



## **MONTGOMERY COUNTY ENGINEER**

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### **Commissioners**

*Jim Fulwider, President*

*John Frey, Vice President*

*Dan Guard, Member*

### **County Engineer**

*James (Jim) Peck, PE*

April 20, 2020

- Requirements for Montgomery County Commissioners to accept Road/Drainage Maintenance on Existing Roadways.

It is the policy of the Montgomery County Board of Commissioners to accept the dedication of private roads or new roads only if such roads are in good condition and only if such roads are constructed in compliance with Montgomery County road standards, drainage standards and other applicable regulations. A road is considered to be in good condition if it not in need of maintenance, repair or resurfacing at the time of the proposed dedication and not in need of maintenance, repair or resurfacing, as determined by the County Engineer, for a period of 10 years. The applicable standards are attached.

The procedure for requesting that the Board of Commissioners accept a dedication of a road is as follows:

1. The developer, owner or homeowner's association must submit to the County Administrator an application for dedication. A form application is attached. The applicant must include with the application all documents and information required in the standards and regulations;
2. The County Engineer will then inspect the road in order to determine compliance with the standards and regulations. The County Engineer will provide a written determination to the applicant and the Board of Commissioners;
3. If the County Engineer finds that the road meets the standards and regulations, the Board of Commissioners will consider an ordinance which approves the dedication, authorizes the recording of the dedication, designates the road as a county road, names the road, establishes weight limitations, speed limits and stop sign locations, and directs the County Highway Department to assume maintenance of the road. County ordinances require two readings which means that the ordinance will be introduced at the first meeting and considered at the second meeting.

Applicants are encouraged to work with the County Highway Department and County Engineer prior to applying for dedication of a road in order to address any issues which will delay the processing of the application or the approval of the ordinance.

### **Requirements for Dedication of Roads**

- The roadway must be designed and constructed in accordance with the Montgomery County details dated 12/06/2000.
- A pavement borings report must be submitted to the Montgomery County Engineer for review to ensure the pavement cross section is in accordance with the Montgomery County detail. Soil boring shall be located in the center of the drive lane and spaced no less than 1000 feet (minimum of two borings are required).
- The fire department having jurisdiction must provide a letter to the Montgomery County Commissioners stating roadway geometry is sufficient for its equipment to traverse.

- The storm sewer system must be designed and constructed in accordance with the Montgomery County Stormwater Ordinance 90-5. All stormwater systems 15-years or older must be replaced prior to acceptance. All storm sewer systems located beyond the proposed public right of way shall have a minimum of 20-foot drainage easement.
- A registered professional engineer/surveyor shall prepare an “as-built” survey of the roadway/drainage system. The professional engineer/surveyor shall certify the roadway/drainage system has been designed and constructed in accordance with the Montgomery County requirements.
- A minimum of 50 feet of public right of way (measured 25 feet of either side of the centerline of the roadway) must be dedicated to the Montgomery County Commissioners.
- All utilities must be relocated outside of the proposed public right of way. In lieu of relocating existing utilities, the utility companies must have obtained an encroachment permit from the Montgomery County Commissioners. The agreement must include a statement that if the roadway (right of way) shall be widened the utility company shall relocate its facility outside of the proposed right of way. The expense of the utility relocation shall be bored on the utility company.
- A 5-year maintenance bond shall be required on all existing roadway/drainage system. A 3-year maintenance bond shall be required on recently constructed roadway/drainage systems (within 2-years). The maintenance bond shall be in favor to the Montgomery County Commissioners and the Montgomery County Drainage Board.
- Roadway/drainage systems within a subdivision shall not be accepted until 100% of the house/retail/commercial/industrial lots are constructed.
- All existing structures located adjacent to the roadway/drainage system must meet the setback requirements of the Montgomery County Zoning Ordinance. Structures not conforming to the setback requirements must obtain a variance from the Montgomery County BZA prior to acceptance by the Montgomery County Commissioners.
- A formal letter requesting the Montgomery County Commissioners take over the maintenance of the roadway and drainage systems. This request shall be submitted to the Montgomery County Attorney and Administrator for review. The Montgomery County and Administrator will then submit the request to County Commissioners with a formal recommendation.

If you have any questions, please do not hesitate to contact me at 765-361-4132.

Sincerely,

James Peck, PE  
Montgomery County ERC

cc: Montgomery County Commissioners  
Mark Casteel, Montgomery County Administrator  
Jeremy Phillips, Montgomery County Highway Department  
Dan Taylor, Montgomery County Attorney