, or resurfacing, is necessary when the upper surface layer of pavement has deteriorated considerably. Significant surface pavement distresses and more extensive “thermal” cracking need to be removed and/or repaired with a full width and uniform depth milling process. Both edge mills and full width mills are typically 1.5 to 2 inches thick, but can vary on a project by project basis.

Milling creates an even surface to ensure a uniform overall thickness to the new overlay. An asphalt overlay of 1.5 to 2 inches over the entire pavement width forms a smooth crown, renews the street surface, restores the structural capacity and proper drainage, and extends the life cycle of the original pavement. A full depth mill can be used on a street that has already been reconstructed with a good base section, but the pavement has deteriorated to a point where the seal coating or a standard mill and overlay is not effective. A pavement section with significant cracking will end up reflecting through the new pavement. The full depth of the pavement is ground up and removed. This process may also involve some subgrade soil corrections and some removal of aggregate base, if it has been contaminated or is sub-standard. The street is paved with the same thickness of new asphalt.

Pavement can also be reclaimed, where approximately 8 inches of the existing asphalt and base are ground up in place. This forms a new more stable base without adding new material. The road is then paved with new asphalt. This is only recommended where there is no curb and gutter on the road, since the existing materials stay in place and a higher road elevation is created once the new pavement thickness is added.

Asphalt pulverizing

Asphalt pulverizing is the process of breaking up the existing pavement and blending it in to the existing base. The new base is re-compacted, graded and made ready for new paving. Pulverizing is a very cost effective way to reconstruct your existing pavement if no utility repairs are necessary and no grade modifications are needed. Consider asphalt pulverizing for a pavement that has failed and a mill and overlay is not a feasible option.

Cold In-Place Recycling

Cold In-Place Recycling (CIR) is the process of milling and crushing the existing asphalt pavement, adding foamed asphalt or asphalt emulsion, and re-laying the mixture with a paving screed. A hot or warm mix surface layer is placed over the CIR layer. Consider CIR for highways that have adequate structures to support the CIR paving equipment and significant grade corrections are not required.

Reconstruction

Reconstruction is generally required when a road has reached the end of its life cycle. When a road is fully reconstructed, the existing asphalt and base are completely removed and replaced. Reconstruction may also involve subgrade soil corrections. For roads that do not meet current design standards for width, curb and gutter, and drainage, an upgrade may also be incorporated.

Lane Wedging

Lane wedging is a process using fine hot asphalt to fill in wheel ruts in the lanes. Normally this procedure is done on ruts greater than one inch on roadways not included in the five year program.

Culvert and Bridge Program

Bridges are a vital part of the County Road System that directly impacts the traveling public. The functional loss of a bridge not only impacts mobility but may also reduce accessibility to area businesses, industries, and residential neighborhoods.

Purpose

The purpose of the Boyd County Road Department bridge management program is to focus on efficient and effective proactive maintenance with the ultimate goal of extending the life of bridges within the County. Providing safe and secure bridges throughout the County is a priority.

Bridge Maintenance

Areas of maintenance around a bridge may include signage, waterways, approaches, substructures, superstructures, and the road deck. These areas have the potential of requiring either structural or nonstructural maintenance. Many non- structural maintenance treatments are low cost and directly contribute to extending the life of the bridge, when executed in regular intervals. Areas considered to be nonstructural maintenance include debris cleaning, sweeping, joint cleaning and repair, scupper or drainage cleaning, crack filling, deck patching, and guardrail repair.

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INFORMATION RELATING TO PERSONS HAULING LOGS, HARVESTED TIMBER OR SIMILAR MATERIALS OR PRODUCTS ON COUNTY ROADS PURSUANT TO KRS CHAPTER 189 AND ALL OTHER LAWFUL AUTHORITY.

KRS 189.210, 189.222, 189.230 and/or other laws, rules, regulations and authority permit the County Judge-Executive and Fiscal Court to by Ordinance or otherwise adopt laws, rules, regulations, conditions and restrictions necessary for the preservation and protection of county roads, highways, bridges and right-of-way including but not necessarily limited to the county through road system; and the aforesaid Kentucky Revised Statutes independently or in conjunction establish weight limits for vehicles operated on county roads.

Commercial operations utilizing county roads for transportation of logs, harvested timber or similar materials may cause or result in excessive damage, wear and tear, added maintenance and other impact resulting in the unnecessary deterioration of the county road system and the roads, highways, bridges, and right-of- way necessary to the safe and efficient use of county roads by emergency vehicles, public transporters and the general public; and the Boyd County Fiscal Court desires and has the responsibility to protect and assure continued integrity of its road system.

To the extent applicable to the Boyd County through road system and available to the applicable Boyd County Fiscal Court Ordinance 2015-02, KRS 189.210, 189.222, 189.230 and all other rules, laws, regulations and decisions of the courts relevant to the purpose hereof be and hereby are incorporated herein by reference, including any and all penalties for violation thereof, any person, firm or organization engaged in logging, harvesting timber or any similar business or operation in the unincorporated area of Boyd County, Kentucky shall prior to engaging in any work or activity reasonably related to such business or operations first file an application for an Encroachment Permit with the Office of the County Judge-Executive or the Boyd County Road Department. **(See Appendices)**

The Judge-Executive and Boyd County Road Foreman shall ensure the Encroachment Permit application is designated to adequately protect and further the county and public interest in preservation and protection of the county through the road system. Upon a review or consideration of the application it is determined that no portion of the county through road system will be utilized, impacted, damaged, or injured by the applicant, his agents, employees or independent contractors the Judge-Executive or Road Department Foreman may waive the necessity of obtaining an Encroachment Permit and so note, mark or otherwise indicate said waiver upon the face of the application and no charge or fee shall be charged to the applicant.

Upon review or consideration of the application above the County Judge-Executive or Road Supervisor determines that conditions, restrictions or other protections must be required in order to preserve the road system, then upon the payment of a fee. Encroachment or similar permit shall be issued to the applicant. The permit shall be in writing and include such conditions, restrictions, limitations and requirements deemed necessary to protect the county's interest.

Pursuant to KRS 189.212(5)(c) the Boyd County Fiscal Court hereby adopts a rule and/or regulation that conditions, restrictions and limitations imposed on a permit may include the deposit of money, irrevocable line of credit, surety bond or other financial guarantee or protection to promote, assure and further the county's interest in the through road system of Boyd County.

Any permit may be issued, continued in effect, revoked, modified or denied by the County Judge-Executive or Road Supervisor. Any persons aggrieved by a decision as to the permit may present same at a regular meeting of the Fiscal Court which may result in said decision being upheld, overturned, reversed, modified or conditioned.

The applicable Boyd County Fiscal Court Ordinance 2015-02 shall be in full force and effect upon its adoption, re-adoption and publication according to law.

Should any portion, part, section, sub-section, and/or paragraph or provision of this Ordinance 2015-02 be deemed null, void, contrary to law, unenforceable, unconstitutional or in any way fail then such ruling or determination shall not impact or effect any lawful and enforceable provisions and this Ordinance shall be self amended and incorporate such by reference as is necessary to accomplish the intended purpose of preservation of the county through road system *Ab initio* and retroactive to the date and time of original passage.

Signing and Safety

Manuals for Uniform Traffic Control Devices

The Boyd County Road Department inventories and updates County signs according to the guidelines set forth in the Federal Manual for Uniform Traffic Control Devices (MUTCD) that also has a Kentucky supplement. Sign reflectivity standards are addressed in these manuals along with various other sign regulations including colors, sizes, and types. The Federal MUTCD manual is located at:

<http://mutcd.fhwa.dot.gov/index.htm>

Sign Requests

Regulatory sign requests (add/remove/change) need to be sent to the Road Department in writing along with justification for the request along with specifics such as the days of week and times of day that a concern is occurring. Changes are not made merely because of personal preference. The Road Department utilizes engineering guidelines and MUTCD manuals in determining any needed signing modifications. Further details are found in the Kentucky Statutes, the MUTCD manuals, as well as other engineering guidelines and principles.

Non-regulatory sign requests (i.e. "Watch for Children") also need to be sent in writing after the local unit of government has weighed in on the request as the requestor typically pays for the cost to install and maintain these types of signs billed through the local unit of government if the request is granted. The Road Department also utilizes engineering guidelines and MUTCD manuals in granting these requests.

Intersection Control

Intersection crashes on the County Road system will be reviewed annually. Intersections found to have developed a pattern of crashes involving failure to yield at a stop sign controlled intersection will be investigated further by the Road Department Foreman or the Judge Executive's designee. If the reviewer determines the frequency or severity of crashes at a particular intersection is significant, the intersection will be further investigated by surveying/inspecting the intersection and reviewing the crash reports. The intersection survey/inspection will include, but is not limited to, the following items:

- o Visibility of approach from all directions
- o Location of existing signs
- o Conformity of sign to Uniform Traffic Control Device Manual requirements (i.e. size, height, etc.)
- o Condition of signs
- o Pavement condition (i.e. bare, ice covered, ruts, etc.).

The crash reports will be reviewed to determine:

- o What caused the crashes
- o Did crash occur due to failure to stop?
- o Did crash occur due to failure to yield upon leaving the "stop" location?

Based on the review of the intersection and the crash reports, the following countermeasures may be implemented:

- o Double Stop signs
- o Double Stop Ahead signs
- o Larger than standard signs
- o Install flags on the signs
- o Four-way Stop signs
- o Reduced speed on approaching highway
- o Relocation of all signs (to avoid visual clutter, blending into background, make signs more prominent, etc)

SPEED HUMP GUIDELINES

INTRODUCTION

The use of *Speed Bumps* and *Speed Humps* to control speeding, on neighborhood streets, is documented within many jurisdictions, across the country.

Kentucky Revised Statutes (KRS) Section 189.337 is the controlling statute that states "all traffic control devices shall be controlled by a manual of standards and specifications for a uniform system of official traffic control devices for use upon all roads and streets in the state, including incorporated cities." The Kentucky Transportation Cabinet issued 603 Kentucky Administrative Regulation 5:050 Uniform Traffic Control Devices, which establishes the manual referenced by KRS 189.337, and states that the standards and specifications set forth in the Federal Highway Administration publication Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) shall apply to all traffic control devices installed on any publicly used highway, road, or street in Kentucky.

In 1999, the Federal Highway Administration (FHWA) announced their plans to release a revised edition of the *MUTCD*. The FHWA announced that they were including a section on the proper signage and markings for jurisdictions choosing to install *Speed Humps*. The FHWA chose signage and marking standards based on research conducted and published by the Institute of Transportation Engineers, (ITE). The ITE published standards for construction, signage and markings of *Speed Humps* in their recommended practice entitled Guidelines for the Design and Application of Speed Humps, and this was adopted by the FHWA for inclusion in the **MUTCD**.

Based on the adoption of the ITE guidelines by FHWA, the revised *MUTCD* now refers to *Speed Humps*. The Boyd County Government (NCG) has interpreted this action to infer that the decision to use *Speed Humps* is a local decision and would not violate KRS 189.337.

The Boyd County Road Department (BCRD) has developed the following guidelines based on the ITE Guidelines for the Design and Application of Speed Humps and policies adopted by other jurisdictions.

A. GENERAL

A review of the available national literature has shown that speed humps can be an effective and appropriate measure for safely reducing vehicle speeds on certain types of streets, when installed according to the provisions of these guidelines. In order for speed hump installation to be effective, they will be located selectively following defined transportation engineering criteria and traffic engineering studies for ameliorating documented speeding problems. Proper installation, based on the ITE guidelines, is also intended to minimize driver frustration and encourage safe driving practices.

These guidelines promote reasonable opportunities for residents and property owners most affected by a proposed speed hump have some input and participate together in the process that leads to its installation. It also provides for a potential sharing of the speed hump installation cost between BCRD and the neighborhood.

It should be noted that under Kentucky law, adjacent property owners do not have any greater interest in city streets than the traveling public (except for reasonable ingress and egress from their property). **Therefore, the decision to install or remove speed humps is solely within the discretion of BCRD.** However, when possible, BCRD will be sensitive to the wishes and preferences of households affected by the decision.

B. DEFINITIONS

These are some of the definitions used in the guidelines.

AFFECTED PROPERTY OWNERS - Includes only those properties adjacent to the right-of-way of the segment of the street where the speed humps are proposed or within a subdivision development which has an active Homeowners Association.

APPLICATIONS for SPEED HUMPS - Includes a petition by ballot of the affected property owners/and or Homeowners Association.

FUNCTIONAL CLASSIFICATION - "The process by which streets and highways are grouped into classes or systems according to the character of service they are intended to provide." (*Highway Functional Classification and Needs Study Manual*)

Arterial System - provides for through traffic movement between areas and across the city, with limited access to abutting property, but subject to access controls and curb uses.

Collector System - provides for traffic movement between arterials and local streets, with limited access to abutting properties.

Local System - provides direct access to abutting properties.

ITE - The Institute of Transportation Engineers.

LOW DENSITY RESIDENTIAL DWELLINGS - Includes single-family houses, townhouses, duplexes, triplexes and quadraplexes.

MUTCD - *Manual on Uniform Traffic Control Devices.*

ROADWAYS - That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two (2) or more separate roadways, the term "roadway," as used herein, shall refer to any roadway separately, but not to all such roadways collectively.

SPEED HUMPS - Geometric design feature of a roadway, consisting of a raised area in the roadway pavement surface, extending transversely across the travel way, whose primary purpose is to reduce the speed of vehicles traveling along the roadway.

SPEED - This refers to the operating speed, especially the range and frequently of speeds on the street. Operating speeds are collected in accordance with the ITE *Guidelines for the Design and Application of Speed Humps*. The study period shall be a minimum of 48 hours in length and to conducted at the discretion of the BCRD.

SPEED CRITERIA - This pertains to speed that is 10 mph over the legal speed limit on the roadway.

STREET - Refers to the length of the street with proposed speed humps that must be petitioned. It is a minimum 1500 foot segment generally centered on the location of each hump, or length of the block, whichever is greater. If the 1500 foot segment extends into any part of an adjacent block of the same street, it includes the entire length of the adjacent block, unless separated by an intervening thoroughfare, traffic signal, stop sign, or offset intersection.

C. ELIGIBILITY REQUIREMENTS

The following criteria will be reviewed before a street is considered eligible for speed hump installation.

1. Support

Although BCRD will utilize processes in order to determine if a segment of street is deemed appropriate for speed humps, generally the neighborhood representative(s) will be responsible for forwarding evidence of support for speed humps. BCRD will not consider speed humps unless 70% of the affected property owners favor their installation. Petition will be provided by Boyd County Fiscal Court, one (1) dwelling equals one (1) vote. After petition is filed notice must be published and signage posted in three (3) prominent and visible public places within one (1) mile of the road for thirty (30) days, action will be taken at following Fiscal Court Meeting.

2. Location of the Street

The land uses of the properties abutting the street where the speed hump is proposed shall be composed of low density residential dwellings. This would include public roadways where fifty percent (50%) or more of the residents are single family residential dwellings.

3. Operational Characteristics of the Street.

- a. The street shall be used to provide access to abutting low density residential properties. The street shall not be identified as a Collector or higher level street. Speed humps shall not be considered on streets defined as Thru Streets
- b. There shall be no more than one (1) moving lane of traffic in each direction.
- c. Vehicle Speed shall exceed the Speed Criteria.
- d. The street shall have a speed limit of twenty-five (25) mph, or less, as determined in accordance with the general provisions for the design and construction of Public Roadways in Boyd County.

- e. The street shall not be so close to a Fire Department or other public safety facility, nor in the immediate proximity to a healthcare facility such as a nursing home, as to significantly interfere with emergency vehicle operations.
- f. If deemed necessary, the **BCRD will** also solicit comments from the appropriate Fire District, EMS, Police Departments and appropriate service departments. If comments are not received within two (2) weeks, BCRD will assume there are no objections. Should they identify significant concerns which cannot be corrected, BCRD will not install speed humps.
- g. Speed Humps shall not be considered on alleys.

4. Geometric Characteristics of the Street

- a. The street should have adequate sight distances to safely accommodate the hump. Sight Distance shall be available based on the speed limit of the roadway
- b. The street shall not have curves or grades that prevent safe placement of the humps. Therefore, Humps may be located on streets that contain curves and/or grades, but the hump itself should not be located within a significant horizontal curve, or a vertical grade greater than eight (8%) percent.
- c. The street shall be paved. If there are no curbs, a special design of speed hump may be used to prevent vehicles from going around the speed hump.

D. COST RESPONSIBILITY / MAINTENANCE RESPONSIBILITY

1. The cost for the speed hump materials shall be the responsibility of the Applicant (residents/homeowners association) to purchase. This includes the cost of all speed hump material, warning signs, pavement markings, and, if necessary, special design features such as curbing. The type/style of speed hump ALLOWED to be used shall be coordinated with and approved by the BCRD.
2. The Cost the initial installation of the Speed hump shall be the responsibility of the BCRD. Only the BCRD (or a contractor hired by the BCRD) shall install the speed hump.
3. Roadways require routine maintenance (snow plow clearing, new pavement overlay, asphalt patching, etc). Should the Speed Hump be damaged during maintenance or need to be removed for such roadway maintenance, then the total cost for reinstallation (including labor costs and or new material costs) shall be the responsibility of the Homeowners association/residents. The homeowners association or residential representative will notified on the cost to repair/replace the speed hump. If the homeowner association or residential representative are unwilling to pay for the cost of the speed hump repair/maintenance, the speed hump will be removed by the BCRD.

E. SPEED HUMP REMOVAL AND ALTERATION

The process for speed hump removal or alteration by citizens is the same as the process for installation. Applicants may be required to assume 100% of the cost for alterations or removal of speed humps that were installed under this policy.

F. SPEED HUMP LOCATION

Boyd County Road Department (BCRD) will work with the property owners to the extent possible on the location of the Speed Hump. For engineering and/or safety reasons, the best location for a Speed Hump may be in front of a property where the property owner opposes it. BCRD will take those preferences into consideration, but BCRD will make the final decision on placement.

G. DESIGN STANDARDS AND PROCEDURES

BCRD will prepare and maintain current design standards and installation procedures for speed humps according to these guidelines. BCRD will provide minimum Speed Hump design standards allowed and types of speed humps available for purchase.

The design and installation of speed humps shall comply with the Institute of Transportation Engineers' Recommended Practice, Guidelines for the Design. and Application of Speed Humps.

All signage and pavement markings shall comply with the current edition of the MUTCD and ITE's Recommended Practice, Guidelines for the Design and Application of Speed Humps.

H. PROCEDURES TO REQUEST SPEED HUMP INSTALLATION

1. The Applicant's initial request for the installation of speed humps shall originate from a representative of the property owners or homeowners association from a segment of the street or neighborhood group. The request should be provided on the attached form and forwarded to the following address:

**Boyd County Road Department
Attn: County Road Foreman
12327 Anthony Drive
Ashland, KY 41102**

2. If the applicant does not represent any existing Homeowner's Association for the particular roadway or a Homeowner's Association does not exist for the roadway, then a representative of the area shall submit written petitions (with Names, Addresses, signatures) to BCRD showing that approximately 70% of the property owners on the street support the installation of speed humps, as provided in the speed hump policy. In gauging the level of support or opposition, BCRD will apply one (1) "vote" per residential household.
3. BCRD will make a preliminary determination of eligibility. BCRD will coordinate with the Boyd County Fiscal Court for their review and approval. BCRD if deemed necessary, will conduct the necessary transportation engineering studies, including, but not limited to: traffic volume, accident analysis, speed study, field review, etc. BCRD will solicit comments and recommendations of other agencies, including, but not limited to, emergency service and appropriate service departments. A determination of the street's eligibility for speed hump installation will be made in writing, in a timely manner, to the applicant's representative, based on the speed hump guidelines.
 - a. If the street is determined to be ineligible, the applicant's representative will be given written notification of that determination and its reasons.
 - b. BCRD will define the petition area, define the proposed speed hump locations, and determine the total cost.
 - c. Once a street is approved for speed hump installation, BCRD will submit a statement to the applicant's representative for the cost of the speed hump installation. The initial Cost to the applicant shall be the cost of the speed hump material. Once Payment is received, the BCRD will order materials. The BCRD shall be responsible to install the speed hump. Upon receipt of materials, the BCRD will install the speed humps as scheduling permits.

Work Zone Safety

Experience has shown that following the principles and procedures developed and documented for proper temporary traffic control in the MUTCD manuals enhance the safety and communication in work zones. These principles and guidelines are utilized to the best of the Road Department's ability to ensure the most safe and practical environment for both workers and the traveling public.

Remember - **finest double in work zones.**

Safety Apparel

Worker visibility personal protective safety clothing is intended to provide conspicuity (to make readily visible) during both daytime and nighttime usage, and also needs to meet the Performance Class requirements standards established by the American National Standards Institute/International Safety Equipment Association (ANSI/ISEA).

Because standards for minimum reflectivity has changed over the years, Boyd County Road Department uses the most current MUTCD manuals available as a resource in updating our safety apparel. Field guides provide industry standards established. We are able to select the proper classification of safety vests and apparel from these guides.

The Federal safety apparel brochure can be found at:

<http://safety.fhwa.dot.gov/wz/fhwasa03009/>

Miscellaneous Items

Procurement

The Road Department follows the procurement procedures established by Boyd County.

Cooperative Agreements

The Boyd County Road Department may enter into cooperative work agreements with surrounding counties concerning projects, equipment, and operations.

Dust Control during Construction

The Boyd County Road Department does not typically provide dust control for roads that motorists use to drive around road construction on County Roads.

Vegetation

Boyd County Road Department typically mows the “top round” of roadways for vision purposes by or around July 4th. A second “top round” is typically targeted for the beginning of September. More frequent mowing may be needed depending upon the growing season and safety issues.

Noxious Weeds

The Department strives to control all noxious weeds within the Boyd County right-of-way upon discovery.

Noxious weeds are defined as Canada thistle, leafy spurge, field bindweed, any weed designated as a noxious weed by the Commonwealth of Kentucky by rule, and any other weed the governing body of any county by ordinance or resolution declares to be noxious within its respective boundaries.

Boyd County Invasive Species BMPs

Boyd County Road Department strives to manage Invasive species as a part of normal routine maintenance activities by following the Best Management Practices (BMPs) listed below;

Vegetation management & Inspection/Monitoring BMPs

- Mow early to prevent seed production and to deplete root reserves.
- Avoid mowing/disturbing areas with known invasive species that are post-flowering stage and seeds are present.
- Limit transport of invasive species by cleaning mowers to the extent practical; increased cleaning should occur when the operator mows an area known to contain invasive species.
- Monitor right-of-ways during the growing season and determine treatments based on the known presence of invasive species.

Soil Disturbing Activities and Moving of Materials (soil, trees, woody vegetation, etc.)

- Prior to implementing activities scout for and locate invasive species infestations.
- Plan activities to limit the potential introduction and spread of invasive species, minimizing impact to areas known to contain invasive species.
- Inspect and clean as necessary all equipment, clothing, footwear and gear for soils, seeds, plant parts, or invertebrates before and after activities to the extent practical.
- Select appropriate species and materials for re-vegetation and landscaping activities.

- Re-vegetate disturbed soils as soon as feasible to minimize invasive species establishment.
- Minimize movement of materials known to contain invasive species and properly dispose of materials containing invasive species.

Disclaimer Reminder

This manual was prepared to summarize the policies and procedures of the Boyd County Road Department. It is intended to convey the Road Department procedures that relate to or directly impact the County Road system. Please note that many sections in this manual reference specific laws, rules, and regulations including, but not limited to, the Kentucky State Statutes and Boyd County Ordinances. This manual is not intended to be a substitute for the specific laws and regulations contained in the Statutes, Ordinances, or any other documents.

The Boyd County Road Department, and the Boyd County Fiscal Court, reserves the right to review and revise the policies and procedures in this manual. The Road Department also reserves the right to make decisions on a case-by-case basis regarding issues that may not be contained in this Policy and Procedures manual.

Emergency Slip Repair Basic Plan

The Boyd County Judge/Executive, and the Boyd County Fiscal Court have direct responsibility for the organization, administration, and operation of the Boyd County Road Department's activities for emergency and disaster mitigation, preparedness, response, and recovery as applicable to all Boyd County roadways.

The Boyd County Road Department will coordinate the information, planning, operations and resource activities applicable to Boyd County roadways at the County level. National Incident Management System (NIMS) and the National Response Framework utilization will ensure activities meet all applicable guidelines for emergency repairs and mitigation activities.

The Boyd County Road Department will:

- ensure interagency coordination
- establish response priorities (objectives)
- develop strategies to achieve objectives
- facilitate effective communications
- allocate resources
- disseminate information to ensure a Shared Situational Picture.

Various situations will trigger an emergent slip/slide repair response, including road slip situations that require operations and methodologies beyond what normal repair capabilities are applicable of resolving with inhouse resources. Of specific concerns are uphill slips/slides that are determined to require specific emergency repair. **(See Appendices)**

Uphill Slip/Slides - Emergency Repair Determination Process

The following personnel are the stakeholders in the determination of an emergent uphill slip/slide repair:

- Boyd County Judge Executive
- Boyd County Administrator
- Boyd County Road Foreman
- Boyd County Emergency Management Director

Any uphill slip/slides determined to be an emergency by a quorum of at least (3) three of the above indicated stakeholders will be repaired by one of the following processes:

- via descaling to stable ground and netting
- via wall
- via alternative methodology determined to be most applicable by engineering consultation

Appendix A – Boyd County Government Ordinance 04-15 (Road Setbacks)

COMMONWEALTH OF KENTUCKY
BOYD COUNTY FISCAL COURT
ORDINANCE NO. 04-15

**AN ORDINANCE RELATING TO NEW CONSTRUCTION AND REQUIRING
SETBACKS FROM COUNTY RIGHTS OF WAY AND EASEMENTS AND
FURTHER REQUIRING PERSONS ENCROACHING UPON THE COUNTY
RIGHTS OF WAY TO OBTAIN A PERMIT FROM THE OFFICE OF THE
JUDGE EXECUTIVE AND DECLARING AN EMERGENCY**

WHEREAS, the Boyd Fiscal Court has become aware of an increasing and growing problem with persons erecting structures or undertaking other construction immediately adjacent to county rights of way and/or easements; and

WHEREAS, the Boyd County Fiscal Court finds that it is in the public interest and in the best interest of Boyd County that persons undertaking construction be required to undertake such projects in consideration of a setback from any existing county road right of way or county easement; and

WHEREAS, the Boyd Fiscal Court further determines the need to require persons who intend to encroach upon an actual right of way or easement obtain a permit;

BE IT ORDAINED by the Fiscal Court of Boyd County, Kentucky as follows:

Any person who erects, builds or otherwise places upon his or her property any temporary or permanent building, dwelling, structure, or any other type structure shall observe the following setback rules and guidelines:

1. Any construction along any 60 foot county road right of way shall be setback from the edge of the right of way not less than 10 feet.
2. Any construction along any county road right of way of less than 30 feet shall be not less than 40 feet from the edge of the pavement or traveled portion of the roadway which exists upon the right of way or easement.

3. In addition to the foregoing, any persons desiring to construct or place any culvert, bridge, driveway or other encroachment upon a county road right of way or easement shall, before undertaking any work, obtain a permit from the Office of the Boyd County Judge executive.

4. The Boyd County Judge Executive's Office may deny a permit to any person planning to undertake any encroachments which the Office of the County Judge Executive does not believe is contrary to the interest of the county or otherwise may cause unreasonable and intolerable effects upon adjoining land owners or persons or property owners. Should a person seeking a permit be denied, then that person shall have the right to appear at a regularly scheduled meeting of the Boyd Fiscal Court so as to present an appeal to the full fiscal court at which time the fiscal court, may, by majority vote, override the decision of the Judge executive's Office and order that the permit be issued.

5. Permits issued hereunder shall be signed and dated by the Boyd County Judge Executive or his/her lawful designee.

Any and all ordinances previously adopted which are in conflict with this ordinance are hereby repealed but only to the extent of said conflict.

The county does hereby declare an emergency to exist, thereby allowing this ordinance to be given two readings on the same day.

The Fiscal Court Clerk is directed to publish a true and correct copy of this full ordinance as required by law.

Any person who shall violate any provision of this ordinance shall be subject to civil suit by the Boyd Fiscal Court in addition to any other penalties imposed hereunder.

Any person violating the provisions hereof shall be guilty of a Class A Misdemeanor as defined by the Kentucky Penal Code and subjected to the penalties provided for and consistent therewith.

Any person, firm or corporation who undertakes any construction following the passage of this ordinance does so at his/her own peril and may be ordered by a court

of justice of the Commonwealth of Kentucky to cease any construction violating this ordinance and further ordered to remove any construction which has already been undertaken prior to said court's ruling.

This ordinance shall be in effect upon its adoption, re-adoption and publication according to law.

Should any portion of this ordinance be declared invalid, unconstitutional or otherwise unenforceable, then only that portion so declared shall be affected and all other portions shall in full force and effect until otherwise determined.



BILL F. SCOTT
BOYD COUNTY JUDGE EXECUTIVE

ATTEST:


BOYD COUNTY FISCAL COURT CLERK

FIRST READING: 9-7-04

SECOND READING: 9-7-04

PUBLISHED: _____

Appendix B – Boyd County Government Ordinance 02-2015 (Road Use for Logging)

BOYD COUNTY FISCAL COURT
ORDINANCE NO. *02-2015-02*

EMERGENCY READING...FIRST AND SECOND READING APRIL 14, 2015

AN ORDINANCE RELATING TO PERSONS HAULING LOGS, HARVESTED TIMBER OR
SIMILAR MATERIALS OR PRODUCTS ON COUNTY ROADS PURSUANT TO KRS CHAPTER
189 AND ALL OTHER LAWFUL AUTHORITY.

BE IT ORDAINED by the Fiscal Court of Boyd County, Commonwealth of
Kentucky:

WHEREAS, KRS 189.210, 189.222, 189.230 and/or other laws, rules,
regulations and authority permit the County Judge-Executive and Fiscal Court to by
Ordinance or otherwise adopt laws, rules, regulations, conditions and restrictions
necessary for the preservation and protection of county roads, highways, bridges and
right-of-way including but not necessarily limited to the county through road system;

WHEREAS, the aforesaid Kentucky Revised Statutes independently or in
conjunction establish weight limits for vehicles operated on county roads;

WHEREAS, commercial operations utilizing county roads for transportation of
logs, harvested timber or similar materials may cause or result in excessive damage,
wear and tear, added maintenance and other impact resulting in the unnecessary
deterioration of the county road system and the roads, highways, bridges, and right-of-
way necessary to the safe and efficient use of county roads by emergency vehicles,
public transporters and the general public;

WHEREAS, the Boyd County Fiscal Court desires and has the responsibility to
protect and assure continued integrity of its road system;

BE IT HEREBY ORDAINED:

1. To the extent applicable to the Boyd County through road system and available to
the Boyd County Fiscal Court KRS 189.210, 189.222, 189.230 and all other rules, laws,
regulations and decisions of the courts relevant to the purpose hereof be and hereby
are incorporated herein by reference, including any and all penalties for violation
thereof.
2. Any person, firm or organization engaged in logging, harvesting timber or any
similar business or operation in the unincorporated area of Boyd County, Kentucky shall
prior to engaging in any work or activity reasonably related to such business or

operations first file an application for an Encroachment Permit with the Office of the County Judge-Executive or County Road Department. The Judge-Executive and County Road Supervisor shall develop such an application which shall be designed to adequately protect and further the county and public interest in preservation and protection of the county through the road system.

3. If upon a review or consideration of the application referred to in paragraph 2 above it is determined that no portion of the county through road system will be utilized, impacted, damaged, or injured by the applicant, his agents, employees or independent contractors the Judge-Executive or Road Department Supervisor may waive the necessity of obtaining an Encroachment Permit and so note, mark or otherwise indicate said waiver upon the face of the application and no charge or fee shall be charged to the applicant.

4. If upon review or consideration of the application referred to in paragraph 2 above the County Judge-Executive or Road Supervisor determines that conditions, restrictions or other protections must be required in order to preserve the road system, then upon the payment of a fee in the amount of \$_____ an Encroachment or similar permit shall be issued to the applicant. The permit shall be in writing and include such conditions, restrictions, limitations and requirements deemed necessary to protect the county's interest.

5. Pursuant to KRS 189.212(5)(c) the Boyd County Fiscal Court hereby adopts a rule and/or regulation that conditions, restrictions and limitations imposed on a permit may include the deposit of money, irrevocable line of credit, surety bond or other financial guarantee or protection to promote, assure and further the county's interest in the through road system of Boyd County.

6. A permit may be issued, continued in effect, revoked, modified or denied by the County Judge-Executive or Road Supervisor. Any persons aggrieved by a decision as to the permit may present same at a regular meeting of the Fiscal Court which may result in said decision being upheld, overturned, reversed, modified or conditioned.

This Ordinance shall be in full force and effect upon its adoption, re-adoption and publication according to law.


Should any portion, part, section, sub-section, and/or paragraph or provision of this Ordinance be deemed null, void, contrary to law, unenforceable, unconstitutional or in any way fail then such ruling or determination shall not impact or effect any lawful and enforceable provisions and this Ordinance shall be self amended and incorporate such by reference as is necessary to accomplish the intended purpose of preservation of the county through road system Ab Initio and retroactive to the date and time of original passage.

Should any part of this Ordinance be in conflict with any other Ordinance, law, rule, regulation or binding court decision then same be and hereby is amended or repealed so as to remove, or cure any such conflict.

An **EMERGENCY** is declared to as to authorize two (2) readings of this Ordinance on the same day.

This Ordinance may be published in summary form.

ATTEST:


DEBBIE JONES
COUNTY CLERK


STEVE W. TOWLER
BOYD COUNTY JUDGE-EXECUTIVE

VOTING:	Judge Towler	<u>YES</u>
	Commissioner Tolliver	<u>YES</u>
	Commissioner Jackson	<u>YES</u>
	Commissioner Greer	<u>YES</u>

Published: _____

Appendix C – Emergency Slip Repair Basic Plan



Boyd County Fiscal Court Road Department - Emergency Slip Repair Basic Plan

The Boyd County Judge/Executive, and the Boyd County Fiscal Court have direct responsibility for the organization, administration, and operation of the Boyd County Road Department's activities for emergency and disaster mitigation, preparedness, response, and recovery as applicable to all Boyd County roadways.

The Boyd County Road Department will coordinate the information, planning, operations and resource activities applicable to Boyd County roadways at the County level. National Incident Management System (NIMS) and the National Response Framework utilization will ensure activities meet all applicable guidelines for emergency repairs and mitigation activities.

The Boyd County Road Department will:

- ensure interagency coordination
- establish response priorities (objectives)
- develop strategies to achieve objectives
- facilitate effective communications
- allocate resources
- disseminate information to ensure a Shared Situational Picture

Various situations will trigger an emergent slip/slide repair response, including road slip situations that require operations and methodologies beyond what normal repair capabilities are applicable of resolving with inhouse resources. Of specific concerns are uphill slips/slides that are determined to require specific emergency repair.

Uphill Slip/Slides - Emergency Repair Determination Process

The following personnel are the stakeholders in the determination of an emergent uphill slip/slide repair:

- Boyd County Judge Executive
- Boyd County Administrator
- Boyd County Road Foreman
- Boyd County Emergency Management Director

Any uphill slip/slides determined to be an emergency by a quorum of at least (3) three of the above indicated stakeholders will be repaired by one of the following processes:

- via descaling to stable ground and netting
- via wall
- via alternative methodology determined to be most applicable by engineering consultation

Appendix D – Road Cut Permit Form



BOYD COUNTY

ROAD CUTTING PERMIT

ROAD CUT BY PROPERTY OWNER

Name: _____

ROAD CUT BY INSTITUTION OR COMPANY

Name: _____

Address: _____

Phone: _____ Date: _____

Location of Road Cut: _____

Type of Road Cut: { ☐ Curb Cut { ☐ Drive Installation { ☐ Asphalt Cut { ☐ OtherWill the road be closed: { ☐ No { ☐ Yes If yes, date of closure: _____

The Road Department Foreman and Code Enforcement reserve the right to require any additional information they so desire including, design standards, drawings and other pertinent data.

The Road Department Foreman and Code Enforcement must be notified four (4) hours in advance, before any blacktop, concrete or digging is started.

Concrete must be dry twenty-four (24) hours before any blacktop is installed.

There will be NO road cuts on weekends unless it is a utility emergency.

All cuts must be inspected the Road Department Foreman and Code Enforcement and a signed release must be obtained from them before you are free of responsibility.

YOU MUST FURNISH YOUR OWN EQUIPMENT AND WARNING DEVICES.

The following signature certifies that the property owner, institution, or company fully understands and accepts responsibility for all repairs to city streets.

Signature _____ Date _____

Fees _____

Expires 60 days from date of issue

END OF DOCUMENT

