

**WOODFORD COUNTY HIGHWAY ACCESS REGULATION ORDINANCE**

**TABLE OF CONTENTS**

**SECTION 1.0 - TITLE, INTRODUCTION, PURPOSE, AUTHORITY AND JURISDICTION ..... 4**

- 1.1 Title..... 4**
- 1.2 Introduction..... 4**
- 1.3 Purpose..... 4**
- 1.4 Jurisdiction..... 5**
- 1.5 Authority..... 5**

**SECTION 2.0 - DEFINITIONS..... 6**

- 2.1 Purpose..... 6**
- 2.2 General Word Usage..... 6**
- 2.3 Definitions ..... 6**

**SECTION 3.0 - ACCESS REGULATION POLICIES ..... 9**

- 3.1 The Roadway ..... 9**
  - 3.1.1 Turning Lanes and Medians ..... 9
  - 3.1.2 Turning Restrictions ..... 9
  - 3.1.3 Traffic Signals..... 10
- 3.2 The Access Point or Driveway ..... 10**
  - 3.2.1 Indirect Access ..... 10
  - 3.2.2 Number of Access Points ..... 11
  - 3.2.3 The Location of Access Points ..... 11
  - 3.2.4 Restricted Access ..... 12
  - 3.2.5 Internal Circulation Within Developments ..... 12
  - 3.2.6 Previously Subdivided or Platted Parcels ..... 13
  - 3.2.7 Changes in Land-Use ..... 13
  - 3.2.8 Shared Access ..... 13
  - 3.2.9 Roadway Reconstruction ..... 13

**SECTION 4.0 - PROCEDURES ..... 14**

- 4.1 Access Permits ..... 14**
- 4.2 Permit Application Process..... 14**
  - 4.2.1 Preliminary Submittal ..... 14
  - 4.2.2 Final Submittal..... 14
  - 4.2.3 Access Permit Issuance ..... 14
  - 4.2.4 Field Inspections ..... 15
  - 4.2.5 Prefinal Inspections..... 15
  - 4.2.6 Final Inspections ..... 16
  - 4.2.7 Traffic Impact Study..... 16
- 4.3 Developer’s/Owner’s Costs For Access and Improvements to County Roads ..... 17**
- 4.4 Appeals..... 17**
  - 4.4.1 Appeals Procedure ..... 17
- 4.5 Cash Bonds ..... 18**
- 4.6 Certificates of Insurance ..... 18**
- 4.7 Inspection..... 18**

<b>4.8 Enforcement .....</b>	<b>18</b>
<b>4.9 Local Regulations .....</b>	<b>18</b>
<b>4.10 Construction of Access .....</b>	<b>19</b>
4.10.1 Construction of Access by the County.....	19
4.10.2 Alteration of an Existing Access.....	19
<b>SECTION 5.0 - DESIGN STANDARDS .....</b>	<b>20</b>
<b>5.1 Design Publications .....</b>	<b>20</b>
<b>5.2 Definitions and Classifications of Access.....</b>	<b>20</b>
5.2.1 Classification of Roadways in the County.....	20
5.2.2 Minor Access .....	20
5.2.3 Major Access.....	20
5.2.4 Temporary Access.....	20
<b>5.3 Design Speed.....</b>	<b>21</b>
<b>5.4 Sight Distance Requirements .....</b>	<b>21</b>
<b>5.5 Minor Access Design Elements .....</b>	<b>22</b>
5.5.1 Width of Access.....	22
5.5.2 Radius Return.....	22
5.5.3 Angular Placement .....	22
5.5.4 Access Spacing .....	22
5.5.5 Distance to Adjacent Property .....	23
5.5.6 Throat Length.....	23
<b>5.6 Major Access Design Elements .....</b>	<b>23</b>
5.6.1 Width of Access.....	23
5.6.2 Radius Return.....	23
5.6.3 Angular Placement .....	24
5.6.4 Access Location.....	24
5.6.5 Distance Between Signalized Intersections .....	24
5.6.6 Medians .....	24
5.6.7 Throat Length.....	24
<b>5.7 General Design Elements .....</b>	<b>24</b>
5.7.1 Access Profile .....	24
5.7.2 Drainage .....	24
5.7.3 Pavement Design.....	25
5.7.4 Pavement Crown.....	25
5.7.5 Shoulders.....	26
5.7.6 Curb and Gutter.....	26
5.7.7 Cross Section and Material .....	26
5.7.8 Auxiliary Lanes.....	27
5.7.9 Right-of-Way Requirements.....	27
5.7.10 Appurtenances in Right-of-Way .....	27
<b>SECTION 6.0 - VIOLATIONS AND PENALTIES .....</b>	<b>28</b>
<b>SECTION 7.0 - ENACTMENT, REPEALER AND SAVINGS, INTERPRETATION AND SEPARABILITY.....</b>	<b>29</b>
<b>7.1 Enactment .....</b>	<b>29</b>
<b>7.2 Repealer and Savings Clause.....</b>	<b>29</b>
7.2.1 Policies.....	29

7.2.2 Ordinances and Resolutions.....	29
<b>7.3 Interpretation.....</b>	<b>29</b>
<b>7.4 Separability.....</b>	<b>29</b>
<b>7.5 Amendments.....</b>	<b>30</b>
7.5.1 County Board Action.....	30
7.5.2 Standards for Amendments.....	30
7.5.3 Appendix Amendments.....	30
<b>APPENDICES.....</b>	<b>31</b>

**LIST OF TABLES**

<b>Table 5-1: Intersection Sight Distance Requirements for Highway Access.....</b>	<b>21</b>
<b>Table 5-2: Access Spacing Guidelines.....</b>	<b>23</b>

**LIST OF APPENDICES**

- APPENDIX A – Design Standards**
- APPENDIX B – Permit**
- APPENDIX C – Design Geometrics**
- APPENDIX D – Woodford County Roadway Classification Map**
- APPENDIX E – Insurance**
- APPENDIX F – Publications**

# **SECTION 1.0 - TITLE, INTRODUCTION, PURPOSE, AUTHORITY AND JURISDICTION**

## **1.1 Title**

This Ordinance shall be known as and may be referred to as the "Woodford County Highway Access Regulation Ordinance."

## **1.2 Introduction**

The arterial, collector, and local road system must perform the dual and conflicting functions of carrying large volumes of through traffic as well as providing access to adjacent land uses. Unplanned land development and uncontrolled access connections reduces highway capacity, increases delay and congestion and reduces safety.

The regulated limitation of ingress and egress, or access regulation, is achieved through the regulation of public access to and from properties abutting highway facilities. The principal advantages of access regulation are the preservation of a high quality of service and improved safety. In order to minimize accidents and assure the best overall use of County Highways, it is necessary for Woodford County to establish controls regarding the number, location and geometrics of access points to the Woodford County Highway System.

## **1.3 Purpose**

This Ordinance is adopted for the following purposes:

1. To promote, protect and insure the public safety, health and general welfare as they relate to the operation and use of County Highways;
2. To minimize congestion and delay on County Highways which are the result of providing access to abutting property and the conflicts that arise between vehicles using County Highways and vehicles entering and leaving via access facilities;
3. To preserve the ability of the County to provide adequate and safe highway facilities to serve the general public;
4. To provide for the proper location and limit the number of access facilities to regulate safe and reasonable access from County Highways to abutting property and to provide sufficient spacing between access points to minimize interference with traffic using adjacent access facilities;
5. To establish reasonable standards and design specifications for access facility improvements on County Highways in order to protect the public investment;
6. To prohibit the use of a County Highway as a portion of the internal circulation system of abutting property and to prohibit backing onto County Highways, and;
7. To enter into such intergovernmental agreements as may be necessary to implement the purposes of this Ordinance, regarding preliminary review of annexation agreements and

other development proposals regarding access issues at as early a stage in planning as possible.

#### **1.4 Jurisdiction**

This Ordinance shall apply to all access facilities providing, or proposed to provide, service from and/or to a County Highway to any property after the enactment of this Ordinance by the County Board. This includes any land in any township or municipality located partially or entirely within the County.

This Ordinance shall not be construed in any manner to limit the power or authority of the County to maintain, operate, improve, or construct any County Highway as it best determines, including the modification, restriction, or elimination of any access facility permitted under this Ordinance or any access facility permitted prior to the adoption of this Ordinance as provided by law.

#### **1.5 Authority**

Chapter 605 ILCS 5/5-413 provides for access roads and driveways for public and private use to be allowed onto a County Highway only upon the issuance of a permit by the County Engineer in accordance with regulations adopted by the County Board.

## **SECTION 2.0 - DEFINITIONS**

### **2.1 Purpose**

It is the purpose of this Article to define words, terms, and phrases contained in this ordinance.

### **2.2 General Word Usage**

In the interpretation of this Ordinance, the following provisions shall be observed and applied except when the context clearly requires otherwise:

1. Words used or defined in one tense or form shall include other tenses and derivative forms. Words in the singular shall include the plural, and words in the plural shall include the singular.
2. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
3. The word "shall" is mandatory. The word "must" is mandatory. The word "may" is permissive. The word "should" is advisory.
4. In the event of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, or table, the text shall control.

### **2.3 Definitions**

Words, terms, and phrases capitalized in the definitions are those, which are themselves defined in this Section. The following words, terms, and phrases are hereby defined and shall be interpreted as such throughout this Ordinance.

**ABUTTING:** Having a common border with, or being separated from such common border by an alley or easement.

**ACCESS:** A private or public way for providing entry or exit between a highway and abutting property.

**ACCESS PERMIT:** A permit issued by the Woodford County Highway Department granting access to a County Highway from abutting property and allowing construction or reconstruction of an access facility in accordance with the provisions of this Ordinance.

**ADJACENT ACCESS:** An adjoining access that may be on either side of the highway, either upstream or downstream of a proposed access.

**ARTERIAL ROADS:** Roads having the principal purpose of expediting the movement of traffic by providing mobility or moving people and goods for long distances at relatively high speeds. Arterials are designated on both the IDOT Functional Classification map and the Woodford County Roadway Classification Map.

**AVERAGE DAILY TRAFFIC (ADT):** The number of vehicles using a road (in both directions) during a twenty-four (24) hour period, specified as the average traffic by the Illinois Department of Transportation (IDOT) or the Woodford County Highway Department.

**COLLECTOR ROADS:** Roads providing a certain amount of access to adjoining property while still serving as connectors between local roads and arterials. Collectors are designated on both the IDOT Functional Classification map and the Woodford County Roadway Classification Map.

**CORNER OR RETURN RADIUS:** The pavement radius of the arc between the edge of pavement of the access facility and the edge of pavement of the abutting road used to facilitate vehicular turning movements.

**COUNTY HIGHWAY:** Any highway that is part of the county highway system described in 605 ILCS 5/2-102.

**CROSS EASEMENT:** Shared access between adjacent parcels to allow the interaction of traffic without affecting the public roadways.

**DEVELOPER:** The legal or beneficial owner of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase. The developer may also be the owner.

**DEVELOPMENT:** The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use of land or any clearing, grading, excavation, or other movement of land.

**DRIVEWAY:** A private way for the use of vehicles providing service between a highway and abutting property.

**DRIVEWAY THROAT:** The width between points on a driveway at which the corner returns are tangent to the driveway.

**EASEMENT:** A liberty, privilege or advantage that a party or the general public may have regarding the land of another. The remainder of the rights in the land remains in the hands of the owner who retains the legal title.

**FRONTAGE:** The distance, as measured along the highway right-of-way line, between the property lines of the abutting property.

**FRONTAGE ROAD:** A road which is adjacent to or included in the right-of-way of a highway or railroad, and which provides access to abutting properties and separation from through traffic.

**HIGHWAY CAPACITY MANUAL:** The most recent edition of the Highway Capacity Manual and all amendments thereto and successor documents as published by the Transportation Research Board.

**INTERSECTION:** The general area where an access facility and a road or two or more roads or two access facilities join or cross.

**INTERSECTION SIGHT DISTANCE:** The distance, either right or left, at which a driver stopped at an intersection can see an approaching vehicle.

**LEVEL OF SERVICE:** Qualitative measure describing operational conditions within a traffic stream as defined in the Highway Capacity Manual.

**LOCAL ROADS:** Roads primarily providing direct access to adjoining property. Locals are designated on both the IDOT Functional Classification map and the Woodford County Roadway Classification Map.

**MEDIAN:** A portion of a divided highway or divided driveway separating the traveled ways for traffic flowing in opposite directions. A median can be either raised or flush.

**MUTCD:** The most current edition of the Manual of Uniform Traffic Control Devices, including the most recent version of the State of Illinois Supplement to the MUTCD.

**PEAK- HOUR VOLUME:** The highest hourly vehicular volume observed, or anticipated, at the point of analysis during a normal day.

**RESIDENTIAL ROADS:** Roads serving a majority of residentially zoned properties, carrying an Average Daily Traffic (ADT) count of 400 or less, and completely internal to a subdivision.

**SHARED ACCESS:** An access facility used jointly by two or more properties.

**TRAFFIC IMPACT STUDY:** A comprehensive collection and analysis of all information necessary to accurately evaluate the effect and impact or traffic generated by a development on the current and future road network surrounding the development.

**TRAFFIC SIGNAL WARRANT STUDY:** A study conducted to determine if a proposed traffic signal meets the warrants based on the most recent edition of the MUTCD.

**TURNAROUND:** An area utilized by vehicular traffic to change direction of travel.

**TURNING LANE:** An auxiliary lane, including tapered areas, primarily for the deceleration and queuing of the vehicles leaving the through lanes.

**TURNING MOVEMENT:** Vehicles making a designated turn.

## **SECTION 3.0 - ACCESS REGULATION POLICIES**

In order for the techniques and policies of access regulation to be effective, they must be applied in a coordinated fashion to the roadway, the access point, the abutting property and its associated development. A comprehensive access regulation program will preserve highway safety and capacity, reduce delays and allow for compatible land use and economic development within the highway corridors. The following policies shall be applied to all types of access.

### **3.1 The Roadway**

Roadway capacity and safety are adversely affected by uncontrolled or poorly designed traffic operations. These operations shall be controlled through the development of turning lanes, medians, turning restrictions, traffic signals, roadway lighting, and other design criteria.

#### **3.1.1 Turning Lanes and Medians**

1. For all industrial, commercial, and residential subdivision development, or as determined by the County Engineer, turning lanes (consisting of a taper and a full width auxiliary lane) for either right or left turns into an abutting property shall be provided.
2. The cost of providing turning lanes shall be the responsibility of the property owner. Where the width of the roadway right-of-way is insufficient to permit the construction of a turning lane, the property owner shall provide any necessary additional right-of-way to the County.
3. On an undivided roadway or a divided roadway with a median width inadequate for a left-turn lane, the property owner will be required to widen the roadway to accommodate the turning lane.

#### **3.1.2 Turning Restrictions**

If warranted by a traffic study, or as determined by the County Engineer, turning movements to or from a roadway may be restricted under the following conditions:

1. Where numerous low-volume access points exist and the spacing between them does not permit adequate left-turn tapers and storage bays for inbound vehicles without blocking adjacent access points.
2. At access points close to an intersection where inbound or outbound left-turns would have to be made within areas where traffic is queued during any period of the day.
3. Where other conditions such as sight distance prevent turns from being made safely.
4. Where a particular parcel is provided with more than one access point and volumes do not justify left-turn access into and/or from both access points.
5. When the median opening for left-turning vehicles would be too close to another median opening, left turns may be prohibited at one of the access points.
6. When other capacity, delay, operational, or safety conditions make specific left turns detrimental to the public interest. These conditions will be identified on a site-specific basis.

### **3.1.3 Traffic Signals**

1. If warranted by a traffic study, or as determined by the County Engineer, traffic signals shall be installed at high-volume crossroads or accesses to facilitate outbound left turn and through traffic movements. Signalization shall meet the warrants set forth in the Manual of Uniform Traffic Control Devices
2. Signalized intersections shall be spaced to maintain the efficiency of traffic flow in the through roadway. **Table 5-2** describes the recommended signal spacing based on the area and the functional role of the highway. Where spacing is less than one-half mile, or other considerations warrant or are anticipated to warrant such, adjacent signals shall be interconnected to provide an efficient arterial traffic flow.
3. Where traffic signals are required to serve a private development, and are anticipated to meet traffic warrants, the entire cost for the installation, interconnection, modernization, maintenance and energy charges for the signals shall be the responsibility of the property owner.
4. To prevent excessive green time allocated to the driveway at the expense of the arterial highway through movements, vehicle detection devices should be used on the driveway approaches.
5. Whenever possible, intersections to be signalized must fit into the signal progression patterns along the highway. Hence, the decisions for locations of signalized intersections should be made according to a road corridor plan.
6. Although the signalization warrants may be satisfied for an access, the County Engineer shall have the final decision on whether a traffic signal should be installed. Such a decision will be based on whether the proposed traffic signal would be detrimental to coordinated traffic flow, result in undue delay, impair traffic operations, or impair traffic safety on the County Highway System.

### **3.2 The Access Point or Driveway**

Roadway capacity and safety are adversely affected by uncontrolled or poorly designed traffic access design. Therefore, both the location and number of accesses shall be controlled. An access point or system of access points must be located to provide:

1. The most favorable vision, grade and alignment conditions for users of the roadway and the access point
2. No undue interference with the free and safe movement of roadway traffic
3. Maximum safety and convenience for pedestrians and other users of the roadway right-of-ways

In the interest of public safety and convenience, the County Engineer may restrict the number and location of access points in addition to reviewing internal traffic circulation for proposed developments and access improvements during roadway reconstruction projects.

#### **3.2.1 Indirect Access**

Access to a County Highway may be prohibited when the property has frontage on one or more other roads. For property with frontage on more than one County Highway, access shall be

provided from the highway having the lower Average Daily Traffic (ADT) volume. The County Engineer shall determine which highway has the lower volume.

When access is sought on a road not under the jurisdiction of Woodford County, the developer must apply to the highway authority having jurisdiction.

### **3.2.2 Number of Access Points**

Each development or property, regardless of the number of parcels, shall be limited to one access point, except under the conditions described in the following paragraphs. One additional access point may be granted if it can be demonstrated, through a Traffic Impact Study, that the level of service at the approved access point would be substantially improved by the addition of one access point. In this instance, the Level of Service provided in the Traffic Impact Study at the approved access point must be improved by a minimum of one level.

After the Traffic Impact Study has been performed and has confirmed that additional access points are necessary, first consideration shall be given to supplemental access points that restrict turning movements. Shared access points or indirect access from adjacent public streets is encouraged.

### **3.2.3 The Location of Access Points**

1. Access points shall be located so that ingress and egress maneuvers will not severely degrade safe and efficient traffic movements and operations on the County Highway.
2. Access points shall be located, to the maximum extent feasible, at the point of optimum sight distance along the abutting property frontage. Placement of an access point on a horizontal curve or just below the high point of a crest vertical curve should be avoided.
3. Any vehicular operation for which sight distance is inadequate (e.g. left turn entry or exit) is prohibited. If a safe sight distance is not available at any point along the frontage of a property, one of the following procedures shall be utilized:
  - A. Develop access to another roadway (in the case of corner properties)
  - B. Develop indirect access via a frontage road
  - C. Develop indirect access via the acquisition of an access easement from an adjacent property.
  - D. Whenever possible, access should be provided via existing cross streets in lieu of additional County Highway access points.
4. Access to a County Highway may be prohibited when a property abutting a County Highway has a frontage on one or more other roadways and reasonable access can be safely provided from said roadway.
5. Where an existing access facility is on the opposite side of the County Highway from an abutting property from which access is being requested, the proposed access point shall be aligned with the existing access facility whenever possible. These requirements may be waived under the following conditions:
  - A. The proposed access would not comply with other conditions of this policy
  - B. The abutting property for which access is being requested has inadequate frontage along the County Highway to allow for the proper alignment with the existing access facility.

- C. The alignment of the existing and proposed access facilities would be detrimental to traffic flow, result in unacceptable delays, impede traffic operations, or impair traffic safety on the County Highway.
6. In accordance with **Table 5-2**, adjacent access points shall be spaced to ensure that conflicting movements as adjacent access points do not overlap and that safe and efficient traffic movements and operations will be maintained.
7. The minimum spacing between a given access point and an intersecting street or another access point shall be determined by the distance required to provide full left turn tapers and storage bays along the County Highway for both the given access point and the intersecting roadway or adjacent access point, regardless of the present need for said tapers and storage bays. Storage bay lengths should be determined by using projected traffic volumes that will be experienced when the development(s) using the access point are fully in service.
8. If an abutting property has inadequate frontage to meet these minimum spacing requirements, the Woodford County Highway Department shall determine the location of the access point using the applicable provisions of this policy. The County Engineer may require the development of joint (shared) access facilities, the development of indirect access, the restriction of the case of adjacent low volume access facilities, the installation of a two-way un-tapered left turn lane.
9. Access points near interchanges, interchange ramp terminals, crossroads, frontage roads and service drive connections shall be restricted to minimize hazardous and congested conditions. Sufficient spacing between interchange ramps and access points or crossroad intersections shall be provided to permit the development of turning lanes and proper signing of the highway facilities.

### **3.2.4 Restricted Access**

In certain instances, turning movements may be restricted. Turning movement restrictions shall be enforced with barrier median channelization or driveway channelization. Signing shall also be required. The signing shall conform to the provision of the MUTCD and the policies of Woodford County Highway Department.

### **3.2.5 Internal Circulation Within Developments**

1. When property abutting a County Highway is to be developed, direct access to a County Highway shall not be used in lieu of an adequate internal traffic circulation system.
2. No access shall be permitted to a development if internal traffic patterns are not acceptable based on overall traffic circulation, drive-in reservoir and parking space capacities, internal turning movements, and projected trip/parking generation rates.
3. No access shall be permitted if such access would require backing or turning maneuvers onto a County Highway. Provisions for turnarounds shall be made outside the County right-of-way.
4. No access shall be permitted if such access would result in parking on a County Highway or within the right-of-way. Provisions for parking shall be made outside of the right-of-way of a County Highway.

### **3.2.6 Previously Subdivided or Platted Parcels**

Land subdivided prior to the effective date of this Ordinance shall comply with the requirements of this Ordinance to the extent possible. Owners of such property for which access is being requested and for which compliance with this Ordinance cannot be attained may apply for an appeal. Many older existing subdivisions were platted with small lots fronting on County Highways. In these instances, shared access or indirect access can be used to reduce the number of access points on a County Highway.

### **3.2.7 Changes in Land-Use**

If a change in land-use or land-use density occurs and use of an existing access is proposed, the developer shall make application to Woodford County Engineer to continue use of the access. The application shall be reviewed as for new access and all the provisions of this Ordinance shall apply. Changes in land-use or land-use density may result in a change in the number of vehicles using an access facility. Therefore, modifications, improvements, or revisions may be required to the access facility and/or the County Highway to accommodate the change.

### **3.2.8 Shared Access**

Certain geometric, land-use, and site conditions may require shared access among two or more developments or properties. This would occur when frontages are small and each development or property is unable to meet the requirements of this Ordinance for individual access points. In these instances, shared access shall be provided through adjacent developments or properties. The County Engineer shall determine on a site-specific basis when shared access shall be required.

If the County Engineer determines that shared access is appropriate, the access facility for the property seeking approval shall be designed in a manner to permit shared access and provide access easements for adjacent parcels. No more than four (4) parcels shall share a common access.

### **3.2.9 Roadway Reconstruction**

During the planning and design of roadway reconstruction and widening projects, abutting property owners and Woodford County shall be required, to the extent feasible, to:

1. Comply with all applicable provisions of this access regulation policy
2. Eliminate unnecessary access points

## **SECTION 4.0 - PROCEDURES**

### **4.1 Access Permits**

An Access Permit is a legal document granting permission to construct and operate a driveway of a certain basic design at a specified location on a County Highway. The permit is required for the construction of any new access driveway or the modification of any existing driveway within the right of way along a County Highway when the work is to be done by any person or agency other than the Woodford County Highway Department. The driveway constructed or reconstructed under a permit must be performed by or for the developer at the expense of the developer.

### **4.2 Permit Application Process**

The County Engineer may waive any of the required information for a minor or temporary access if it is determined that any of the information below is not needed to secure an access permit, or if a plat has been previously approved.

#### **4.2.1 Preliminary Submittal**

Upon request for a building permit application thru the County, the developer shall be:

1. Informed of the requirements and procedures for obtaining the necessary access permit along the County right-of-way;
2. Given a copy of this Woodford County Highway Access Regulation Ordinance if requested and purchased;
3. Required to obtain a Woodford County Access Permit from the Woodford County Highway Department. Issuance of the Access Permit shall be required before approval and issuance of the building permit.

#### **4.2.2 Final Submittal**

The developer shall submit a preliminary plan if required by the subdivision process. Otherwise, the developer shall submit the following information:

1. A Woodford County Access Permit Request form
2. A drawing showing the location of the proposed access with distances to adjacent property lines and accesses
3. Any additional information that the County Engineer may require

#### **4.2.3 Access Permit Issuance**

Upon approval of the plans and specifications, the execution of any easements or dedications for right-of-way and submittal of any certificates or fees required, the County Engineer shall issue an access permit. Construction must begin within 6 months and be completed within 2 years unless otherwise specified in the permit.

Once a permit expires, a new application must be filed; however, the requirements and type of improvements necessary may change from the original permit due to changes in traffic conditions on the County Highway.

A permit is effective insofar only as the County Highway Department has jurisdiction and does not release the developer from compliance with the provisions of any existing statutes, regulations, ordinances or administrative orders of the Federal, State, County or Local Government or any political subdivision or administrative agency thereof relating to the permitted work and its construction and use. The terms and conditions of the permit shall apply to the successors or assigns of the permittee.

The developer shall be responsible for the total cost of construction, restoration of the County right-of-way, and repairing any damage to facilities of the Woodford County Highway Department or others caused by construction. The developer shall also pay all damages, judgments, costs and expenses, including attorney's fees and court costs in connection with or resulting from the construction, use, location and other related activities of the permitted work regardless of any limitations of insurance coverage.

The developer shall be responsible for any revisions needed to accommodate the construction; use; location and/or maintenance of the permitted work due to unforeseen field conditions, errors or omissions in the plan, drawings, or sketches; and/or highway maintenance or safety problems which become apparent during construction; use; or by inspections made by the Woodford County Highway Department. The decision of the Woodford County Highway Department shall be final and conclusive. For any field changes needed the Woodford County Highway Department shall be notified and approval must be received.

The issuance of an access permit by the Woodford County Highway Department shall not be construed to relieve a developer of any responsibility to secure any other permits or comply with any requirements of any other governmental authority having any jurisdictional responsibilities as it relates to a development. The developer shall also be responsible for securing any permits or complying with any other requirements of any governmental authority as they may relate to the construction of an access facility of highway improvement.

#### **4.2.4 Field Inspections**

The Woodford County Highway Department may conduct periodic field inspections during the course of construction to insure compliance with the approved plans.

#### **4.2.5 Prefinal Inspections**

A prefinal inspection of the completed access driveway will be performed. Any deficiencies noted by the Woodford County Highway Department shall be the responsibility of the developer to correct.

#### **4.2.6 Final Inspections**

A follow up final inspection shall be performed by the Woodford County Highway Department. If the deficient work noted in Section 4.2.5 has been corrected satisfactorily, the construction work shall be accepted and approved.

#### **4.2.7 Traffic Impact Study**

Should the County Engineer request that a Traffic Impact Study be prepared for the proposed development, the impact study shall include, but not be limited to:

1. Introduction - A description of the development including its size, location, the roadway network in the vicinity of the site, the political jurisdiction in which the site is located, the boundary limits of the study area and any other information needed to aide in the review of the developments traffic impact.
2. Land Uses - A description of the existing and proposed land uses of the development. If alternative land uses are being proposed, the highest trip generation uses shall be assigned for each land use.
3. Roadway Network - A description of the roadway network in the vicinity of the development shall include the roadway and intersection geometrics, existing 24 hour volume counts, A.M./P.M. peak hour counts at intersections, and traffic control devices, The area of influence shall be determined by the traffic generated from the site, the trip distribution of traffic, and the trip assignment of the traffic generated by the development over the surrounding area road network.
4. Peak-Hour Trip Generation and Volumes - The average trip generation rates for total daily traffic and A.M./P.M. peak hours plus the total number of trips generated for each type of proposed land use shall be determined. The trip generation rates for average total daily traffic and A.M./P.M. peaks shall be calculated from the latest data available contained in the Institute of Transportation Engineer's Trip Generation Manual. If trip generation rates for a specific land use are not available, the Woodford County Highway Department shall approve the rates.
5. Trip Distribution and Assignment - The most logically traveled routes near the development shall be used for trip distribution and assignment purposes. The directional distribution of site-generated traffic approaching and departing the development should be shown on both graphic and tabular form. All assumptions used in the determination of distribution and assignment shall be clearly stated.
6. Existing and Projected Traffic volumes - The following traffic volumes for access driveways, intersection, and the roadway network in the site vicinity shall be displayed on a roadway network map:
  - a. Existing A.M./P.M peak hour traffic volumes.
  - b. Existing total daily volumes within the site vicinity.
  - c. A.M./P.M. peak hour site generated traffic volumes.
  - d. Total daily site generated traffic volumes.
  - e. A.M./P.M. existing plus site-generated traffic volumes.
  - f. Total daily existing plus site generated traffic volumes.
7. To determine A.M./P.M. existing traffic volumes, machine counts and/or manual counts shall be conducted between the hours of 6:00 A.M.-9:00 A.M., and 3:00 P.M.- 6:00 P.M.

All A.M./P.M. counts machine or manual, shall be recorded and summarized in fifteen-minute increments for the three-hour period, and included in the Appendix of the Traffic Impact Study. Manual turning movement counts shall include vehicle classifications, i.e. passenger cars, single-unit, multi-unit trucks and busses.

8. Traffic volume shall show both entering and existing traffic at the proposed access points in addition to turning and through traffic movements at critical intersections.
9. The improvements shall be designed for a projected traffic volume of twenty years beyond the expected year of construction.
10. Capacity Analysis - Proposed access and influenced intersections shall be subject to a capacity analysis. Projected traffic conditions shall include the effects of any committed developments within the influenced area. The existing and projected levels of service derived from the analysis shall be used to aide in the evaluation of design and operation alternatives of the access and influenced intersections. The capacity analysis shall be in accordance with the techniques described in the most recent edition of The Transportation Research Board's Highway Capacity Manual Special Report 209. The improvements shall be designed to a Level Of Service D or better for all traffic movements.
11. Signalization Warrants - If it is anticipated that the development's access will satisfy signalization warrants soon after the development has been completed, a warrant analysis will be conducted using the projected volumes determined from the trip generation. The results of such an analysis shall be tabulated in the traffic impact study.
12. Additional Access Facilities - Requests for additional access other than that allowed in Section 4.2.1 of this Ordinance shall be analyzed. The analysis shall recognize the standards set forth in this ordinance and shall evaluate the other forms of access including restricted access, indirect access, access to other streets or roads, signalized versus unsignalized access, and other factors on which a determination can be made concerning the number of access facilities.
13. Traffic Control Measures - The type and extent of traffic control measures shall be examined. These may include, but are not limited to, regulatory signage, signalization, and pavement markings.
14. Conclusions and Recommendations - Clear, concise, descriptions of the findings shall be presented. These findings shall include all recommended improvements for access facilities, intersections, and the area roadway network.

### **4.3 Developer's/Owner's Costs For Access and Improvements to County Roads**

All costs associated with the design and construction of an access driveway and any associated improvements to a County Highway to accommodate the access driveway and the traffic using the access shall be paid completely by the developer.

### **4.4 Appeals**

#### **4.4.1 Appeals Procedure**

##### 4.4.1-1 County Engineer

All objections to any action or decision concerning access shall be filed in writing with the County Engineer. The County Engineer shall consider the objections and after a decision has been made, shall inform the developer in writing of the action on a said objection.

#### 4.4.1-2 Road and Bridge Committee

If the developer is dissatisfied with the action or decision of the County Engineer, a written objection may be filed with the Woodford County Road and Bridge Committee. The Road and Bridge Committee will consider the objection and formulate a response, which will be communicated in writing. The Road and Bridge Committee may modify or overturn any previous action or decisions.

#### **4.5 Cash Bonds**

Cash bonds shall be made in accordance with **Section 8.24** of the Woodford County Subdivision Code, or as required by the County Engineer.

#### **4.6 Certificates of Insurance**

Certificates of Insurance shall be provided and shall name Woodford County, its Board, Officers and Employees as additional insured. Coverage shall be in accordance with Article 107.27 of the Standard Specifications for Road and Bridge Construction (see Appendix “”).

#### **4.7 Inspection**

The construction or reconstruction of an access driveway and any associated improvements of a County Highway shall be inspected at the County’s option by a representative of the Woodford County Highway Department. The number of inspections shall be determined by the County Engineer and reflect the complexity and magnitude of the access and improvements made to the County Highway.

#### **4.8 Enforcement**

If the developer fails to perform the work with sufficient work force and equipment or with sufficient materials to insure the completion of said within the specified time, or performs the work unsuitably as determined by the County Engineer, or neglects or refuses materials or performs anew such work as shall be rejected as defective and unsuitable, or discontinues the execution of the work, or for any other cause whatsoever does not carry on the work in an approved manner, the County Engineer shall give notice by registered mail to the developer and/or his/her Surety of such delinquency, said notice to specify the corrective measures required. After said notice, the County Engineer shall call upon the cash bond to have the work completed in accordance with the terms of the cash bond. The County Engineer may than take over the work, including any or all materials or equipment on the ground as may be suitable and acceptable and may complete the work with his/her own forces or any such other methods as in his/her opinion, shall be required for the completion of the work in an acceptable manner.

#### **4.9 Local Regulations**

Permits issued by the Woodford County Highway Department cover the construction of access roads and driveways within the right-of-way and do not release the applicant from compliance with regulations of local authorities. The requirements of the planning and zoning boards and local ordinances are not altered by the issuance of a permit by the Woodford County Highway

Department and the applicant is not relieved from obtaining the required local approvals and permits. Permits will not be granted for entrances if either county or local planning or zoning agencies indicate that the development does not conform to their land use and zoning plans.

#### **4.10 Construction of Access**

Construction of accesses shall be in accordance with the access permit requirements or the approved plans.

##### **4.10.1 Construction of Access by the County**

Any design or construction activity within the County Highway right-of-way outlined in this ordinance may be done by the Woodford County Highway Department as follows:

1. A written request for these services must be made to the Highway Department;
2. The County Engineer may approve or deny any request as he/she deems in the best interest of the Woodford County Highway Department;
3. If approved, the County Engineer shall prepare a cost estimate for the proposed design and/or construction of access. The permittee shall provide a cash bond in accordance with Section 8.24 of the Woodford County Subdivision Code;
4. The actual cost of design and/or construction will be calculated on a time and material basis by the County Engineer and shall be deducted from the cash bond;
5. Upon completion of the access, the remainder of the cash bond will be returned to the permittee.

##### **4.10.2 Alteration of an Existing Access**

Alteration of an existing access may be done as outlined in Section 4.10.1 of this Ordinance.

## **SECTION 5.0 - DESIGN STANDARDS**

### **5.1 Design Publications**

The design of access and accompanying highway improvements shall comply with the standards and specifications set forth in these access standards. In the absence of specific guidance, the latest version of the following Illinois Department of Transportation (IDOT) and The American Association of State Highway and Transportation Officials (AASHTO) policies shall govern. All applicable IDOT and AASHTO publications shall be listed in **Appendix A** of this ordinance.

### **5.2 Definitions and Classifications of Access**

#### **5.2.1 Classification of Roadways in the County**

The determination of access management requirements shall be based on the functional role of the road and the surrounding area and derived from the road classifications produced by IDOT. Highway classifications shall be reflected in the Woodford County Roadway Classification Map.

#### **5.2.2 Minor Access**

A minor access is one which serves property abutting a County Highway, has an anticipated daily normal two-way traffic volume (total number of entrance and exit trips by vehicles using the access) of no more than 100 trips, and has no regular use by vehicles or vehicle combinations of three axles or more (personal recreational vehicles excluded).

Examples of land-uses served by a minor access include farm entrances, a small residential community (e.g., 1 to 8 houses), and an apartment complex with 12 or fewer units, or an office building with less than 6,000 gross square feet.

#### **5.2.3 Major Access**

A major access is one that serves property abutting a County Highway and has an anticipated daily two-way traffic volume of more than 100 trips. Since higher volume access facilities to highways have an impact on the capacity, use, and traffic flow of the highway, and because of the uniqueness of the traffic generation and characteristics of each access facility, it is difficult to establish universal standards or requirements for such access facilities. It is the responsibility of the developers to design their access facilities to suit their needs and those of the County Highway in accordance with this Ordinance. Preliminary meetings and/or conversations between the developer and the County Engineer should be held to discuss locations, basic requirements, and future changes or plans for the County Highway.

#### **5.2.4 Temporary Access**

A temporary access may be requested for a facility to be used for a limited time. The term of each will be determined on an individual basis. Circumstances under which a temporary access may be granted include construction work, special events, entrance for a residential community

that is not completely developed or other non-permanent uses. Upon written request from the permittee, renewal of a temporary access will be considered.

### **5.3 Design Speed**

The design speed to be used for designing improvements on County Highways shall be considered a value 5 MPH above the posted speed of the County Highway to which the improvement is being made. The design speed may be adjusted at the discretion of the County Engineer.

### **5.4 Sight Distance Requirements**

An access shall be located at the point of optimum sight distance along a property frontage. The placement of an access on a horizontal curve or just below the high point of a crest vertical curve on the County Highway shall be discouraged.

Safe access Sight Distances are presented in **Table 5-1**. These values shall be goals to meet or exceed when positioning an access along the property frontage.

**Table 5-1: Intersection Sight Distance for Highway Access<sup>1</sup>**

<b>Design Speed (mph)</b>	<b>Intersection Sight Distance Required (feet)</b>
30	335
35	390
40	445
45	500
50	555
55	610
60	665

<sup>1</sup> Driver's eye height shall be 3.5 feet above pavement edge.  
Driver's eye shall be 15 feet from pavement edge.  
Object height (approaching vehicle) shall be 3.5 feet above center  
of traffic lane.

For such cases, it will be at the discretion of the County Engineer to determine whether adequate sight distance exists regardless if the requirements in **Table 5-1** are met or exceeded. The County Engineer shall review the sight distance constraints on a site-specific basis and may require the use of acceleration lanes to benefit access highway operation.

If it is determined that safe sight distance is not available at any point along the frontage of a property, access may be allowed, at the developer's expense, in one of the following ways:

1. Redesign or reconstruction of the existing County Highway to correct sight distance deficiency;
2. Develop access to another roadway (in the case of corner properties);
3. Develop indirect access via a frontage road;
4. Develop indirect access via the acquisition of an access easement from an adjacent property.

## **5.5 Minor Access Design Elements**

### **5.5.1 Width of Access**

All minor accesses shall have a width between the minimum of 16 feet and the maximum of 24 feet. This width shall be measured at right angles to the centerline of the access. For commercial or industrial rural entrances, a maximum width of 35 feet shall be allowable. When applicable, access permits may be issued for common residential entrances to serve adjacent properties. These entrances shall be centered on the property line and shall not exceed the 48-foot maximum width. The access permit will be issued jointly to the two owners and must be executed by both owners.

### **5.5.2 Radius Return**

The radius returns used for residential access should be 20 feet. The radius returns may be increased to 30 feet in cases where the right-of-way is narrow, traffic volumes are large, speeds are high, or long trailers use the entrance to allow for more efficient use of the access.

### **5.5.3 Angular Placement**

The access centerline should generally be at a right angle to the pavement edge and follow this angle from the roadway to the right-of-way line. If the size and shape of the property are such that the access must be at an angle to the pavement, this angle should be parallel to the property line. However, no access shall be placed that will have a centerline angle measured from the roadway less than 75 degrees. If an approach angle less than 90 degrees must be used on an access, the access return radius and/or width should be increased to their upper limits or higher to facilitate maneuvers made difficult because of the undesirable approach angle.

### **5.5.4 Access Spacing**

**Table 5-2** summarizes the minimum private and public access spacing requirements for Collector, Local and Residential roads based on the ADT and functional classification of each highway. The Woodford County Engineer shall determine the minimum private and public access spacing requirements along County Highways within the corporate boundaries of cities and villages, as well as the unincorporated towns of Cazenovia and Low Point.

**Table 5-2: Access Spacing Guidelines**

<b>Road Classification</b>	<b>Average Daily Traffic (ADT)</b>	<b>Public Access Spacing (ft)</b>	<b>Private Access Spacing (ft)</b>	<b>Signalized Intersection Spacing (ft)</b>
<b>Residential</b>	0-400	440	100	1320
<b>Local</b>	0-400	660	440	2640
	400 and up	660	660	2640
<b>Collector</b>	0-750	660	660	2640
	750-2000	990	990	2640
	2000 and up	1320	1320	2640

**5.5.5 Distance to Adjacent Property**

No part of an access including its radius return should encroach on the frontage of the adjacent property unless approved by the County Engineer.

**5.5.6 Throat Length**

The access should be long enough such that a passenger car will park completely clear of the highway, sidewalk (if one exists), and right-of-way line of the County Highway. A minimum throat length of 50 feet from the highway edge of pavement should be considered. The throat length should also be influenced by the typical number of vehicles which will use the access and a minimum setback of 65 feet from the centerline or 30 feet from the right-of-way-line, whichever is greater (or as dictated by local ordinances), for garages and carports. It is strongly urged to provide facilities that allow vehicles to turn around within the access clear of the highway right-of-way line. Access that allows vehicles to back out onto the highway shall be discouraged.

**5.6 Major Access Design Elements**

High volume, major access facilities should meet the design standards for public road intersections with corresponding traffic volumes.

**5.6.1 Width of Access**

Major access facilities shall have a minimum width of 24 feet and a maximum width of 35 feet.

**5.6.2 Radius Return**

The radius returns used to connect the access to the roadway shall normally fall entirely within the right-of-way. It may be permitted to go outside the right-of-way if raised curbing extends into the private property. The radii will generally be between 30 and 50 feet, except for three-

centered-curves, which may have larger radii. The entrance to the development should have adequate radius returns, driveway widths, and if applicable, deceleration and turning lanes to avoid backing up traffic on the highway.

### **5.6.3 Angular Placement**

The centerline of an access should either be at right angles to the highway or parallel to the development's property line. In no case shall this angle be less than 75 degrees.

### **5.6.4 Access Location**

**Table 5-2** summarizes the minimum private and public access spacing requirements for Collector, Local and Residential roads based on the ADT and functional classification of each highway. The Woodford County Engineer shall determine the minimum private and public access spacing requirements along County Highways within the corporate boundaries of cities and villages, as well as the unincorporated towns of Cazenovia and Low Point.

### **5.6.5 Distance Between Signalized Intersections**

**Table 5-2** summarizes the minimum signalized intersection spacing requirements for Collector, Local and Residential roads based on the ADT and functional classification of each highway.

### **5.6.6 Medians**

Where a divided entrance separating entering and exiting traffic is utilized, the barrier median shall be a minimum of 4 feet wide and extend into the property as far as necessary to promote smooth traffic patterns. The median shall begin at the right-of-way line.

### **5.6.7 Throat Length**

At major access facilities, a queuing analysis using expected arrival and departure rates should be conducted to determine the appropriate throat length. A minimum length of 200 feet should be used for high volume generators such as shopping centers, office or industrial parks.

## **5.7 General Design Elements**

### **5.7.1 Access Profile**

Access profile shall conform with the minimum geometric requirements shown in **Appendix C** of this ordinance.

### **5.7.2 Drainage**

1. Accesses must be constructed so that they do not adversely affect the highway drainage or drainage of the adjacent property. The drainage and the stability of the highway sub-grade must not be impaired by access construction or roadside development. In no case

may the construction of an access cause water to flow across the highway pavement, or to pond on the shoulders or in the ditch, or result in erosion within the right-of-way. Detention basins and berms shall not be allowed on the right-of-way and must meet the requirements of 605 ILCS 5/9 115. Detention outlets may be placed in the right-of-way provided the plans of said outlet are approved by the County Engineer.

2. Drainage collected by ditches, gutters, or pipes on private property shall not be discharged into the highway drainage system unless expressly approved by the County Engineer. The permittee may be required to submit a drainage study to the County Engineer justifying the drainage system proposed and the pipe or sewer sizes to be used. Natural drainage laws and practices must be observed. Drainage for the access shall be designed in accordance with the requirements of the Bureau of Local Roads and Streets Manual.
3. Where the construction of an access necessitates crossing a highway ditch, a culvert pipe shall be installed in the ditch by the permittee. The low point of the access profile shall be at or close to the ditch line. Under no circumstances shall the ditches or gutters be filled without adequate alternate provisions for drainage being made. Headwalls shall not be used at access culverts.
4. Culvert pipe shall be of a size adequate to carry the anticipated flow in the ditch as determined by the Woodford County Highway Department and shall not be smaller than 15 inches inside diameter.
5. The structural material and gauge of the access culvert pipe shall be adequate to withstand the loads from the anticipated vehicular traffic across the drive way. The culvert shall meet the requirements of the Woodford County Highway Department. The length of the culvert may be determined as the sum of the width of the access (surfaced width and shoulder) at the ditch line and the length needed to accommodate a side slope of at least 1 vertical to 3 (preferably 4) horizontal from the access grade to the ditch with a minimum length of 30 feet regardless of the ditch depths. Along sections of highway on which some end treatments on entrance culverts were provided on original construction or by reconstruction, culverts installed under permit shall have the same or similar end treatment as specified by the Woodford County Highway Department. Permit applicants may install such end treatment on any road section at their option in lieu of equivalent culvert length.

### **5.7.3 Pavement Design**

All pavements shall be designed in accordance with the requirements contained in the latest edition of the Bureau of Local Roads and Streets Manual or the Woodford County Subdivision Code.

### **5.7.4 Pavement Crown**

The minimum crown used on all pavements shall be 3/16-inch per foot measured from the edge of the pavement to the centerline of the street.

### **5.7.5 Shoulders**

The highway shoulders adjacent to the access being constructed shall be reconstructed to match the shoulders in the immediate area, generally not less than ½-inch per foot nor greater than ¾-inch per foot.

### **5.7.6 Curb and Gutter**

1. Should an access connect with a highway which has an urban cross section complete with curb and gutter, the access shall be provided with a concrete curb and gutter, type M 6:18 for design speeds over 45 MPH and type B6:18 for design speeds 45 MPH and under, extending to the right-of-way line.
2. If drainage requirements or restricted right-of-way would warrant the use of a curbed radius return on a highway with curbless shoulders, the access curbing should be terminated at the shoulder edge with a standard terminus as specified by the Woodford County Highway Department.
3. Where a sidewalk is located close to the curb line and the access opening is to be provided across a depressed or cut curb, the sidewalk should be removed and replaced with access pavement and be warped to conform to the access profile. One or both edges of the sidewalk may be depressed across the access provided the resulting sidewalk cross slope does not exceed ½ inch per foot. In some cases, it may be necessary to discontinue the sidewalk across the access and to construct a curb along each access edge. However, curbed access must meet the necessary requirements established to allow for wheelchairs.

### **5.7.7 Cross Section and Material**

1. Access must be surfaced and well maintained to ensure that the original profile is retained, that operational speeds are not reduced by pot holes or rough surfaces, and that no damage to or deterioration of the highway pavement is caused by the condition of the access. All accesses shall be surfaced from the roadway edge to the right-of-way line. Unsuitable material must be removed and replaced with the proper base material. The type of material and thickness will be approved by the Highway Department and will depend primarily on the intended use of the access and the proposed volume and types of vehicles using the entrance.
2. Minor accesses will be required as a minimum, to be surfaced with 8” of gravel or crushed stone base. If the access is to be paved a minimum thickness of 2 ½” of asphalt over the aggregate base or 5” of concrete shall be used.
3. For major accesses and when existing County Highways are to be widened to accommodate proposed access, the design of the access and highway pavement shall be in accordance with the Bureau of Local Roads and Streets Manual or the Woodford County Subdivision Code.
4. When portions of existing highways are to be widened to accommodate proposed access facilities, the following requirements shall be met:
  - a. The existing edge of pavement to be widened shall be saw cut full depth to obtain a clean vertical face.

- b. When the widening will alter striping through traffic travel paths, the existing pavement shall be resurfaced with a minimum of 1 ½ inches, or as determined by the County Engineer, of Bituminous Concrete Surface Course over the entire width, to obliterate wheel paths and pavement markings.
5. The cross slope shall be 3/16” per foot for paved driveways and ¼” per foot for unpaved driveways.
6. The asphalt material shall meet the requirements of the County Engineer.

### **5.7.8 Auxiliary Lanes**

Auxiliary lanes may be required to provide additional capacity at access for heavy right or left turning movements and increased operational safety by removing turning vehicles from the path of through traffic. Auxiliary lanes should be designed to the same standards as auxiliary lanes found at public intersections. The improvements shall be designed to a Level Of Service D or better for all traffic movements. The improvements shall be designed for a projected traffic volume of twenty years beyond the expected year of construction.

### **5.7.9 Right-of-Way Requirements**

Right-of-Way for the access facility should be in accordance with the requirements delineated in the Woodford County Subdivision Code or as required for adjacent improvements.

### **5.7.10 Appurtenances in Right-of-Way**

No appurtenances will be allowed within the County right-of-way unless an intergovernmental agreement has been executed releasing the County from any liability or maintenance of an appurtenance (i.e. sidewalks, crosswalks, streetlights, etc.).

## **SECTION 6.0 - VIOLATIONS AND PENALTIES**

Whoever shall construct any access facility in violation of the requirements of this Ordinance shall be subject to a fine of not less than \$100.00 and not more than \$500.00 for each access facility so constructed. Each day that the access facility is in place in violation of this Ordinance shall constitute a separate offense, subject to the above penalties. This violation includes access facilities to County Roads built without permit approval, as well as approved facilities built with substandard designs and specifications.

The provisions of this Ordinance shall not be deemed exclusive and shall not be deemed to prevent the maintenance of any other action or proceeding in law or equity to enforce the provisions of this Ordinance or to vacate and remove any access facility constructed in violation of this Ordinance.

## **SECTION 7.0 - ENACTMENT, REPEALER AND SAVINGS, INTERPRETATION AND SEPARABILITY**

### **7.1 Enactment**

This Ordinance shall be in full force and effect from and after its passage according to law except for all access requests submitted prior to the adoption of this Ordinance and which have received written preliminary approval. All requests submitted prior to adoption of this Ordinance that have not been given written preliminary approval and all requests submitted after the adoption of this Ordinance shall be governed by the provisions of this Ordinance as finally enacted.

### **7.2 Repealer and Savings Clause**

#### **7.2.1 Policies**

The policies establishing rules and regulations governing access to County Highways are hereby repealed, provided such repeal shall not affect the right of the County to institute any action at law or in equity to require compliance or prosecute violations hereunder, it being the County's intention to preserve all such causes of action and not to excuse any violation under the prior rules and regulations.

#### **7.2.2 Ordinances and Resolutions**

All ordinances and/or resolutions or parts thereof in conflict with this ordinance are repealed to the extent of the conflict, provided such repeal shall not effect the right of the County to institute any action at law or in equity to require compliance or prosecute violations hereunder, it being the County's intention to preserve all such courses of action and not to excuse any violation under the prior rules and regulations.

### **7.3 Interpretation**

The County Engineer shall render any interpretations of this Ordinance, which are necessary to promote efficient administration and review of access requests. This Ordinance shall be interpreted strictly and in accordance with the standards set forth herein. Whenever any provision of this Ordinance overlaps, contradicts, or covers the same subject matter as any other provision of this Ordinance or any other County Ordinance regulation, or rule, the more restrictive or higher standard shall control.

### **7.4 Separability**

Each article, section, subsection, paragraph, subparagraph, sentence, clause, phrase, word, provision, regulation, or restriction established by this Ordinance or any amendments thereto is hereby declared separable and independent, in accordance with the following.

1. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any provision of this Ordinance not specifically included in the judgment.
2. If any court of competent jurisdiction shall adjudge invalid the application of any provisions of this Ordinance to a particular property, access, highway improvement, or access facility, such judgment shall not affect the application of the provisions to any property, access, highway improvements, or access facility not specifically included on the judgment.

## **7.5 Amendments**

### **7.5.1 County Board Action**

In order to promote the public health, safety, comfort, and general welfare, the County Board may from time to time amend the regulations imposed by this Ordinance. These amendments shall be adopted with the advice of the County Engineer.

### **7.5.2 Standards for Amendments**

Amendments to this Ordinance shall demonstrate compliance with the following standards:

- a) The proposed amendment to this Ordinance shall state in particular the article, section, subsection, paragraph, sentence, and word sought to be amended.
- b) The proposed amendment shall contain the specific language of the proposed amendment and shall recite the specific reasons for such a change.
- c) The proposed amendment shall be consistent with the intent and purpose of this Ordinance and with its various provisions.
- d) County in its statutory authority as it relates to County Highways. The proposed amendment shall not be detrimental to the safety, operation, or capacity of a County Highway.
- e) The proposed amendment shall in no manner limit, restrict, or unduly impede the County in its statutory authority as it relates to County Highways.

### **7.5.3 Appendix Amendments**

The County Engineer may amend Appendices of this Ordinance as needed, with appropriate notification to the Woodford County Board.

## **APPENDIX A – Design Standards**

## **APPENDIX B – Permit**

## **APPENDIX C – Design Geometrics**

**APPENDIX D – Woodford County Roadway Classification Map**

## **APPENDIX E – Insurance**

## **APPENDIX F – Publications**