

# TOWN OF WAXHAW



## POLICY FOR STREET IMPROVEMENTS AND MAINTENANCE

**Adopted: May 9, 2006**

**Amended through: October 21, 2009**

**POLICY FOR STREET IMPROVEMENTS AND MAINTENANCE  
TOWN OF WAXHAW, NORTH CAROLINA**

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## **POLICY FOR STREET IMPROVEMENTS AND MAINTENANCE TOWN OF WAXHAW, NORTH CAROLINA**

### **Section 1. Purpose**

The purpose of this policy is to set forth regulations and standards for streets open to the public and maintained by the Town. Policy is herein established for:

- A. Additions within the Town street system
- B. Maintenance within the Town street system
- C. Improvements within the Town streets system

### **Section 2. Definitions**

- A. Town Street means a street that has been accepted by the action of the Waxhaw Board of Commissioners for maintenance purposes.
- B. DOT Street means a street or highway that has been accepted for maintenance by resolution of the governing board of the NC Department of Transportation.
- C. DOT means the North Carolina Department of Transportation.
- D. Engineer means the Town Engineer, or his designated agent or inspector.
- E. Street shall mean roadway, shoulders, ditches, pipes, and structures lying within the right-of-way.
- F. Board shall mean the Waxhaw Town Board of Commissioners.

### **Section 3. Acceptance of Streets for Maintenance Purposes – General**

- A. The Town will provide maintenance and improvements for Town Streets consistent with Chapters 136-41.1 through 136-41.3 of the NC General Statutes (The Powell Bill) and as described in Sections 3 through 11 of this Chapter.
- B. The Town will not provide routine maintenance for DOT Streets except as provided for by interagency agreement (contract for service to DOT) as approved by the Board. However, the Town will provide services such as street name signs and street lighting that are not provided by DOT and that are provided on the Town streets.
- C. The Town will not provide maintenance or improvements to any street that has not been formally accepted by the Town.

### **Section 4. Conditions for Accepting Streets for Maintenance Purposes**

- A. The Town may accept streets for maintenance by the Town upon either of the following:

- Existing streets (not owned or controlled by a developer/builder):
  - 1) a petition signed by the landowners holding title to one hundred percent (100%) of the property fronting the street and 2) a finding that the street meets minimum standards for acceptance as set forth in Section 5 and 6 of this policy.
- New streets (under the ownership or control of a developer/builder):
  - 1) a petition by the developer/owner of the streets and 2) a finding that the street meets minimum standards for acceptance as set forth in Section 5 and 6 of this policy.

In the event a petition is insufficient, said petition may be presented to the Board for further consideration.

- B. Acceptance by the Town for maintenance will be only for the purpose of maintaining the street to the same general condition of the street at the time of acceptance. Improvements to a street will be considered in accordance with Section 11 of this policy.
- C. The Town will not accept any street where the street does not connect to an existing public street maintained by the Town or DOT.

**Section 5. Minimum Standards for Accepting Streets Existing Prior to January 1, 1991**

- A. Right-of-way shall be granted at no cost to the Town by all persons having an interest in ownership or property lying within the proposed right-of-way as follows:

<u>Street Classification</u>	<u>Right-of-Way Width</u>
Residential Street Minimum	40 ft.
Collector Street	50 ft.
Major Arterial	60 to 100 ft.
Industrial Street and All other Streets	60 ft.

- B. In those instances where existing development or improvements prohibit the dedication of the required right-of-way, the Town may accept a less than standard width upon the recommendation of the Engineer.
- C. Additional Right-of-way may be required to be dedicated at the end of cul-de-sacs or for other conditions construction as determined by the Engineer.
- D. Minimum existing conditions for consideration of request for acceptance of streets shall be as follows:
  1. Minimum sixteen (16) foot pavement width on streets without curb and gutter
  2. Minimum twenty-two (22) feet ditch on streets with curb and gutter

3. Drainage adequate to permit all weather traffic
4. Evidence of base adequate to support traffic and to permit pavement maintenance
5. Evidence of surface course equivalent to current NCDOT specifications

## **Section 6. Minimum Standards for Accepting New Streets for Maintenance Purposes**

- A. Streets made available for public use or constructed after January 1, 1991 are considered new streets and shall fully comply with the requirements of the Town of Waxhaw Unified Development Ordinance prior to acceptance for maintenance by the Town.
- B. Methods and materials of construction shall be as follows:
  - a. The sub-grade must contain a minimum twelve (12") inches compacted earth.
  - b. The stone base must contain a minimum eight (8") inches compacted stone.
  - c. The base course of asphalt must contain a minimum two (2") inches of binder asphalt.
  - d. When each street has had sixty (60%) percent of the lots on that street with certificate of occupancies issued a minimum one and one-half (1-1/2") inches of final surface course shall be applied.
  - e. All streets shall pass a proof roll test on the sub-grade and the stone base and shall be conducted by the Town of Waxhaw Staff with all applicable fees paid.
  - f. Prior to the final surface course of asphalt the Town of Waxhaw Engineering Department shall conduct an inspection with the developer of the base course asphalt and repair any damages or failures to the streets.
- C. Design and construction standards shall be in accordance with the Town of Waxhaw Unified Development Ordinance.
- D. Procedures and requirements for application, plan submittal, recording and dedication of right-of-way, and petitions for acceptance shall be in compliance Town of Waxhaw Unified Development Ordinance.

## **Section 7. Procedure for Requesting Streets to be accepted for Maintenance Purposes**

- A. The Engineer shall, upon receipt of a proper petition, perform inspections to determine compliance with minimum standards and will inform the petitioners of compliance or deficiencies that must be corrected to gain compliance.
- B. Upon inspection and verification of compliance with minimum standards, the Town will secure existing recorded plats and/or perform surveys as necessary to define required right-of-way.

- C. The Town will prepare right-of-way plats and documents as necessary for the signature of the petitioners.
- D. Upon receipt of signed right-of-way documents and upon compliance with minimum standards, the Engineer will submit the petition to the Board for approval.
- E. The Engineer will prepare cost estimates to upgrade streets not in compliance with minimum standards upon request of the Board.

## **Section 8. Street Improvements – General**

Improvements to Town streets will be considered in accordance with this policy. Improvements to DOT streets will be in accordance with DOT regulations and policies and will not be accomplished by the Town. No improvements will be completed by the Town on streets not formally accepted for maintenance by the Town.

## **Section 9. Funding for Street Improvements**

- A. The Board shall establish a street improvements revolving fund and will annually appropriate revenues for street improvements.

A citizen participation program shall be established in accordance with Sections 10 and 11. Fees collected through the participation program will be deposited to the street improvements fund.

Improvements to streets accepted for maintenance purposes requested by citizen petition will be considered in the order in which total fees required by Sections 10 and 11 are received by the Town.

- B. The Board may approve projects to be completed with special funds such as through the Community Development Block Grant Program.
- C. No waiver of fees as required by Sections 10 and 11 may be granted except by approval of the Board.

## **Section 10. Citizen Participation in Cost of Improving Streets Proposed for Acceptance by the Town to Minimum Standards**

When requested by the Board, the Engineer shall prepare an estimate of the cost of planning, survey, design, and construction required to improve a segment of street to minimum standards for maintenance by the Town in accordance with Section 7e.

Upon receipt of the estimate, the Board of Commissioners will inform the petitioners of the amount to be paid by the petitioners. The amount will be a portion or percentage of the total estimate as established by the Board.

Upon receipt of petitioners' payments, the Engineer will proceed with survey and acquisition of right-of-way. Upon acquisition of all right-of-way, the Engineer will recommend acceptance of the street for the Town maintenance. Upon acceptance of the street by the Board, the Engineer will proceed with construction of improvements.

### **Section 11. Citizen Participation in Cost of Improving Streets Accepted for Maintenance Purposes by the Town**

The Town will consider completion of certain street improvements upon the receipt of a petition for improvements and upon the payment by the petitioners of fees in accordance with a Schedule of Fees for Street Improvements as established by the Board.

Upon receipt of a petition, the Engineer will make an evaluation to determine if the request is for an appropriate improvement and will inform the petitioners of his finding. The Board will inform the petitioners as to the amount of fees to be paid by the petitioners.

Upon receipt of required petitioner fees, improvements will be designed and completed by the Town.

Improvements that will be considered under this section are as follows:

- A. Paving of unpaved streets will consist of grading with horizontal and vertical re-alignment as necessary, establishing adequate drainage ditches with replacement of existing pipes as necessary, installation of base and pavement width based upon recommendation of Town Engineer, shoulder construction, seeding, mulching, and stabilization.
- B. Driveway Pipe will consist of a minimum of twenty linear feet of pipe of appropriate size and type furnished and installed by the Town. Additional pipe footage may be required as deemed necessary by the Town Engineer on a case by case basis.
- C. Storm water System improvements will consist of appropriate size and type pipe, catch basins, manholes, grates, frames, covers, and other appurtenances. Storm water pipe may be installed in accordance with this section only on street right-of-way and must be approved by the Town Engineer.
- D. Curb and Gutter installation will not usually be deemed appropriate unless completed on both sides of a street for the entire block length. It must be approved by the Town Engineer.

Curb and gutter will be equivalent to installation required by Town specifications and standards for new street construction and will consist of concrete curb and gutter and pavement widening with installation of driveway ramps at existing driveways.

Installation or curb and gutter will not be approved unless adequate storm water systems are in place or to be funded and installed concurrently.

## **Section 12. Maintenance Program for Streets Accepted by Town for Maintenance Purposes**

- A. Storm water Management will consists of 1) excavation, cleaning and stabilization or street side ditches, 2) cleaning, repair, or replacement of pipes and culverts alongside or crossing streets and 3) cleaning, repair and replacement of structures including catch-basins, manholes, grates, and frames, curb and gutter.

The Town will generally confine the above maintenance operations to ditches, pipes and structures located within the public street right-of-way. However, the Town may clean ditches and pipes and make repairs outside the right-of-way where the street is affected by off-street conditions.

- B. Street shoulders may be mowed periodically to allow for proper drainage, to prevent growth of unwanted vegetation and to improve driver visibility. Mowing will not usually be done by the Town along developed streets where curb and gutter is installed or where yards are commonly maintained by property owners, except where damage to the street or traffic safety is a concern.

Additional maintenance to shoulders of paved and unpaved streets will consist of soil or aggregate filling, regarding, seeding and mulching as necessary to improve street drainage and minimize erosion.

- C. Pavement maintenance will consist of pothole patching, crack filling, seal coating and repair of pavement cuts.

- D. Pavement resurfacing will consist of repair, seal and leveling of existing surface with overlay of new asphalt

- E. Traffic signs, signals, and pavement markings will be installed and maintained by the Town in accordance with the latest edition of The Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.

- F. Snow and Ice Control and removal will be provided as deemed appropriate by the Town.

### **Section 13. Maintenance Program for DOT System Streets**

The Town will not perform maintenance as specified in Section 8 on DOT Streets except as provided for by interagency agreement approved by the Board with cost of such maintenance borne by DOT.

### **Section 14. Services Common to Town and DOT System Maintained Streets**

Certain services that are commonly provided by municipalities and that are not provided by DOT will be provided by the Town on both Town and DOT streets as follows:

- A. Street Name Signs will be installed and maintained.
- B. Street Lighting will be installed and maintained according to the current street light policy.
- C. Sidewalks will be maintained when located within the easement that is dedicated to and accepted by the Town. Existing sidewalks not within a dedicated easement may be considered for acceptance upon dedication of an easement to the Town.

### **Section 15. Unauthorized Street Modifications and Improvements Prohibited**

No modifications to a Town street will be permitted except as approved in writing by the Board.

Improvements shall be constructed by the Town or by a qualified contractor approved by the Town.

Unauthorized improvements may be removed or modified by the Town and costs for removal or modification may be charged to the person making the unauthorized improvements.

### **Section 16. Effective Date**

The effective date of this amended policy shall be the 21st day of October, 2009.





**TOWN OF WAXHAW  
 PETITION FOR ADDITION OF PUBLIC STREETS  
 TO THE SYSTEM OF  
 THE TOWN OF WAXHAW, NORTH CAROLINA  
 (Developers / Builders)**

I hereby certify, as the owner, that to the best of my knowledge the improvements in the \_\_\_\_\_ subdivision have been constructed in accordance with the preliminary plan and are shown on a record map filed in the Union County Register of Deeds Office. All work conforms to the construction standards of the Town of Waxhaw Unified development Ordinance and the Town of Waxhaw Policy for Street Improvements and Maintenance.

I, therefore, request that the Town of Waxhaw consider the following streets in the \_\_\_\_\_ subdivision for maintenance purposes. I understand that the acceptance of said street shall be made only by the Town of Waxhaw Board of Commissioners in accordance with the Town's policy for Street Improvements and Maintenance.

Street Name	To	From	Approximate Length (in ft.)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

(Attach additional sheets if necessary)

\_\_\_\_\_  
 Owner Name

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 Phone Number

Accepted by motion of the Town of Waxhaw Board of Commissioners on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 Date

**TOWN OF WAXHAW  
SCHEDULE OF FEES  
FOR  
STREET IMPROVEMENTS**

Fees to owners of property fronting public streets maintained by the Town of Waxhaw are hereby established as follows:

<b>Improvements</b>	<b>Petitioners Share</b>	<b>Town Share</b>
Total cost of all improvements Required to meet minimum Standard for Town maintenance	70%	30% max

Any cost savings during the project shall be credited to the Town's contribution.

Approved and adopted this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date