

TOWN OF CHINA, MAINE

ORDINANCE FOR THE ACCEPTANCE OF STREETS AND WAYS

Approved November 4, 2008

SECTION 1 DEFINITION

This Ordinance applies to the acceptance of new town roads, streets, ways, and/or the relocation or major alterations thereof. It does not preclude but neither does it contemplate or imply the acceptance of ways serving property occupied or used only on a seasonal basis.

Streets or ways dedicated, partially constructed, or used for public travel prior to the passage of this Ordinance shall comply with the requirements of this Ordinance before formal acceptance by the Town. Existing town roads are exempt.

SECTION 2 APPLICATIONS

Applicants for the acceptance of a new street or way must file a plan showing the following information:

- (a) The scale of the plan.
- (b) The direction of magnetic north.
- (c) The starting and ending points with relation to established roads, streets or ways.
- (d) The street lines, with relation to existing buildings and landmarks.
- (e) Dimensions, both lineal and angular, necessary for locating boundaries, and necessary for locating subdivisions, lots, easements, and building lines.
- (f) The lots as laid out on said street, and showing the names of all owners of abutting property.
- (g) All natural water ways and water courses in or in land contiguous to the said streets or ways.
- (h) The centerline of the road shall be the centerline of the road right-of-way.

With the plan, applicants shall submit a written application for acceptance, giving the following:

- (a) The name of the owner or owners of the land containing the street or way to be accepted.
- (b) The name or names of the developers.
- (c) A statement of any legal encumbrances on the property.

(d) A statement giving the proposed starting and finishing dates of the street construction.

If the proposed street or way shall contain any grade of 5% or greater, the applicant shall also submit with the plan and written application, a profile drawing showing:

- (a) The scale of the profile, both horizontal and vertical.
- (b) Proposed provision for ditching, culverts, bridges, and for storm drainage with respect to natural waterways or contours. All applications shall be made to and supporting data filed with the Selectmen of the Town of China, and approval for acceptance must be obtained before the plans are filed with the Registry of Deeds.
- (c) Submittals or plans are to be consistent with all parts of this Ordinance.

SECTION 3 SPECIFICATIONS

Roads shall be located, constructed and maintained in such a manner that minimal erosion hazard results. Adequate provisions shall be made to prevent soil erosion and sedimentation of the surface waters. For any road to be accepted by the Town, the following standards must be met. However, meeting these standards does not guarantee that the road will be accepted by the Town.

Dead-end roads should end with an approved cul-de-sac or turn-around. (See detailed drawings.)

Graded shoulders shall extend to each side of the paved section, except that no shoulder shall be required when concrete, stone, or asphalt curbing is used. A graded shoulder shall be a minimum of four (4) feet if a box section is incorporated.

Number of travel lanes	2 lanes
Width of paved travel lanes	10 feet
Width of parking lanes/shoulders	4 feet
Width of Right of Way	50 feet
Maximum Ditching Slopes	3:1 down slope and backslope
Roadway Crown	¼ inch per foot (paved)
The Crown of the road may be adjusted to take advantage of more efficient drainage and for curves in the roadway.	
Maximum Grade	10%
At intersections of highways or town roads	maximum 3%
Center line radius on curves;	(min) 150 feet
Tangent between reverse curve;	(min) 150 feet
Stabilization – Geotextiles: When deemed necessary	MDOT T-22-01
Minimum Angles at Intersection	75 degrees
Minimum Center Line Radius for Curves	150 feet
Gravel Base***	21 inches (Base & Sub base as follows):
Aggregate Sub-base Required	18 inches compacted in 6-inch lifts
Aggregate Base Gravel	3 inches

Bituminous paving (travel lanes only)

3 inches or more 2 inches (min.) binder (MDOT "B" mix or equivalent) and 1 inch (min.) wearing course (MDOT "C" or "D" mix or equivalent).

Culverts: (MDOT Approved/Accepted)

Driveway:	30 foot length (min.) 15 inch diameter (min.)
Roadway:	34 foot length (min.) 15 inch diameter (min.)
Cross-Culvert (diagonal)	36 foot length (min.) 15 inch diameter (min.)

***Specifications for aggregate subbase: Aggregate subbase must conform to MDOT 703.06 (as amended), Type 'D' (or equivalent) Gravel, of hard durable particles free from vegetable matter, lumps or balls of clay and other deleterious substances. The gradation of that part that passes a 3 inch sieve shall meet the following requirements:

- (1) ¼ inch sieve: 25 to 70 percent passing by weight
- (2) No. 40 sieve: 0 to 30 percent passing by weight
- (3) No 200 sieve: 0 to 7.0 percent passing by weight
- (4) Type 'D' aggregate shall not contain particles of rock which will not pass the 6-inch square mesh sieve.

***Specifications for aggregate base: Aggregate base must conform to MDOT 703.06 (as amended), Type 'A' Crushed Gravel, of hard durable particles free from vegetable matter, lumps or balls of clay and other deleterious substances. The gradation of that part that passes a 3 inch sieve shall meet the following requirements:

- (1) ½ inch sieve: 45 to 70 percent passing by weight
- (2) ¼ inch sieve: 30 to 55 percent passing by weight
- (3) No. 40 sieve: 0 to 20 percent passing by weight
- (4) No. 200 sieve: 0 to 5 percent passing by weight
- (5) Type 'A' aggregate shall not contain particles of rock which will not pass the 3-inch square mesh sieve.

Leveling gravel may be used to do finished grading.

Ledge: Ledge shall be removed to a minimum depth of one foot, 12", below subgrade.

SECTION 4 GRADES, INTERSECTIONS, AND SIGHT DISTANCES

- (a.) Grades of all roads shall conform in general to the terrain, so that cut and fill are minimized while maintaining the grade standards above.
- (b.) All changes in grades shall be connected by vertical curves providing for the minimum sight distances set forth below.

(c.) Where new road intersections or driveway curb-cuts are proposed, sight distances, as measured along the road onto which traffic will be turning, shall be based upon the posted speed limit and conform to the table below:

Posted Speed Limit	Sight Distance (Each Direction)
25 mph	250 feet
30 mph	300 feet
35 mph	350 feet
40 mph	400 feet
45 mph	450 feet
50 mph	500 feet
55 mph	550 feet

Where necessary, corner lots shall be cleared of all growth and sight obstructions, including ground excavation, to achieve the required visibility.

(d.) Cross (four-cornered) road intersections shall be avoided in so far as possible, except as shown in the China Comprehensive Plan or at other important traffic intersections. A minimum distance of 200 feet shall be maintained between centerlines of side streets.

SECTION 5 SLOPE EASEMENTS

Whenever the ratio of slopes for ditches, shoulders, grading and other purposes required by this Ordinance cannot be adhered to within the required fifty foot road limits, and grading or excavation is necessary beyond this width, it shall be necessary for the developer or builder to secure good and sufficient slope easements from abutting owners without cost or expense to the Town, and such rights properly indemnifying the Town shall be presented and recorded prior to any action for acceptance.

Side slopes shall be graded, limed, fertilized, and seeded according to the specifications of the erosion and sedimentation control plan.

Underground utilities shall be installed prior to road surface completion.

Erosion control procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.

Following road construction, the developer or contractor shall conduct a thorough clean-up of stumps and other debris from the entire road right-of-way. If on-site disposal of stumps and debris is proposed, the disposal site shall be indicated on the plan and be suitably covered with fill and topsoil, limed, fertilized, and seeded.

SECTION 6 DRIVEWAY ENTRANCES

Each abutting property owner or the developer, as the case may be, shall not obstruct the flow or drainage of any ditch existing on any road or street within the jurisdiction of the Town by the construction of a driveway or entrance to his property. To comply with this, all culverts that may be necessary shall be furnished by the owner or developer. On accepted streets the culvert furnished will be installed and maintained by the Town. Prior to acceptance of any street, such culverts shall be installed in accordance with this Ordinance by the property owner or developer, but will be maintained by the Town following acceptance of the street. Culvert sizes and materials shall be as specified in the specification section of this Ordinance. All new driveways on town roads require a permit issued by the Road Commissioner. Any exception requires permission by the Road Commissioner.

SECTION 7 SIDEWALKS

The Road Commissioner shall have the authority to designate whether side-walks shall be required or not, and whether sidewalks shall be constructed on both sides of the street or way or only on one designated side. Such sidewalks as are required shall abut the boundaries of the RIGHT OF WAY and shall conform to the cross-section drawing of construction details. Sidewalks should not be less than three (3') feet wide.

1. Bituminous Sidewalks:
 - a. The gravel aggregate sub-base course shall not be less than 12 (12") inches thick.
 - b. The crushed aggregate base course shall not be less than two (2") inches thick.
 - c. The hot bituminous pavement surface course shall not be less than two (2") inches after compaction.
2. Portland Cement Concrete Sidewalks:
 - a. The sand base shall not be less than six (6") inches thick.
 - b. The Portland Cement Concrete shall be reinforced with six-inch-square, number 10 wire mesh and shall not be less than four (4") inches thick.
3. Alternate Sidewalks: To be approved by Road Commissioner.

SECTION 8 UTILITIES

Longitudinal runs of water or sewer mains shall be laid outside of the twenty-eight foot roadbed and clear of any present or designated sidewalks. Utility poles shall be so placed so that any present or designated sidewalks may be contained within the boundaries of the street or way without obstruction by poles or appurtenances.

SECTION 9 INSPECTION DURING CONSTRUCTION

Whenever an application for the acceptance of a street or road is received, the Road Commissioner of the Town shall be fully informed and given all data as to layout and location. It shall be the duty of the Road Commissioner to make sufficient inspections during construction to have knowledge of compliance or non-compliance with this Ordinance and to report fully on the same upon request of the Board of Selectmen or the Planning Board.

SECTION 10 CONCURRENCE BY OTHER BOARDS

Before a road is considered for recommendation for acceptance, the applicant must submit to the Board of Selectmen or Road Commissioner, at the expense of the applicant, a written certification signed by a professional engineer registered in the State of Maine, certifying that the road(s), as built, meets or exceeds the design and construction requirements of this Ordinance.

Whenever an application for laying out and accepting any street or way is presented to the Board of Selectmen, it may refer the same to the Planning Board or Road Committee, which shall proceed to examine the application and the site. No street or way shall be presented to the Town for acceptance until the Planning Board or Road Commissioner have made a careful investigation and shall have reported to the Board of Selectmen that the provisions of this Ordinance have been complied with. Following such report by the Planning Board or Road Commissioner, the Board of Selectmen may give clearance for the construction of said road or way within the limitations of this Ordinance, and without prejudice of rights as to final recommendation for acceptance, or as to acceptance by the Town. The Board of Selectmen may require the assessment of additional fees to cover the costs of construction inspection.

SECTION 11 BOND

No street or way shall be accepted unless and until the Board of Selectmen have been furnished with a bond satisfactory to them, providing that the developer, or persons petitioning for the street or way, will be responsible for a period of two (2) years from the date of acceptance to repair any defect or condition of the street or way that is unsatisfactory to the Board of Selectmen which arises out of the failure of the developer or said petitioners to prepare said street or way to the specification provided for in this Ordinance. Said bond shall be in the minimum amount of \$50.00 per lineal foot of said street or way with actual amount to be determined and set by the Board of Selectmen. This provision may be waived at the discretion of the Board of Selectmen.

SECTION 12 RECOMMENDATION FOR ACCEPTANCE

At such time as the developer has complied with the above specifications to the satisfaction of both the Board of Selectmen and either the Planning Board or the Road Commissioner, the Selectmen may give such developer a written statement that he has complied with the specifications of the Ordinance, and that such Board will recommend the acceptance of such street or way at the next regular Town Meeting, or at a special Town Meeting called for this purpose within a reasonable and feasible time.

SECTION 13 PREVIOUS ACTIONS

The above Ordinance rescinds any previous Ordinance or actions, or any part thereof, previously approved or accepted by the Town of China, where it conflicts in any way with the above sections of this Ordinance.