

Ordinance # 204
Public and Private Roads and Streets Ordinance Revised 3-20-2006
Stockbridge Township

An Ordinance regulating Public and Private Roads and Streets, the use thereof, the construction and maintenance of Public and Private Road and Streets, within Stockbridge Township, the approval of Road construction, to provide for and regulate permanent access easements for the exclusive use of individual single-family residences, and to provide for the administration, enforcement, agreements for use, security for construction, and fees to defray administrative and enforcement costs incident thereto

The Township of Stockbridge Hereby Ordains:

An Ordinance under the provisions of Public Act 246 of 1945, as amended, to regulate the construction, maintenance and use of Public, Private Roads, and Streets within Stockbridge Township, the use thereof by traffic, the administration and enforcement thereof, fees to defray the administrative and enforcement costs incident thereto, and to insure that all residences and buildings within the Township of Stockbridge may be accessible to emergency police and fire protection.

Section I – Intent:

The Stockbridge Township Board hereby finds that unobstructed, safe, and continuous access of lots and parcels of real estate is necessary to promote and protect the health, safety, and welfare of the public through emergency, police and fire protection service, as well as to serve as safe and life long road for property owners. The Stockbridge Township Board further finds that such access is necessary to insure that such services can safely and quickly enter and exit private property at all times. The Stockbridge Township Board further finds that access to the interior of various sections within Stockbridge Township should be promoted through the orderly development of the Township and such access should meet minimum standards and specifications to permit the subsequent upgrading and dedication of eligible access rights of way by the Ingham County Board of Road Commissioners or other municipal corporations when public dedication is desirable or required, without future undue and unnecessary costs to abutting property owners. The procedures, standards and specifications hereinafter set forth are determined to be the minimum procedures, standards specifications necessary to meet the intent of this Ordinance.

Section II – Standards and Specifications:

All roadways, roads, streets, and access easements which are used for vehicular traffic to residences, buildings, businesses, or for the general public, except for agricultural or construction vehicles, shall comply with the following standards and specification:

- A. **Public Roads.** All roads and streets, which are dedicated to the public, shall be incorporated into the Ingham County Road Commission system and shall conform to the then current construction and maintenance standards of the Ingham County Road Commission. The Township of Stockbridge hereby delegates to the Ingham County Road Commission the function of review, inspection, and approval of all roads which have been dedicated to and accepted by the Ingham County Road Commission as public roads. If a road or street has been dedicated to the public, but the Ingham County Road Commission has not accepted said road or street within its systems as public road, for the purposes of the Ordinance such street or road shall be considered a private road or street.

All streets or roads which are intended to be dedicated to the public and currently under review or inspection by the Ingham County Road Commission, shall nevertheless comply with all of the regulations of this Ordinance, and until said dedication has been accepted, the Township of Stockbridge retains the authority to review, inspect, and improve such roads and streets as private roads and streets under Section III hereafter, provided, however, that the standards for such roads shall be the then current Ingham County Road Commission standards which are incorporated herewith by reference, except for the application of the paving materials.

- B. **Private Roads and Streets from Five to A Potential of Ten Homes.** All private roads and streets, including those, which have not been accepted for dedication by the Ingham County Road Commission into its system and those, which are under current review and inspection by the Ingham County Road Commission shall conform to the following standards. All reviewing, inspection and approvals shall be done by the Township of Stockbridge, its engineers, employees and / or officers. Each living unit of a multi dwelling home counts a one single-family residence.

1. **Width of Right-of-Way.** Minimum width of roadway easement right-of-way to be 66 feet.
2. **Connection to Public Roads.** The connection between the private road and a public road shall conform to the standards and specifications of the Ingham County Road Commission and the applicant shall obtain a street entrance permit issued by said Road Commission prior to approval of any private road by the Stockbridge Township Board.
3. **Cul-de-sacs.** Minimum 150 feet diameter turn-around at the end of the private road.
4. **Curve Radii.** Minimum 230 feet center line radius on all horizontal curves.

5. Intersections. Either aligned with an opposing street at an intersection, or have a minimum 125 feet offset. Must have 90-degree angle of intersection with public roads.
6. Construction Standards. All private road construction shall conform to the then current Ingham County Road Commission “Standard And Specifications for Plan Development and Street Construction” except for the following:
 - a. Remove all organic material.
 - b. Sand sub-base - minimum width 24 feet; minimum compacted thickness 6 inches.
 - c. 22A, 23A, 21AA, gravel surface – minimum width 22 feet; minimum compacted thickness 6 inches.
 - d. 13’ 6” overhead clearance.
 - e. Crown range from 3-5 “ per lane.
 - f. Suitable drainage- culverts where needed as determined by inspector.
 - g. Road maintenance agreement.
7. Names. Private roads must have names, approved by the Stockbridge Township Board, and a standard Ingham County street name sign shall be erected and maintained by the owner (s) at the public road connection.
8. Dedication. Private roads and streets, which are intended to be offered for dedication to the public, shall be constructed in accordance with all of the then current standards of the Ingham County Road Commission. If any parcel served by said road is the subject of a zoning permit for the construction of a building or structure, the permit shall not be issued until the road or street has been inspected, reviewed and approved as a private road or street as provided by this Ordinance.

B1. Private Roads and Streets for A Potential of Four Homes or Less. All private roads and streets, including those, which have not been accepted for dedication by the Ingham County Road Commission into its system and those, which are under current review and inspection by the Ingham County Road Commission shall conform to the following standards. All reviewing, inspection, and approvals shall be done by the Township of Stockbridge, its engineers, employees and / or officers. Each living unit of a multi dwelling home counts a one single-family residence.

1. Width of Right-of-Way. Minimum width of roadway easement right-of-way to be 66 feet.
2. Connection to Public Roads. The connection between the private road and a public road shall conform to the standards and specifications of the Ingham County Road Commission and the applicant shall obtain a street entrance permit issued by said Road Commission prior to approval of any private road by the Stockbridge Township Board.
3. Cul-de-sacs. Minimum 150 feet diameter turn-around at the end of the private road or a T within the 66 foot easement with same specifications.
4. Curve Radii. Minimum 230 feet center line radius on all horizontal curves.
5. Intersections. Either aligned with an opposing street at an intersection, or have a minimum 125 feet offset. Must have 90-degree angle of intersection with public roads.
6. Construction Standards. All private road construction shall conform to the then current Ingham County Road Commission “Standard And Specifications for Plan Development and Street Construction” except for the following:
 - a. Remove all organic material.
 - b. Sand sub-base - minimum width 22 feet; minimum compacted thickness 6 inches.
 - c. 22A, 23A, 21AA, gravel surface – minimum width 20 feet; minimum compacted thickness 6 inches.
 - d. 13’ 6” overhead clearance.
 - e. Crown range from 3-5 “ per lane.
 - f. Suitable drainage- culverts where needed as determined by inspector.
 - g. Road maintenance agreement.
7. Names. Private roads must have names, approved by the Stockbridge Township Board, and a standard Ingham County street name sign shall be erected and maintained by the owner (s) at the public road connection.

- C. Eleven or More Homes Must Have Public Roads.
- D. Permanent Access Easement. An individual parcel or lot which is to be improved, or which is improved, with a single-family residential dwelling may be served by an exclusive permanent access easement rather than a public or private road or street subject however to the following:
1. This Permanent Access Easement shall serve only one single-family residence; it shall be constructed in accordance with Section 14.36 of the Township Ordinance.
 2. The minimum width of easement shall be in accordance with Section 14.42 paragraph 1 of the Township Ordinance.
 3. Some means of turnaround must be provided, either in the easement or on the property served.
 4. The connection between the Permanent Access Easement and a public street shall conform to the standards and specifications of the Ingham County Road Commission and the applicant shall obtain a driveway permit issued by said Road Commission prior to the approval of any Permanent Access Easement by the Stockbridge Township Zoning Inspector or Ordinance Enforcement Officer. Any connection between a Permanent Access Easement and an approved Private Road shall conform to the specifications contained in Section II above, and the applicant shall secure the approval of the Stockbridge Township Board for said connection, prior to the approval of any Permanent Access Easement by the Stockbridge Township Zoning Inspector or Ordinance Enforcement Officer.

Section III – Administration:

- A. **Public Roads and Streets.** The Ingham County Road Commission shall administer this Ordinance with respect to roads and streets, which have been accepted into its system. Roads, which are under review of the Ingham County road Commission, but not yet accepted into its system, may be completed as a private road under Sub-section D, infra. All other roads, streets and permanent access easements shall be administered as provided hereafter in Sub-section C infra.
- B. **Private Roads and Streets From 5 to a potential of 10 homes.**
1. Approving Authority: Using the specifications contained in Section II, above, the Stockbridge Township Board shall have the authority to approve or deny applications for private roads and streets. In special circumstances, owing to conditions peculiar to the property, and where

literal enforcement of the specifications would result in unnecessary and undue hardship, the Board is authorized to relax the specifications, as dictated by the special circumstances. This action can be taken only after the Board reviews the comments of the Township Representative relative to the impact of the reduced specifications. The Stockbridge Township Board will then approve the application: deny the application; or approve application imposing such conditions, as it deems necessary to meet the intention and to achieve the objectives of this Ordinance. The breach of any conditions shall automatically invalidate the permit.

2. Permit Application Requirements. The application shall be made in writing, and accompanied by four (4) copies of the following information.
 - a. A legal description of the lot or parcel to be served by the private road; a legal description of the easement; the names and addresses of all persons or parties owning an interest in the title to the lots or parcels to be served and upon which the easement lies.
 - b. A survey drawing showing the outline of the proposed easement and private road; the dimensions and bearings thereof; the existing topographical contours at 2-foot intervals of the easement area and all adjacent land within 50 feet; soil characteristics, wet areas, trees, streams, and other bodies of water, and existing buildings within 50 feet of the proposed easement; the proposed easement in relation to the nearest property lines and the relocation of all proposed improvements to the easement area. The survey drawing shall be prepared by Registered Land Surveyor or Registered Civil Engineer and shall bear the seal of the same.
 - c. Plans and profile drawings and cross-sections of the proposed improvements showing clearly all materials, grades and dimensions. Such drawings and cross sections shall be prepared by a Registered Civil Engineer or Registered Land Surveyor and shall bear the seal of the same.
 - d. An agreement for construction, maintenance and improvements to the roadway, according to standards to be adopted by the Township Board. The agreement shall expressly authorize the Township and/or Ingham County Road Commission to enter the property and complete construction at the cost of the owners, in the event of default by the Permit holder. The agreement shall expressly provide that the roadway is “open to the public” for purposes of enforcement of the Uniform Traffic Code.
 - e. The application shall be signed by the property owner or his agent, in which case, it shall be accompanied by a duly executed and notarized

Power of Attorney, and shall represent that the applicant is making the application on behalf of all persons having a beneficial interest in the easement.

- f. A fee for the review of the application, inspection by the Township Representative of the plans and improvements, and other costs incurred by the Township in the consideration of Private Road Permit shall be determined, and may be modified from time to time, by Resolution of the Township Board.
 - g. A statement of the anticipated costs of construction certified by a Registered Civil Engineer or Contractor's bid, a time schedule of construction and a firm date for completion of construction.
3. Application. The application including the requirements of 2a through 2g, above, is to be submitted to the Township Building Clerk for review as to completeness, and subsequent submission to the Stockbridge Township Board. The Stockbridge Township Board shall act upon said application within 60 days. The Township Building Clerk will notify the applicant in writing of the action by the Township Board. If the Private Road Permit Application has been approved, a copy of the Permit will be forwarded to the applicant. If the application is denied, a written statement of the reasons for denial shall be given. If conditions are imposed on the granting of an application, a written statement of the conditions and the reasons therefore shall be given. The Township Board shall establish a time limit for the completion of all construction approved, including a specific time for the application of paving or other hard surfacing with respect to roads intended for dedication to the public. The Township Board shall also set the amount of Bond, which shall be required under paragraph 6, hereafter.
4. Inspection Procedure. The applicant is required to inform the Township as to progress on the roadway in order that the Township Representative can make road improvement inspections at a minimum, 1. removal of organic material, 2. placement of compacted sub-base & 3. placement of surface gravel. The Township Representative shall make a final inspection upon completion of the construction and certify the fact of completion in accordance with the terms and provisions of the permit and submit the same to the Township Building Clerk. The Township Building Clerk will then notify the Stockbridge Township Zoning Inspector of the completion of the roadway. No certificate of Zoning Compliance shall be issued by the Stockbridge Township Zoning Inspector for building upon lots or parcels of real estate which are to be provided access by means of private road, until the final inspection and certification by the Township Representative and acceptance by the Township Board has been received; except as in section 6, below.

5. Expiration of Approval. A private Road permit shall be valid for a period of two years from date of issuance. If the improvement has not been completed upon expiration of said two years, then the permit shall be void and of no force and effect.
6. Construction Bond. In the event the applicant desires to begin construction of buildings, prior to the construction of all roadway's, a Performance Bond shall be posted with the Township by the applicant to secure the completion of said public roadway. The amount of the bond will be based upon the Township Representative's professional estimate of construction costs. In the event the applicant defaults in the conditions of completion as established by the Township Board, the bond shall be forfeited to the Township and the Township will then apply the funds to the completion of said roadway.
7. Private Road Certification. The Township Board, by resolution, upon receipt of the Township Representative's final inspection report, will certify the private road in question as conforming to the standards of Stockbridge Township, and accepted as an approved private road under the provisions of this Ordinance and the Stockbridge Township Zoning Ordinance.

C. Permanent Access Easement.

1. Approving Authority. The Stockbridge Township Zoning Inspector or Ordinance Enforcement Officer.
2. Permanent Access Easement Application Requirements. The application shall be made in writing, and accompanied by two copies of the following information:
 - a. A legal description of the lot or parcel to be served by the Permanent Access Easement; a legal description of the easement, and the names and addresses of all parties owning an interest in the title to the lot or parcel to be served.
 - b. A drawing of the lot or parcel with the dimensions and bearings showing the outline of the proposed easement and placing the location of any improvements.
 - c. Driveway permit issued by the Ingham County Road Commission, if required.
 - d. Proof of registration and/or recording of the Permanent Access Easement with the Ingham County Register of Deeds.

3. The Stockbridge Township Zoning Inspector shall issue a Permanent Access Easement only if all the specifications, as contained in the paragraph C, Section II, are met by the applicant.

D. Roads and Streets Under Road Commission Review and Use Thereof Before Completion and Acceptance.

1. Approving Authority. Using the then current specifications of the Ingham County Road Commission, except for the application of the final paving materials, the Stockbridge Township Board shall have the authority to approve or deny applications for the use of roads and streets, intended to be dedicated to the use of the public and acceptance into the Ingham County Road Commission system, prior to such acceptance, as approved roads and streets for the purpose of issuance of building and zoning permits for development of benefited lands.
2. Permits Application Requirements, Application and Inspection. The application requirements, application and inspection procedure shall be the same as Sub-sections B, 2, 3, and 4, supra, which are incorporated by reference.
3. Approval. An approval of such a road or street shall be by resolution of the Township Board stating a time for acceptance of the road or street into the Ingham County Road Commission system. The application of the final paving materials is not required by such approval, but the Township Board shall establish a deadline for the final application of such paving materials. A condition of such approval shall be the posting of a construction bond to secure said construction and application of paving materials by the date established by the Township Board. The bond shall comply with all requirements of Sub-section III, B, 6, supra. The Township Board may impose any other conditions required to achieve compliance with this Ordinance, any other Ordinance of the Township, or any Federal, State or County Law, Statute, Ordinance or Regulation.

Section IV – Exemptions.

All improved private roads or access easements, serving more than one dwelling unit, which have been in existence as the date of the adoption of Stockbridge Township Ordinance No. 204, dated June 30, 1995, are exempt from the application of this ordinance, and shall be deemed to be in conformance with the standards of Ordinance No. 204 of the Stockbridge Township Zoning Ordinance, as amended.

Section V – Signs.

- A. General Requirements. Every property improved with a principal structure, dwelling, and every apartment dwelling unit, office suite, or other building space which is occupied by a separate and distinct entity, person, or business

shall meet the minimum standards established by this Ordinance and shall have affixed thereto the identification of its location required by this Ordinance.

- B. Streets and Roads. All public rights-of-way, streets, and roads shall bear the designation as have been established by the Ingham County Road Commission. Every private road authorized under this Ordinance shall bear a separate and distinct road or street name, approved by the Stockbridge Township Board and the Ingham County Road Commission, as provided by this Ordinance.
- C. Individual Street or Road Numbers and Addresses. Every principal structure located upon real estate in Stockbridge Township, including all dwellings, commercial uses, and industrial uses shall have established and maintained at all times an identification sign located at or within the street or right-of-way line on the property bearing a street or road number or address of the property. The number or address shall be that number or address which has heretofore been established by the public utilities. Every structure not identified by the public utilities shall be designated by the street or road identifying number or address as designated by the Stockbridge Township Zoning Inspector, or the Stockbridge Township's Ordinance Enforcement Officer.
- D. Apartments, Condominium, Office Suites, and Separately Occupied Building Spaces. There shall be affixed on the exterior of all apartment buildings, multiple dwellings, office suites, condominiums, and other separately occupied building spaces or complexes, separate identifying numbers or letters in clear sequential order or pattern, on signs located within six (6) feet of the exterior entrance to each dwelling unit, office, condominium or separately occupied building space.
- E. Identification Signs. The identification signs described in this Ordinance for placing along street or road right-of-way and on the exterior of building shall meet the following minimum standard
 - 1. All letters or numerals shall be at least three (3) inches high and affixed to the United States mail receptacle which serves the property, or to a sign which conforms to the provisions of the Stockbridge Township Zoning Ordinance.
 - 2. The color of numerals and letters shall be clearly distinct from the background color of the signboard or the receptacle.

Section VI – Severability

In the event that any provision or section of the within Ordinance shall be declared unconstitutional or unenforceable for any reason, such provision or section shall be severed from this Ordinance and the remaining provisions shall be enforceable without respect to the severed and unenforceable provision or section.

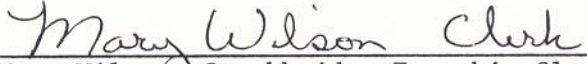
Section VII – Effective Date

The within Ordinance shall be effective Thirty (30) days after adoption and publication in the manner prescribed by law.

STATE OF MICHIGAN
COUNTY OF INGHAM

I, Mary Wilson, Stockbridge Township Clerk, do hereby certify that the within Ordinance was adapted by the following roll call vote at a regular meeting of the Stockbridge Township Board, held at the Stockbridge Township Hall, on the 20th day of March, 2006.

Ayes 4-Risner, Allen, Sommer & M Wilson
Nays 0
Absent 1- D Wilson



Mary Wilson, Stockbridge Township Clerk

Dated: 3-20-06

Publication Date: 3-28-06

Effective Date: 3-28-06