

**RESOLUTION NO. HR-2011-1**  
**ROSSVILLE TOWNSHIP**

A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR  
THE CONSTRUCTION AND MODIFICATION OF ENTRANCES AND CULVERTS  
ONTO ROADS AND STREETS

WHEREAS, the Board of Rossville Township of the County of Shawnee, State of Kansas, desires to increase public safety on the public roads and streets of Rossville Township of Shawnee County, Kansas; and

WHEREAS, the Board of Rossville Township of the County of Shawnee, Kansas desires to establish rules and regulations for the construction and modification of entrances or culverts onto public roads and streets in the area of Rossville Township, Shawnee County, Kansas;

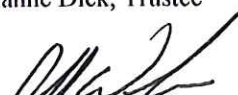
NOW, THEREFORE, the Board of Rossville Township in the County of Shawnee, State of Kansas, meeting this 9<sup>th</sup> day of March, 2011, and intending to exercise its powers of home rule pursuant to K.S.A. 60-439 and K.S.A. 68-543a, does hereby resolve as follows:

- (A) Any entrance onto a public road or street in an unincorporated area of Rossville Township constructed or modified after the enactment of this resolution shall conform to the following:
- 1) Entrance distance from nearest intersection: Thirty-five feet (35) plus right-of-way distance of cross street;
  - 2) Maximum residential curb opening: Thirty-five (35) feet;
  - 3) Minimum residential curb opening: Thirteen (13) feet;
  - 4) Residential entrances shall use a minimum of a three quarter (3/4) inch expansion joint back of gutter;
  - 5) Minimum ditch culvert length: Twenty-eight (28) feet;
  - 6) Maximum ditch culvert length: Forty (40) feet;
  - 7) Minimum ditch culvert inside diameter: Fifteen (15) inches;
  - 8) Minimum inside rise for arch or squash culvert: Thirteen (13) inches;
  - 9) Minimum distance between culverts: Ten (10) feet;
  - 10) Allowable culvert material: Galvanized steel, aluminized steel or concrete;
  - 11) Minimum compacted dirt over culvert (excluding road surface): Four (4) inches; and
  - 12) Entrance surface over culvert should be lower than the road pavement edge
- (B) Any person, firm, partnership, company, corporation or other entity [hereinafter referred to as "person"] desiring to construct or modify an entrance or culvert onto a public road or street in any unincorporated part of Rossville Township shall first make written application for a permit on forms supplied by the Township and/or Shawnee County Planning Department. Such application shall include the applicant's full name and address; the property owner's name and address, the location of the proposed entrance or culvert; the plans of the proposed entrance or culvert including dimensions and specifications; and the signature of the applicant. An application fee of FIFTY DOLLARS (\$50.00) shall accompany any such application.

- (C) Upon receipt of an application to construct or modify an entrance or culvert, the Rossville Township Board shall review the application to determine compliance with the provisions of this resolution. Each Application shall be subject to verification of property ownership to insure that the owner's name listed on the permit application is the same as listed in the County's property ownership records. In addition, Rossville Township shall make a determination whether the proposed entrance or culvert is located and designed in such a manner so as not to endanger traffic safety on Township roads and streets. If the Rossville Township determines that the applicable requirements of this resolution have been met, a permit shall be issued to the applicant.
- (D) Any permit issued due to a mistake of law or fact or issued due to any misrepresentation(s) by any person shall be subject to revocation.
- 1) Any fine remaining unpaid by any property owner after ninety (90) days shall be turned over to the Shawnee County Clerk and shall be added to the property tax statement of the property found in contempt.
- (E) Any person who constructs or modifies an entrance or culvert onto a public road or street without first obtaining the required permit shall be subject to a fine in the amount of One Hundred Dollars (\$100.00).
- 1) Any fine, together with any expense of removal or demolition of a structure by Rossville Township that remains unpaid after ninety (90) days shall be turned over to the Shawnee County Clerk to be added to the property tax statement for that property found in contempt.
- (F) Any person who constructs or modifies an entrance or culvert onto a public road or street in violation of this resolution and/or which poses a danger or risk to traffic safety shall be subject to a fine in the amount of One Hundred Dollars (\$100.00).
- (G) Any Entrance or culvert which is constructed or modified in violation of this resolution and/or which poses a danger or risk to traffic safety shall be subject to removal at the owner's expense by the Rossville Township Board.
- (H) Prior to any removal of a culvert or entrance constructed or modified in violation of this resolution an/or which poses a danger or risk to traffic safety, the Rossville Township shall provide thirty (30) days written notice of the violation to the owner, stating the reason(s) for which the culvert or entrance is in violation of this resolution and requiring the structure to be repaired or removed. If the owner fails to do so within a reasonable time, the Rossville Township may maintain a suit or action in any court of competent jurisdiction to seek removal or demolition of the structure at the owner's expense.
- (I) When a decision to deny or revoke a permit becomes final, any person whose application for a permit has been denied or whose permit has been revoked, shall have the right to appeal such action to a court of competent jurisdiction within twenty (20) days of such determination.
- (J) This resolution supersedes any other resolution in conflict herewith.

BOARD OF ROSSVILLE TOWNSHIP

  
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Dianne Dick, Trustee

  
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Jeff Wehner, Treasurer

  
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Lisa Stum, Clerk