

PAGE COUNTY ORDINANCE NO. 96-2

Title. An Ordinance Establishing the Area Service "B" Road Classification in Page County, Iowa.

BE IT ENACTED by the Board of Supervisors of Page County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to classify certain roads on the Area Service System in Page County as Area Service "B".

SECTION 2. Definitions. For use in this ordinance, certain terms or words used herein shall be interpreted or defined as follows:

1. "Area Service System" includes those public roads outside of municipalities not otherwise classified.
 - a. Area Service "A" roads shall be maintained in conformance with applicable state statutes. All Area Service roads not classified as Area Service "B" or "C" roads shall be Area Service "A" roads.
 - b. Area Service "B" roads shall not require standards of maintenance equal to Trunk, Trunk Collector, or Area Service "A" roads. Area Service "B" roads shall not mean what is construed in a normal sense as a driveway or a private lane to a farm building or dwelling.
2. "Board" shall mean the Board of Supervisors of Page County.
3. "Engineer" shall mean the County Engineer of Page County.

SECTION 3. Powers of the Board. All jurisdiction and control over Area Service "B" roads as provided by this ordinance shall rest with the Board of Supervisors of Page County.

SECTION 4. Authority to Establish. The Board of Supervisors of Page County is empowered under authority of Chapter 309 of the 1983 Code of Iowa, Section 309.57 may classify the Area Service System into three classifications, termed Area Service "A", Area Service "B" and Area Service "C".

SECTION 5. Area Service "B" Designation. The Board, after consultation with the Engineer, shall by resolution establish the termini of the roads classified as Area Service "B" roads.

SECTION 6. Maintenance Level. Only the minimum effort, expense, and attention will be provided to Area "B" roads. Bridges may not be maintained to carry legal loads, but will be posted as appropriate to advise of any load limitations. The minimum maintenance on Area Service "B" roads will be as follows:

Blading: Blading and dragging may not be performed on a regular basis.

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Snow Removal: Snow may not be removed.

Signing: Except for load limit posting for bridges, signing may not be continued or provided.

Weeds & Brush: Mowing, spraying, or cutting of brush may not be performed.

Structures: Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss the structure may not be replaced. If replaced, the replacement structure will be appropriate for the traffic thereon.

SECTION 7. Exemption of Liability. As provided in Chapter 309 of the 1983 Code of Iowa, Section 309.57, County and officers, agents, and employees of the County are not liable for injury to any person or for damage to any vehicle or equipment or contents of any vehicle or equipment, which occurs proximately as a result of the maintenance of a road which is classified as Area Service "B", if the road has been maintained to the level required for roads classified as Area Service "B".

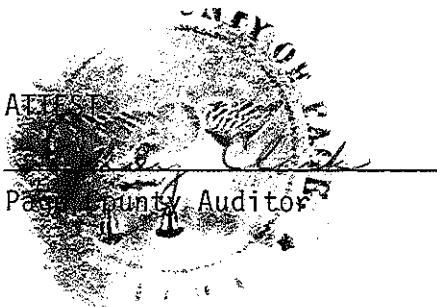
SECTION 8. Administration. The Engineer shall maintain an accurate record of all segments of roads classified by the Board as Area Service "B" and shall cause the necessary signs to be erected at every public road access on those roads so classified as Area Service "B".

SECTION 9. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 10. Effective Date. This ordinance shall be in effect upon publication in the county newspaper following final approval.

Read First Time and Passed: w/rev'd
Read Second Time and Passed: w/rev'd
Read Third Time and Finally Passed: December 19, 1996
Date of Publication: December 31, 1996

Maurice D. Davis, Chairman
Robert D. Anderson
Elaine Armstrong
Page County Board of Supervisors



ATTEST:
[Signature]
Page County Auditor