

OFFICE OF COUNTY RECORDER  
STATE OF MINNESOTA  
COUNTY OF ISANTI

251920

This is to certify that this instrument was filed in  
this office on the 15<sup>th</sup> day of April  
19 98 A.D. at 8:50 o'clock PM M.  
and was recorded as Document No.

251920

Karen Anderson  
County Recorder  
By Marie J. Durand Dep.

D. Baker

TOWN ROAD ORDINANCE, TOWN OF STANFORD

The Board of Supervisors of the Town of Stanford ordains:

Section 1. PURPOSE

The Board finds that the unrestricted and unregulated maintenance of existing roads, and the development of new town roads, results in a lack of planning, coordination, inappropriate allocation of costs, and frustrates the budgeting process of the town. It is therefore necessary, and in the best interests of the town and its residents, to regulate such maintenance and development.

Section 2. DEFINITIONS

1. Cartway. A cartway established under M.S. 164.08(2), for or upon which no road or bridge funds are expended, as therein provided.
2. Emergency Motor Vehicle. A motor vehicle operated by a fire department, a police department, an ambulance or rescue service, or by a public utility under circumstances that are necessary to the preservation of life or property or to the execution of emergency governmental functions.
3. Motor Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a road or highway, excepting (1) devices moved solely by human power, and (2) devices used exclusively upon stationary rails or tracks.
4. Person. Every natural person, firm, co-partnership, association, corporation, or other legally recognized entity.
5. School Bus. A motor vehicle used to transport pupils to or from a school, or to or from school-related activities by the school or a school

district, or by someone under an agreement with the school or school district.

6. Service Vehicle. A motor vehicle used for the towing or hauling of other motor vehicles, or which provide a specific, on-site service to a residence or businesses whose access is by way of the town road being used, such as sanitation vehicles, delivery vehicles, and construction and excavation vehicles.
7. Town Roads. All roads within the town which are under the jurisdiction of the Town Board, excepting cartways.
8. Cul-de-Sac. A local street with only one outlet that terminates in a vehicular turaround and having an appropriate terminal for safe and convenient reversal of traffic movement.

Section 3. APPLICATION

This ordinance shall apply to all town roads located within, or lying upon the boundaries of the town.

Section 4. LOCATION OF TOWN ROADS

1. General Conditions. The Town Board shall oversee and coordinate the establishment of all town roads hereafter created. For each new town road, the Town Board shall consider the proposed location, the parcels to be served, the likelihood of extending the proposed road in the future, the relationship of the proposed road to existing town or other public roads, topography and soil types, and existing and projected traffic patterns.
2. Non-Platted Roads. In addition to the above considerations, the Town Board may require such evidence of ownership, and the preparation or delivery of such documents as will assure a proper and legal conveyance to the town.

Additionally, the Town Board may require such topographic maps, soil borings, surveys, and proof of ownership of all parcels adjoining or otherwise served by the proposed road, as are necessary or incidental to assure a valid and sound right-of-way.

3. Platted Roads. At the time of the initial application for the approval of a preliminary plat, whether the application is first submitted to the county or the town, the applicant shall provide the Town Board with the



following:

- (A) Three copies of the proposed preliminary plat.
  - (B) The legal description of all contiguous land owned by the applicant and, if the area platted is less than all of the land owned, legal descriptions for the preliminary plat and the residue parcel.
  - (C) The name and address of the surveyor.
  - (D) The existing, applicable zoning and district(s) of the land being platted.
  - (E) The location, right-of-way width and names of existing streets and other public property within 1,320 feet of the perimeter boundaries of the preliminary plat, and a drawing to scale showing all buildings and structures, easements, protected waters, wetlands, flood plains, drainage ditches, critical areas, and lakes and streams within 250 feet of the perimeter boundaries of the proposed preliminary plat.
  - (F) Drawn to scale, the boundary lines of adjoining subdivided or unsubdivided land, within 200 feet of the perimeter of the proposed plat, identifying by name and ownership each such parcel, including any owned by the applicant.
  - (G) A topographic map, showing contours at vertical intervals of not more than two feet, except where the horizontal contour interval is 100 feet or more, a one-foot vertical interval shall be shown. This map shall locate and designate all water courses, marshes, wooded areas, rock outcrops, utility lines, and any other significant feature included within the proposed preliminary plat.
  - (H) Soil tests, as required under Section 8.
  - (I) If not shown on the preliminary plan, the layout, location and width of all proposed streets and other rights-of-way, including the proposed name for each.
  - (J) A grading and drainage plan for the entire subdivision, including all excavations (excluding basements and other structural-related excavations), and all filling proposed as part of the plan, stating the estimated cubic yardages of each.
-

- (K) The estimated cost of the complete development of all streets and/or alleys included in the proposed preliminary plat.
- (L) Designating specifically any outlots, and their purpose, to be approved as part of the preliminary plat.

Depending upon the location, nature, and scope of the proposed preliminary plat, the Town Board may require such other information as is necessary to evaluate all public roads and other public lands included in the proposed preliminary plat.

Where the applicant is platting less than all lands owned, the applicant may be required to submit a proposed preliminary plat for the remainder of the lands owned.

For the purpose of this section, and given the provisions of M.S. 15.99, specifically, the ten-day provision therein, to notify the applicant about what information is missing, that ten-day period shall commence following the public hearing held on the proposed preliminary plat.

- 4. Developer's Agreement for the Construction and Maintenance of Roads and Other Rights-of-Way. For streets and rights-of-way included in a proposed preliminary plat, or to be established other than under the provisions of M.S. 164.07, the applicant/dedicator shall, at the time of submission of the proposed preliminary plat, or other document initiating the establishment of a town road, deliver to the Town Board a proposed Developer's Agreement, setting forth the terms, conditions, and time frame, within which the applicant/dedicator shall construct conditions of all payments for same, and, if not completed upon the recording of the document, establishing said roads and rights-of-way, the means of security afforded to the town, to assure said completion.

The Town Board may redraft, amend, revise, or modify the proposed Developer's Agreement, to assure compliance with all conditions of this section. Should the applicant/dedicator fail or refuse to execute the Developer's Agreement, and if said agreement is not unreasonable in its terms, the town shall have no obligation to approve or accept the proposal of the applicant/dedicator.

## Section 5. SUBDIVISION ROADS

- 1. All roads improved as part of a subdivision plat shall meet the following road cross-section requirement;

- A. A minimum graded roadway top of thirty-two (32) feet.
- B. A bituminous surface of twenty-four (24) feet wide and two (2) inches thick.
- C. A minimum of eight (8) inches of Class 5 aggregate base.
- D. A minimum inslope of 4:1, and a backslope of 3:1.
- E. A minimum ditch depth of two (2) feet measured from the shoulder.
- F. A minimum ditch bottom width of four (4) feet.
- G. All available topsoil shall be salvaged on the slopes and ditch bottom, and seeded with rye and brome grass at a minimum.

Section 6. DRIVEWAY ACCESS

- 1. All driveway access onto town roads will require a permit.
- 2. All driveway access points shall be safe, free of any obstructed view in accordance with Minnesota Department of Transportation sight line requirements.
- 3. All driveway access points onto existing town roads shall include:
  - A. A minimum hard surface skirt two (2) feet deep by sixteen (16) feet wide is required where town roads are hard surfaced. (The full width of the graded driveway top is required where township roads are hardsurfaced.)
  - B. A minimum inslope of 4:1.
  - C. A minimum fifteen (15) inches in diameter culvert (where required) as determined by the township.
  - D. Within the town road easement, driveway must be flat to a maximum decline of six (6) inches.
  - E. A minimum two (2) feet by ten (10) feet long hard surface skirt for mailbox pad on existing hard surface township roads.

Section 7. CARTWAYS



Under the provisions of M.S. 164.08(2), the Town Board reserves the right to relocate a cartway, other than described in a petition thereunder, upon such terms and conditions as comply with the general provisions set forth above.

Section 8. DESIGN - TOWN ROADS

1. Design. All roads shall be designed to comply with the requirements of Ex. 1 attached hereto, which are minimum standards and which may be increased to accommodate traffic and usage.
2. Subgrade. The owner/developer shall submit soil tests not less than 4 feet in depth as required by Ex. 2 attached hereto.
3. Road Surface and Base. The road surface and base shall be constructed in compliance with the requirements of Ex. 3 attached hereto.
4. Acceptance of Road. Whether by a Developer's Agreement or otherwise, the owner/developer shall be responsible and liable for all maintenance and repair of any newly established and constructed town road for a period of one (1) year following the completion of construction and the final inspection of same.

Section 9. PARKING

1. Parking Regulated. By resolution, the Town Board may designate certain town roads, or portions thereof, of such roads, for limited parking. The resolution shall describe the road, or portion thereof, so regulated, and shall specify the restrictions or conditions for parking in the designated area.
2. Parking Prohibited. The Town Board may by resolution designate certain town roads, or portions thereof, within which parking shall be prohibited.
3. Signing. Any town road upon which parking is regulated or prohibited shall be posted in accordance with the requirements of the Minnesota Dept. of Transportation.

Section 10. WEIGHT RESTRICTIONS

1. Resolution. By resolution, the Town Board may designate certain town roads, or portions of such roads, with limited weight restrictions. Any
-

such resolution shall describe the road, or portion thereof, and shall specify the restrictions or conditions for the designated area.

Each such road shall be designated and posted as a 5, 7, or 9-ton road. The gross weight on any single wheel shall not exceed the amount of the designated weight restriction. The gross weight on any single axle shall not exceed twice that amount.

For the purpose of this ordinance, a single wheel includes two or more wheels, the centers of which are less than 48 inches apart on an axle.

2. Signing. Any town road subject to weight restrictions shall be posted in accordance with the requirements of the Minnesota Department of Transportation.
3. Exceptions. The weight limitations contained herein shall not apply to school buses, vehicles collecting for disposal mixed municipal solid waste, authorized emergency vehicles, nor tow trucks while responding to a request for assistance, and to those vehicles making single-trip deliveries.
  - A. A single-trip delivery means those vehicles making not more than three delivery trips in any calendar week to a destination located in the Town of Stanford.
4. Civil Penalties. In addition to and as part of any criminal prosecution hereunder, a person or entity convicted of violating this ordinance, whether by plea or otherwise, shall pay as and for restitution to the town the sum of 5 cents per pound per axle for each axle that is overweight.
5. Special Permits. Any person or entity proposing to use the road restricted herein who or which would be in violation of these restrictions may apply to the town, to the Town Clerk, for a special permit to utilize said road. An application for a permit shall designate the vehicle(s) to be used, including the description and the license number of each; the loaded gross weight of each vehicle; the type of materials being transported; the calendar period over which such transportation will occur; the number of trips per day; and the place of origin and destination of each such trip. The Town Board may, at its discretion, issue a special permit, taking into consideration the need and necessity for the use of the restricted road, and impose any considerations upon such use through such permits as are reasonable to protect and preserve said road and maintain the quiet enjoyment of adjoining property owners. The Town Board may require such security as it deems appropriate to assure compliance with the conditions of the permit and to

restore and/or maintain said road. The cost of a permit shall be \$35 which shall accompany any application and shall be refunded in the event the permit is denied.

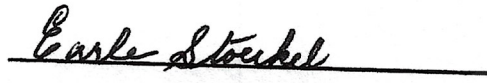
Section 11. PENALTIES FOR VIOLATION. The owner, lessee and/or operator of any vehicle found to be in violation of this ordinance shall be guilty of a misdemeanor, punishable by a fine not to exceed \$700 and/or to jail for not more than 90 days.

Dated:

BY ORDER OF THE TOWN BOARD OF THE TOWN  
OF STANFORD

  
Chairman

Attest:

  
Clerk