

**MEADE COUNTY ROADS, STREETS, AND HIGHWAY SYSTEMS**

**MEADE COUNTY ORDINANCE 10**

**REVISED: SEPTEMBER 2023**

**AN ORDINANCE OF MEADE COUNTY, SOUTH DAKOTA PROVIDING REGULATIONS FOR ESTABLISHMENT OF A UNIFORM COUNTY ROAD, STREET, AND HIGHWAY SYSTEM INCLUDING ACQUISITION, CONSTRUCTION, AND MAINTENANCE FOR ALL PUBLIC ROADWAYS UNDER THE JURISDICTION OF THE MEADE COUNTY BOARD OF COMMISSIONERS. THIS REVISION AMENDS ALL PREVIOUS REVISIONS OF ORDINANCE**

**10.**

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## **ARTICLE 1. PURPOSE, REFERENCES, AND RESPONSIBILITIES**

### **1.1 PURPOSE**

The purpose of this ordinance is to provide a thorough explanation of the Meade County Highway System (MCHS). The following will be addressed: road classifications and specifications, new road construction standards and associated topics, adding or removing roads from the County system, and the Master Transportation Plan (MTP). Common acronyms and definitions, and reference documents will also be identified. This document and all County infrastructure are under the jurisdiction of the Meade County Board of Commissioners (MCBOC).

Unless pre-approved by the MCBOC, no labor, equipment, or material shall be used on roadways that have not been approved for County maintenance.

The whole MCHS will be made available on a Geographic Information System (GIS) and will be maintained by the Meade County Highway Department (MCHD). The MCHS will be adopted by the MCBOC through resolution.

This ordinance seeks to establish a predictable MCHS to include construction specifications for all public and private roadways in Meade County. It further intends to stipulate the conditions under which roadways will be accepted into, or retained on, the MCHS. The goal of this document is to ensure that the MCHS serves the greatest number of Meade County citizens, in the most equitable way, within our budget. The MCBOC reserves the right to exercise their best judgement in all circumstances, whether identified in this document, or unforeseeable issues outside of the document.

### **1.2 REFERENCE DOCUMENTS**

The following documents may be referenced throughout Ordinance 10: State of South Dakota Codified Laws (SDCL), Meade County Ordinance 20, Meade County MTP, Manual on Uniform Traffic Control Devices (MUTCD), SDDOT Standard Specification for Roads and Bridges, Meade County Ordinance 52, Meade County Road Classification Plan, Federal Highway Functional Classification Concepts, Criteria, and Procedures, the Gravel Road Construction and Maintenance Guide, and the most current Meade County Master Transportation Plan.

### **1.3 HIGHWAY SUPERINTENDENT AUTHORITY**

While every effort will be made to abide by the stipulations in this Ordinance, there will be instances where a waiver must be exercised. The Meade County Highway Superintendent reserves the right, at any time, to modify the requirements of this Ordinance. Whether it be new construction, reconstruction, drainages, etc., factors and conditions in the field may require deviations from requirements in this document. In these instances, the Highway Superintendent will utilize sound professional judgement in the execution of their duties.

## ARTICLE 2. ACRONYMS AND DEFINITIONS

### 2.1 ACRONYMS

ADTC	Average Daily Traffic Counts
AASHTO	American Association of State Highway Transportation Officials
CFS	Cubic Feet per Second
FAS	Federal Aid Secondary
GIS	Geographic Information System
IAW	In Accordance With
MCBOA	Meade County Board of Adjustment
MCBOC	Meade County Board of Commissioners
MCP	Meade County Planning
MCHD	Meade County Highway Department
MCHS	Meade County Highway System
MCPB	Meade County Planning Board
MgCl <sub>2</sub>	Magnesium Chloride
MMR	Minimum Maintenance Road
MTP	Master Transportation Plan
MUTCD	Manual on Uniform Traffic Control Devices
NMR	No Maintenance Road
RLR	Rural Local Road
RMC	Rural Minor Collector
ROW	Right of Way
SDCL	South Dakota Codified Law
SDDOT	South Dakota Department of Transportation
ULR	Urban Local Road
UMC	Urban Minor Collector

### 2.2 DEFINITIONS

**APPROVED FOR MAINTENANCE:** Roadways which have been included in the road inventory as eligible for maintenance.

**CHANGE OF USE:** A difference in how an approach is used from the original permitted use.

**COUNTY MAINTAINED ROAD SYSTEM:** Roads that have been adopted and included in the Meade County Highway Department's officially maintained road inventory.

**DEDICATED PUBLIC ROW:** A strip of land dedicated to the public for a road or street including utilities, above or underground, (not wind or cell towers or any tower structure). The width of the ROW is based on the typicals found in the current adopted Meade County Transportation Plan.

**ESTABLISHED COUNTY ROADWAY:** Establishment is the formal process that occurs by the MCBOC for the purpose of construction or improvement of a public road, including developing a road in a section line ROW. The County may choose to develop a road for the citizens of Meade County based on the need and availability of funds.

**FEDERAL AID SECONDARY (FAS) ROADS:** Roadways designated for improvement with secondary federal aid funds. NOTE: SDCL Chapters 31 and 32 define the source and use of revenue applicable to County roadways.

**MEADE COUNTY HIGHWAY SYSTEM:** The principal, or primary, highway system in Meade County. It is the system designated by the MCBOC and approved by the SDDOT Commission.

**Meade County Standard Specifications:** Current published standards of the SDDOT Standard Specifications for Roads and Bridges.

**Private Access Roads or Streets:** Roadways used by the property owners who live or own property off of an existing, designated County named roadway. Roadways are lightly traveled and may have a reduced width as recommended by the MCPB and approved by the MCBOC. All private access roadways shall have a minimum 66' foot ROW easement.

**Public Roadways:** Entire width of property held for any roadway under the approval of the MCBOC dedicated as a public ROW, whether held by deed, easement, dedication, or other claim of right, including bridges.

**Private Use Roads:** Roadways built on private property for private use only (i.e., roadways built on agricultural land to get to pastures or fields, roadways built within a campground, driveways, etc.).

**Road Inventory:** Identifies all County maintained roadways on the MCHS.

**Road Surface Thickness:** Measured thickness of gravel, asphalt, or similar after the designated compaction has been achieved.

**Routine Maintenance:** Process of patching asphalt, shaping gravel roads and shoulders, blading gravel roads, placing plating material gravel as needed, mowing weeds, cleaning ditches, sweeping road surfaces, placing traffic control devices, and other similar type activities.

**ROW Acquisition:** County resources may be used to obtain title for necessary ROW for MCBOC approved road projects. All ROW acquisition projects must be approved by the MCBOC.

**ROW Construction:** No construction of new public roadways, or improvements to existing public roadways within a road public ROW shall occur until an approach permit is obtained, or there is/are a roadway(s) to be constructed because of an approved final plat.

**Township Roadways:** Roadways in organized townships that are administered by a board of township supervisors.

**Utility Permit:** No public utility or other person shall dig trenches or remove trees within the ROW of a public road or cut into the surface of any public road in the County for the purpose(s) of installation, maintenance, or repair of utilities until a utility permit has been issued by the MCHD and notice has been given in writing to the MCHD of the location, nature, and duration of operations. The MCHD shall require appropriate surety before the utility permit is issued unless it is waived by the MCBOC.

**Zero County Maintenance Roadways:** Any public ROW, excluding unimproved section lines, which are not officially a County maintained road.

## **ARTICLE 3. FUNCTIONAL ROADWAY CLASSIFICATIONS AND SPECIFICATIONS**

### **3.1 ROAD CLASSIFICATIONS**

#### **3.1.1 Federal Aid Secondary (FAS) roads, or Major Arterials**

**3.1.1.1** Provide a high degree of mobility through urban and rural areas

**3.1.1.2** High traffic volumes and long trip demands which carry a high proportion of travel

3.1.1.3 Interconnects and provides continuity for all other roadways

3.1.1.4 Serves travels needs between business districts and outlying residential areas

### **3.1.2 Major North/South and West/East Connectors, or Minor Arterials**

3.1.2.1 Interconnect and augment major arterials

3.1.2.2 Serve trips of moderate lengths and usually at lower levels than major arterials

3.1.2.3 Establishes reasonable access to major arterials

3.1.2.4 Distribute traffic to smaller geographic areas

### **3.1.3 Urban Collectors**

3.1.3.1 Serves both land access and traffic circulation in lower density residential, and commercial/industrial areas

3.1.3.2 Penetrate residential neighborhoods for moderate distances

### **3.1.4 Rural Collectors**

3.1.4.1 Spaced at intervals to collect traffic from local roads and bring them to a higher echelon collector

3.1.4.2 Provides service to smaller communities

### **3.1.5 Urban Local Roads**

3.1.5.1 Provide direct access to adjacent land and to higher road systems

3.1.5.2 Roads not part of the arterial or collector systems

### **3.1.6 Rural Local Roads**

3.1.6.1 Primarily serve to provide access to adjacent land

3.1.6.2 Provides service to travel over short distances compared to higher classification categories

### **3.1.7 Minimum Maintenance Roads**

3.1.7.1 Roadways are low volume Rural Local Roads which fail to meet the infrastructure threshold of higher level Rural Local Roads

### **3.1.8 No Maintenance Roads**

**3.1.8.1** Roadways are very low volume Rural Local Roads which fail to meet the infrastructure threshold of Minimum Maintenance Roads

## **3.2 STANDARD ROAD SPECIFICATIONS – EXISTING ROADS**

### **3.2.1 Existing Dedicated Public Right-Of-Way (ROW)**

**3.2.1.1** ROW must be 120' wide for all Arterials (major and minor), and Collectors (urban and rural). Additionally, ROW must be 66' wide for Local Roads (urban and rural), and Minimum Maintenance Roads. The standard lane width shall be 12' on all County roads with a 2' shoulder having the same material as the road surface.

## **3.3 STANDARD ROAD SPECIFICATIONS – NEW OR PLANNED ROADS**

### **3.3.1 New Dedicated Public ROW**

**3.3.1.1** ROW and lane width requirements are the same as above; however, private access roadways may be allowed to have a narrower width if recommended by the Meade County Planning Board (MCPB) and approved by the MCBOC.

### **3.3.2 Private Access Roads and Streets**

**3.3.2.1** The total surface width required is 28'; however, a developer of a private access road or street may request a width variance to as narrow as 14' if it is based on low ADTC, and the developer provides information and documentation that no further subdivision development will occur along the private access road.

**3.3.2.2** Requests for a private access easement along the roadway will be considered on a case-by-case basis with the recommendation of the MCPB and approval by the MCBOC.

**3.3.2.3** All alternatives apart from this Ordinance for any roadway must be designed by a South Dakota Licensed Professional Engineer. Such plans may be considered by MCP, MCHD, MCPB, and the MCBOC. Meade County reserves the right to adjudicate these instances on a case-by-case basis and may approve or deny requests.

**3.3.2.4** Gates shall not be placed across private access roadways unless they remain unlocked at all times. All new public roads, and private access roads (not private use roads) shall have a platted ROW and width IAW above criteria. Private access roads shall have a minimum platted 66' access easement. If applicable, driveway easements that access one platted lot shall be 40' wide.

## **ARTICLE 4. ADDING/REMOVING ROADS FROM THE COUNTY SYSTEM**

### **4.1 ADDING ROADS**

Roadways which meet the requirements of Article 2 may be considered by the MCBOC to be formally added to the MCHS. With the recommendation of the Highway Superintendent, the MCBOC may waive any requirements prior to acceptance. A roadway, if accepted onto the MCHS, will be recorded in the official minutes of the MCBOC meeting.

Examples where the MCBOC may add a road to the MCHS are (1) roads that connect one County Road to another County Road, (2) roads that connect a County road to a township, municipality, state, or federal highway. In all cases, it should be demonstrated that adding the road in question to the MCHS is in the best interest of the citizens of Meade County.

To initiate this process, the public shall provide a written request to the MCHD. Requests shall include all relevant information (location, length, maps and/or plats. All requested roads must meet the requirements in Article 2. The MCHD may request additional information as necessary such as certifications from contractors, engineers, and suppliers to confirm requirements have been met.

The MCHD shall respond to every written request received and will inspect and request additional information, as necessary. The Highway Superintendent will present valid requests to the MCBOC and address their questions. If the MCBOC decides on the request, the MCHD will provide a written response of their decision to the original requestor.

### **4.2 REMOVING ROADS**

The process for removing roads from the MCHS is found in Chapter 31 of SDCL. The Highway Superintendent may present to the MCBOC roads which they feel should be considered for removal from the MCHS. The Highway Superintendent shall consider several variables prior to making this recommendation. The list includes, but is not limited, to maintenance costs, households and/or properties served, traffic counts, etc. In every case, and IAW with SDCL, the MCBOC will decide on the roadway. Decisions will be recorded in the official minutes of the MCBOC meeting.

## **ARTICLE 5. ROAD/STREET NAMING AND RENAMING EXISTING ROAD/STREET**

### **5.1 STANDARDIZATION OF ROAD/STREET NAMING**

- 5.1.1** Meade County 911 Addressing/Planning Office will approve all road/street names, public or private, to ensure that the proposed road/street name is compatible and future addressing will not cause conflict with the current 911 system.
- 5.1.2** Variations of the same name with a different road/street designation shall be prohibited (Example Pine St., Pine Dr., Pine Pl.) within the county.
- 5.1.3** Similar variations of two-word road/street titles shall be prohibited, (Example Elk Creek Rd., Elk Lake Rd., Big Elk Rd.) within the county.
- 5.1.4** For subdivisions, approved road/street names shall be provided on the final plat map. Road/street names shall be submitted and approved prior to final plat processing. (See Ordinance 20 for subdivision regulations).



## **5.2 PROCEDURES FOR REQUESTING TO RENAME AN EXISTING ROAD/STREET**

- 5.2.1** Applicants may request to rename an existing public road/street. An application form provided by the Planning Office along with a nonrefundable payment of the application fee (set by Resolution by the Commissioners within the Fee Schedule), must be submitted. It is the responsibility and requirement of the applicant(s) to provide the Planning Office with a prioritized list of names for the desired road/street name, (minimum of 3) that are acceptable to a 2/3rds majority (67%) of the property owners abutting the road/street in question.
- 5.2.2** Upon submitting the completed application and fee, the Planning Office will send a copy of the application to the Meade County Sheriff and Highway Superintendent. Upon their approval, including verifying the proposed road name change with the applicable US Postmaster, the Planning Office will place the road/street name request on the Commission Agenda. The Commissioners will make the final decision.
- 5.2.3** The applicant must notify all landowners abutting the road/street proposed to be renamed by certified mail, a minimum of 14 days before the date of the Commission Meeting when the application will be considered. Copies of the Certified Mail Receipt must be delivered to the Planning Office no later than 7 days before the scheduled Commission Meeting.
- 5.2.4** If the road/street renaming request is granted by the Commissioners, the applicant(s) must immediately pay the costs to replace the applicable road/street signs, including labor and mileage of the Highway Department staff that will complete the work. Payment must be received by the County before any signs are ordered and before any work is initiated.
- 5.2.4.1** Certified mail must be sent by the applicant to the abutting landowners within 10 days with notice of the approved renaming that will take effect 90 days from the date of the Commissioners' approval.
- 5.2.4.2** Certified Mail Receipts for the approval notifications required within 5.2.4.1, must be delivered to the Planning Office within 14 days from date of the Commission Approval. Failure to deliver the certified mailing receipts will result in an automatic denial of the approved application with no refund.
- 5.2.5** Failure to pay the costs to replace the applicable road/street signs including labor and mileage within 30 days of Commissioners' approval will result in an automatic denial of the application with no refund.
- 5.2.6** If the road/street application is denied that particular road/street will not be considered by the Commissioners for renaming, nor application accepted, for one year from the date of the denial.

## **ARTICLE 6. NEW ROAD CONSTRUCTION STANDARDS**

### **6.1 MINIMUM CONSTRUCTION STANDARDS**

Meade County has adopted the current 'SDDOT Standard Specifications for Roads and Bridges' as the County's minimum construction standards and specifications:

### **6.2 RECOMMENDED CONSTRUCTION STANDARDS**

The recommended construction standards are identified in Appendix A of this Ordinance, and in the most current Meade County MTP. These criteria shall be applied and followed in the construction and/or reconstruction of roadways in Meade County. Road design shall be consistent with the most current published standards of the American Association of State Highway Transportation Officials (AASHTO). The following construction standards shall be met.

- 6.2.1** Maximum grade for any road or section of road shall not exceed 10%. The only exception is up to 12% for mountainous subdivision roadways which requires notification to the local fire department, review of the Planning Board, and approval of the Commission.
- 6.2.2** Maximum degree of curvature shall not exceed 21%.
- 6.2.3** Minimum crown shall be 4% for gravel surfaces, 2% for asphalt, chip seal, or blotter surfaces, and 2% for concrete surfaces. Maximum superelevation rate in curves shall comply with AASHTO standards.
- 6.2.4** Culverts shall be sized to assure proper drainage. Unless otherwise directed by the Highway Department, the minimum allowable culvert size shall be 15" diameter of corrugated metal pipe or reinforced concrete pipe or corrugated polyethylene pipe or high density polyethylene pipe. All culverts shall comply with Section 450 of the current SDDOT Standard Specifications for Roads and Bridges. Culverts that cross any public right-of-way must have flared ends.
- 6.2.5** Gravel surfacing shall comply with Section 260 of the current SDDOT Standard Specifications for Roads and Bridges, with a minimum gravel thickness of 6".
- 6.2.6** Before any gravel or hard surfacing is applied, the subbase of the proposed roadway must be scarified to a depth of 8". The moisture must be adjusted, and the subbase must be recompacted to 95% of maximum density per ASTM D1557. A Proctor Test and a minimum of four moisture density tests must be completed by a Geotechnical Engineering Firm to ensure the 95% subgrade compaction requirement is met. Test results must be submitted to the MCHD Office as part of the subgrade inspection requirements.
- 6.2.7** Asphalt and concrete construction methods and materials shall comply with Sections 320, 380, and 460 of the current SDDOT Standard Specifications for Roads and Bridges.
- 6.2.8** All dead-end roads shall have cul-de-sacs with a minimum ROW radius of 65' (130' diameter), and a minimum surface radius of 50'.
- 6.2.9** All accesses and approaches shall be constructed perpendicular and level to the County Road. Sight distances of approaches shall comply with AASHTO standards. Maximum grade on an approach shall not exceed 5% within the ROW, and the width shall be approved by the MCHD. Driveway approaches shall be spaced at a minimum of 500' intervals along County arterials and collectors. Driveway approaches shall be spaced at a minimum of 150' intervals along County local roads, or as determined by the MCHD. All driveway approaches require a permit from the MCHD. Existing approaches that have a change of use will require an additional approach permit.

- 6.2.10** Road widths shall comply with the Meade County MTP for its type of classification. Unless otherwise determined by the MCHD, minimum road widths shall be 24' wide with 2' shoulders.
- 6.2.11** Gravel roads shall have 6" of compacted crushed gravel. Gravel used shall comply with 'Part B: Granular Bases and Surfacing' of the current SDDOT Standard Specifications for Roads and Bridges.
- 6.2.12** Local asphalt roadways shall be constructed with two lifts of asphalt with a total minimum thickness of 4". All other asphalt roadways shall be designed by a South Dakota Licensed Professional Engineer.
- 6.2.13** All asphalt or concrete surfaces shall have 9" of aggregate base compacted to 95% of maximum density per ASTM D1557.
- 6.2.14** Creation of a 'Five-Point' intersection' shall not be permitted. Intersections of local residential streets with another roadway must be 90-degree right angles with a minimum of 25' fillets.
- 6.2.15** Vertical curves shall be constructed in such a way as to prevent abrupt changes and shall be approved by the MCHD.
- 6.2.16** Minimum radius or horizontal curvature on the centerline shall not be less than 100' feet. Clear horizontal visibility, measured along the centerline, shall be equal to or exceed AASHTO standards for the design speed of the roadway.
- 6.2.17** Alleys shall have a 40' ROW and a minimum road surface width of 20'.
- 6.2.18** All signage shall comply with MUTCD standards. Signs may be ordered by the MCHD and must be paid for by the developer.
- 6.2.19** All Portland Cement concrete pavement and Portland Cement concrete curb and gutter shall be constructed and comply with the current SDDOT Standard Specifications for Roads and Bridges. Additionally, they must be designed by a South Dakota Licensed Professional Engineer.
- 6.2.20** Deceleration, acceleration, and left-turn lanes (Auxiliary Lanes) shall be designed by a South Dakota Licensed Professional Engineer and comply with the current SDDOT Standard Specifications for Roads and Bridges and with Ordinance 20. Developers and their South Dakota Licensed Professional Engineer must coordinate and have approval from the Highway Department for the addition of Auxiliary lanes.
- 6.2.21** Erosion controls shall comply with Meade County Ordinance 52.
- 6.2.22** Roadways constructed on a section line ROW, including roads classified as local road, arterial road, and collector road, shall be designed by a South Dakota Licensed Professional Engineer, and must be bonded for at 130% of the cost of construction based on the Engineering Estimate. For vacation of section line ROW, see Meade County Ordinance 20.
- 6.2.23** Cattle/livestock guards which cross a public roadway must extend the entire width of the driving surface but in all cases must be no less than 24' wide, and they must

comply with the current SDDOT Standard Specifications for Roads and Bridges. Cattle/livestock guards which cross a public roadway require a permit from the Highway Department along with a permit fee (the amount set by resolution of the Commission), which must be approved by the Commission with a recommendation from the Meade County Highway Superintendent.

**6.2.23.1** The installation of the cattle/livestock guard shall not interfere with public travel.

**6.2.23.2** The grade of the cattle/livestock guard shall not at any point exceed 1' in 20' and the cattle/livestock guard shall be set to the existing grade of the public roadway.

**6.2.23.3** The landowner must provide on one side of the cattle/livestock guard a gate at least 20' wide, when the Highway Department determines the passage is too restricted.

**6.2.23.4** After placement, any cattle/livestock guard within the public roadway will be the responsibility of the current landowner to maintain, repair, and clean out throughout the life of the cattle guard. Repairs or replacement of cattle/livestock guards must be completed within 10 days upon receiving notification from the Highway Department of the disrepair or damage.

**6.2.23.5** Neither the County or its employees are responsible for any damages which may occur to the cattle/livestock guard, including but not limited to the structure, dirt/gravel, or snow that may go into the cattle/livestock guard. The current landowner will remain responsible for all damage to vehicles, livestock or any other injury that may occur resulting from the cattle/livestock guard.

**6.2.23.6** All cattle/livestock guards must meet and be installed according to the current SDDOT Standards and Specifications 610 per Standard Plates 610.01, 610.02 and 610.03.

**6.2.23.7** The Highway Superintendent, under the direction of the Commission, has the authority to order the removal of a cattle/livestock guard at the current landowner's expense when the guard is no longer in use or is in disrepair. SDCL 31-25-6.

**6.2.23.8** Existing cattle/livestock cattle/livestock guards must be in compliance with SDCL 31-25-1 through 31-25-9.

**6.2.24** Foreslope and back-slope for drainage ditches off a public roadway shall have a maximum slope of 4:1 and a minimum slope of 3:1. Ditch bottoms shall be flat. The width of the ditch bottom shall be 2' wide for Local Roads and 4' wide for Arterial and Collector Roads. If site conditions inhibit the feasibility of meeting these standards, a variance will be required. Back-slope(s) that is steeper than 3:1 will require temporary construction easement(s) or permanent easement(s) to meet the minimum slope requirements.

**6.2.25** All utility lines installed within the ROW shall comply with the Meade County Utility Permit process.

### **6.3 INSPECTION REQUIREMENTS FOR ROAD CONSTRUCTION**

**6.3.1** The MCHD in conjunction with MCP staff will review and approve all road construction plans.

**6.3.2** The MCHD and MCP staff will inspect the subgrade of all road construction and will approve the subgrade including approaches, culverts and ditches before any surface material is applied. It will be the developer and/or road contractor's responsibility to notify the MCHD 48 hours in advance for an inspection.

**6.3.3** The MCHD and MCP staff will inspect the surface finish of all road construction which must be approved. It will be the developer and/or road contractor's responsibility to notify the MCHD and MCP Office 48 hours in advance for an inspection.

## **ARTICLE 7. MASTER TRANSPORTATION PLAN (MTP)**

**7.1** All information contained in the Meade County MTP is considered a part of this Ordinance. This includes functional classification of roadways, typical road sections, ROW widths, future roads, access management, geometrics, roadway design standards, and transportation impacts and financing.

## **ARTICLE 8. VARIANCES, VIOLATIONS, AND PENALTIES**

### **8.1 VARIANCES**

**8.1.1** The Meade County Board of Adjustment (MCBOA) shall hear and decide appeals and requests for variances from the terms of this Ordinance. The MCBOA may base its determination on technical justifications and reserves the right to attach conditions to variances as necessary to further the purposes and objectives of this Ordinance.

**8.1.2** An application is required for a variance request and is available online or at the MC Office. Appropriate County personnel will make a formal request to the MCBOC to set a date/time for a public hearing for the variance request.

### **8.2 VIOLATION AND PENALTIES**

**8.2.1** Violation of this ordinance shall be a Class 2 misdemeanor and each day's violation shall constitute a separate offense. In addition to the penalty set forth above, the MCBOC may immediately suspend all the permits and/or construction activities which do not meet the requirements of this Ordinance through court action, or injunction. If a suspension occurs, the reasons for such suspension shall be clearly stated by the Courts or the MCBOC. The suspension on permits or construction activities shall be lifted by the MCBOC upon satisfactory approval that the reasons which led to the suspension have been remedied.

## **ARTICLE 9. SEVERABILITY AND SEPARABILITY**

**9.1** Should any Article, Section, Sub-Section, or Provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

**ARTICLE 10. EFFECTIVE DATE**

(Revised) Ordinance 10 shall take effect and be in force from and after 20 days from the date of completed publication. Adopted this 24<sup>th</sup> day of October, 2023.

Dated at Sturgis, South Dakota, this 24<sup>th</sup> day of October, 2023.

Chairperson:   
Meade County Commissioner

Attested:   
Meade County Auditor

First Reading:	September 28, 2021
Second Reading:	October 12, 2021
Adopted:	October 12, 2021
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Revision to Ordinance 10

First Reading:	Date: September 26 <sup>th</sup> & October 10, 2023
Second Reading:	Date: October 24 <sup>th</sup> , 2023
Adopted:	Date: October 24, 2023
Published:	Date(s): November 1, 2023
Effective:	Date: November 21, 2023

## **APPENDIX A. New Road Construction Standards**

### **1.0 EROSION CONTROL AND SEEDING**

All ditches and ROWs that have been disturbed while constructing a new roadway, or portions of an existing road, shall be commercially hydroseeded IAW SDDOT standard specifications. Alternative erosion control and seeding methods meeting the requirements of the most current version of the SDDOT Standard Specifications for Roads and Bridges may be used.

#### **1.1 TOPSOIL**

Topsoil thickness shall be a minimum of 4" in all areas that are to be hydroseeded.

### **1.2 FINISH GRADE OF DISTURBED SURFACE SOILS**

**1.2.1** Finish grades shall be those shown on the plans and may have a tolerance of 0.1'. Where no grades are shown, areas shall have a smooth and continual grade between existing or fixed controls (such as sidewalks, curbs, and elevations at steps of buildings), and elevations shown on plans. All finish grades shall meet approval of Meade County.

**1.0.2.2** Finish grading shall consist of uniformly and thoroughly cultivating soil to a minimum of 4" by utilizing the appropriate power equipment. Areas inaccessible to power equipment shall be cultivated by hand.

**1.0.2.3** After tilling, all areas shall be brought to uniform grade by floating or hand raking. Remove stones or foreign matter over 2" in diameter from top 2" of soil.

**1.0.2.4** Soil adjacent to curbs, paved areas, or landscape edging shall be finished at 1" below top of edging or pavement.

**1.0.2.5** Grade lawn areas to finish grades, filling as needed, or removing surplus dirt and floating areas to a smooth uniform grade as indicated on the plans. All lawn areas shall slope to drain.

#### **1.0.3 MAINTENANCE, REPAIRS, AND REHABILITATION**

**1.0.3.1** Maintenance, Repairs and Rehabilitation of existing public roads or streets shall follow SD95-16-G2 Rural Road Design, Maintenance and Rehabilitation Guide unless the MCBOC adopts another standard by resolution.

**1.0.3.2** Contractor shall maintain hydroseeded areas until final project acceptance, including repair of erosion control devices and replacing mulch areas damaged by wind, rain, or other causes.

**1.0.3.3** After the project is closed out, the owner/developer or contractor is required to have an 80% grass growth rate and must remove all erosion control devices with County approval.

## **2.0 COMPACTION CONTROL**

### **2.0.1 BACKFILL MATERIAL**

Material shall be free from topsoil, vegetative matter, cinder, ashes, refuse, organic matter, or other unsuitable foreign substances. Frozen material may not be used.

### **2.0.2 COMPACTION METHODS**

The following soil compaction requirements shall be achieved when placing satisfactory cohesive and/or cohesion less embankment materials in 4" to 8" layers and compacting by appropriate means to the designated percentage of maximum dry density as determined by modified Proctor Test ASTM 0-698. Road surface materials as gravel and asphalt must be compacted to 95% of the maximum density for each type of material.

## **3.0 DUST CONTROL**

All developers and/or contractors shall prevent, reduce, or mitigate fugitive dust emissions on construction sites by continual watering, or mag watering, as required.

## **4.0 DRAINAGE**

**4.0.1** Drainage requirements on all roadways in Meade County shall comply with the current SDDOT Standard Specifications for Roads and Bridges.

**4.0.2** Pipe culverts and drainage tubing shall comply with the current SDDOT Standard Specifications for Roads and Bridges.

**4.0.3** Drainage and flood control shall comply with Meade County Flood Control Ordinance 9.

**4.0.4** The nature of the land use should not in itself impede surface water runoff and would not be subject to appreciable damage by inundation or that the area must be filled or improved in such a manner as to prevent such periodic inundation, provided that such fill does not retard the flow of surface waters or result in increasing the water level endangering life and property of others.

**4.0.5** Storm Sewers shall be designed IAW accepted engineering practices and are subject to approval by the MCHD and/or Planning Official.

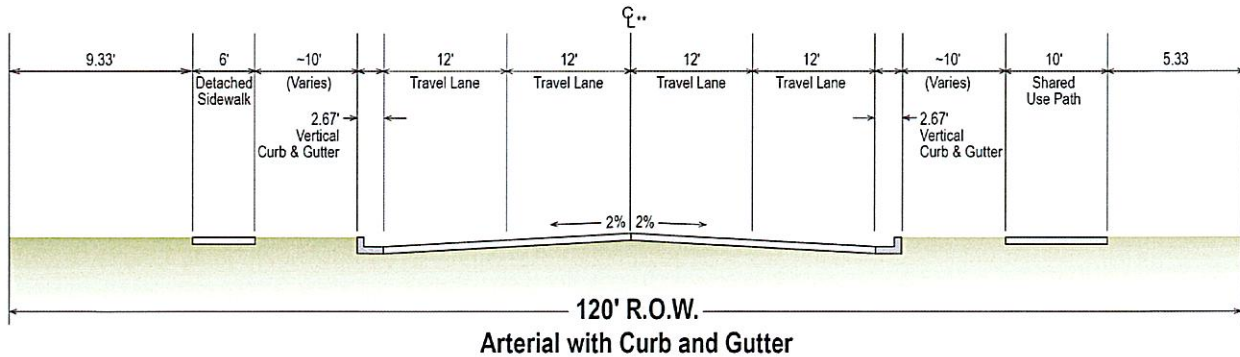
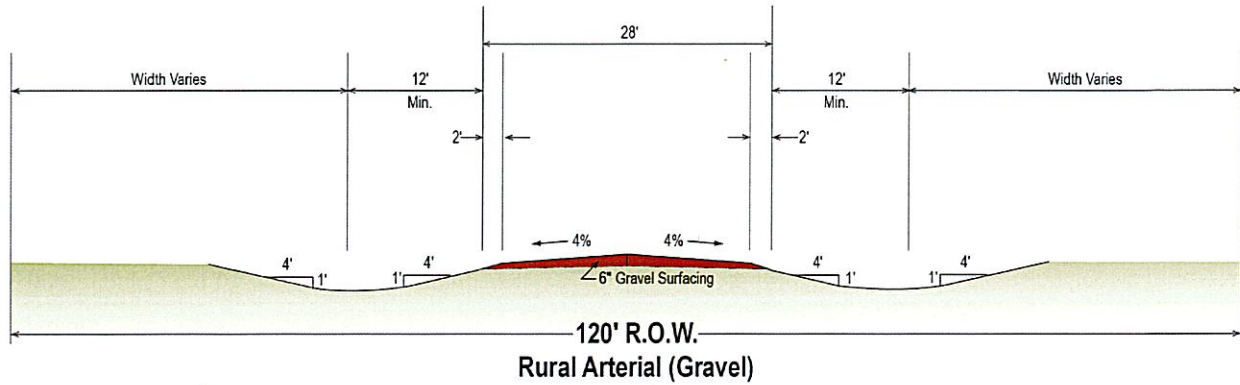
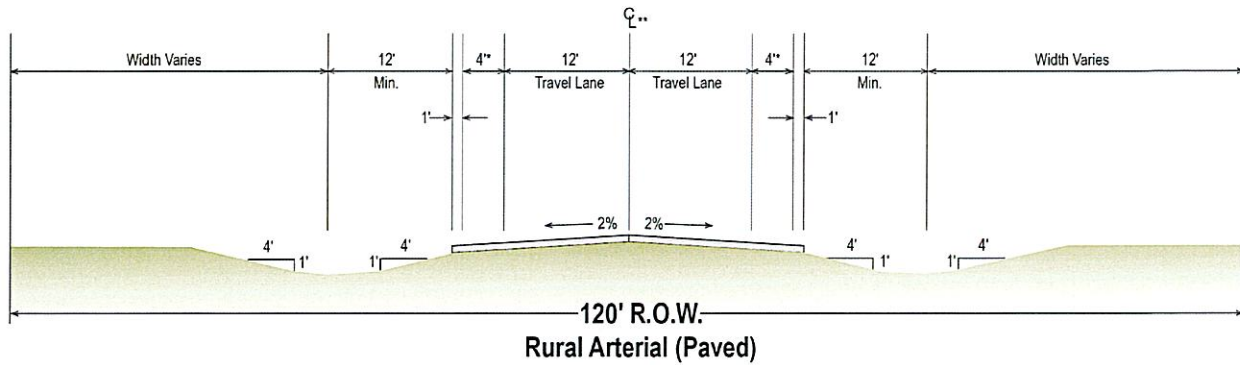
**4.0.6** Grading design shall use natural drainage ways for drainage where possible and shall not cause or increase erosion conditions within or adjoining the site.

**4.0.7** Unless the MCHD determines alternative design criteria are warranted based on the characteristics of the proposed development or locale, drainage systems for roadways classified as collectors or arterials shall be designed for a 50-year storm event. Drainage systems for all other roadways shall be designed for a 25-year storm event.

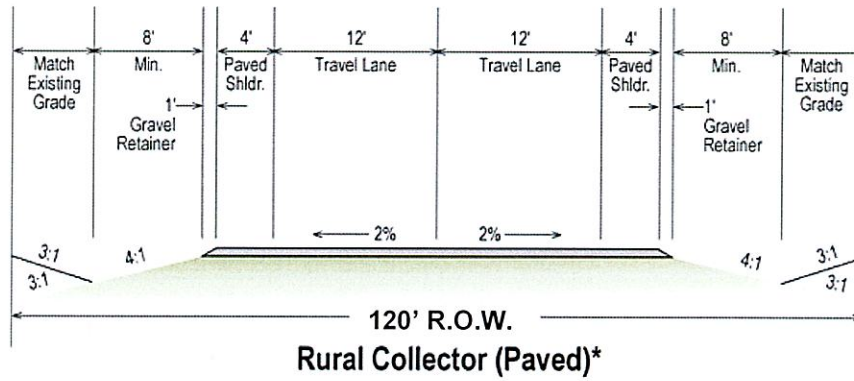
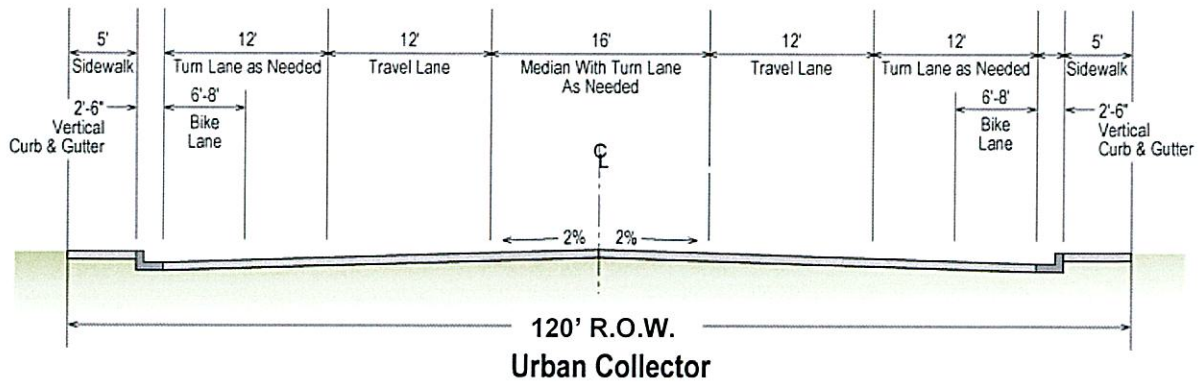
**4.0.8** Exceptions to above criteria are (1) open stormwater runoff drainage systems within ROWs shall be designed to maintain flows below 10 cubic feet per second (CFS), and the depth of flow shall not exceed the depth of the ditch, and (2) wherever possible, drainage from ROWs shall flow in an easement along lot lines.



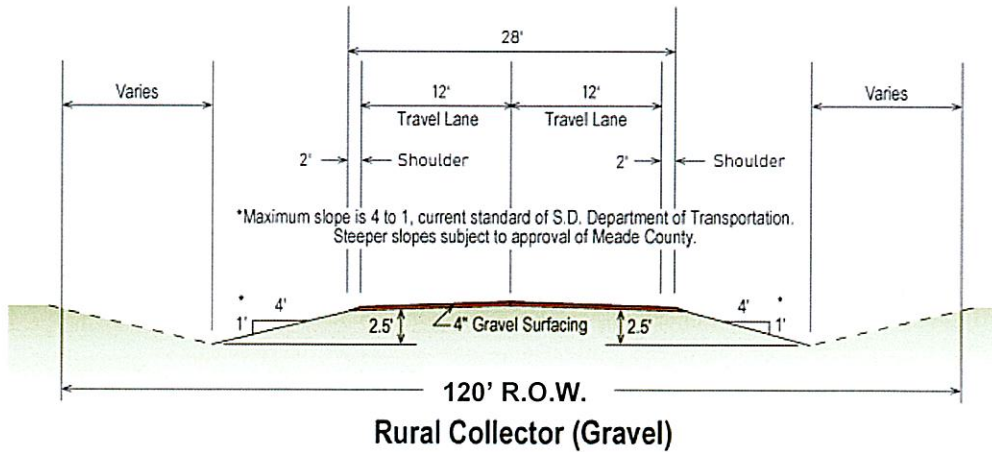
**APPENDIX B. Profiles and County Typicals**

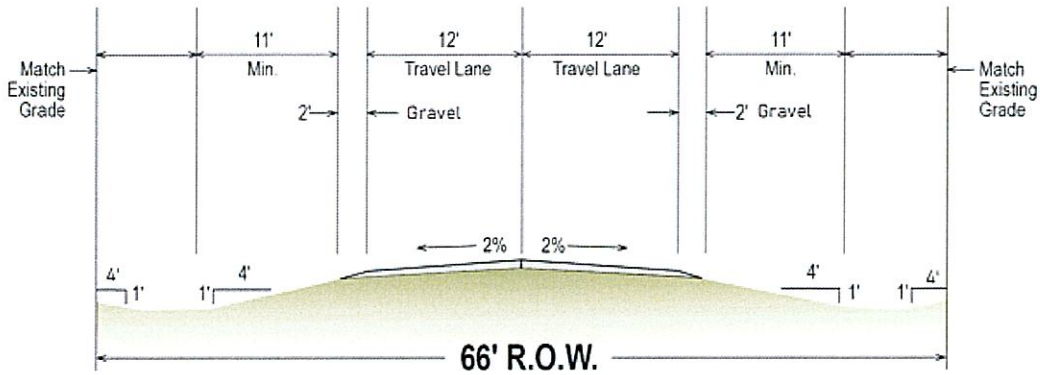


\* Shoulder width depends on alternate mode demand  
 \*\* Center left turn lane to be provided as needed  
 Maximum slope is 4 to 1, current standard of S.D. Department of Transportation.  
 Steeper slopes subject to approval of Meade County.



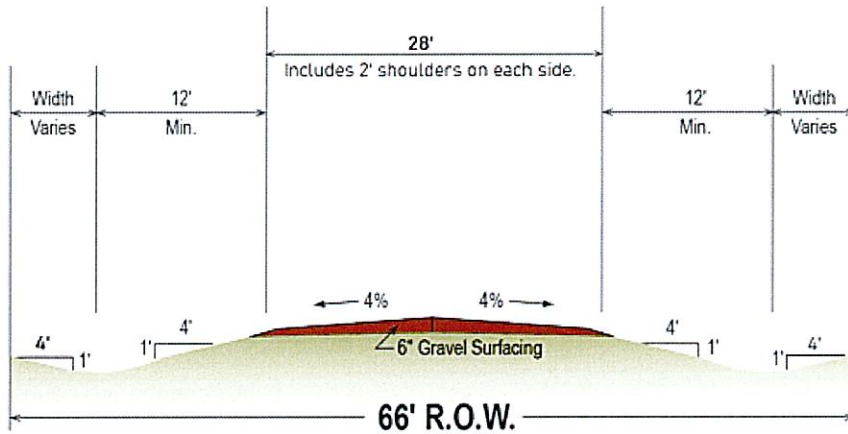
\*Right-of-way may be increased to accommodate ancillary lanes (i.e. ATV / bike)



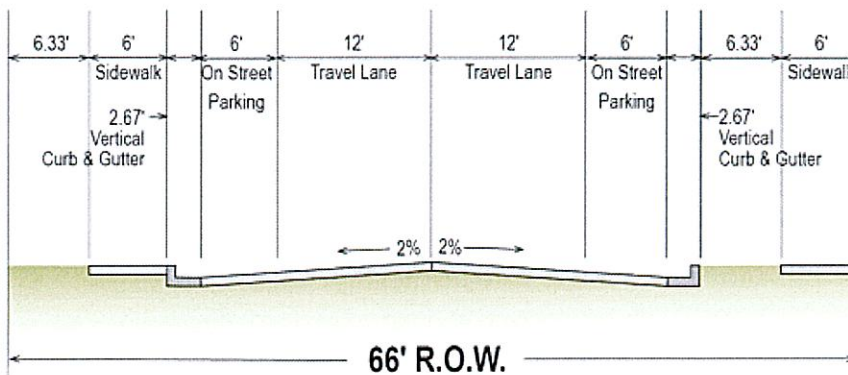


**Rural Local (Paved)**

Right-of-way may be increased to accommodate ancillary lanes (i.e. ATV / bike)



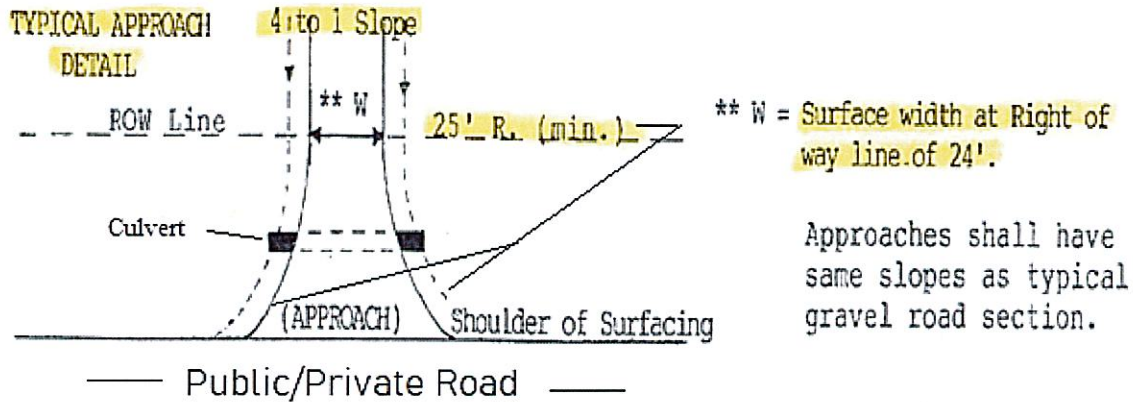
**Rural Local (Gravel)**



**Local with Curb and Gutter**

Maximum slope is 4 to 1, current standard of S.D. Department of Transportation.  
 Steeper slopes subject to approval of Meade County.

## APPENDIX C. APPROACH TYPICALS



### 1.0 STANDARDS

- 1.0.1 Approaches shall be constructed perpendicular to the public or private road it intersects.
- 1.0.2 Culverts shall be sized to assure proper drainage. The culvert size shall be determined by the Highway Dept. or shall be engineered by a SD Professional Engineer. The Highway Superintendent will determine if an engineering design for a culvert is required based on the type and size of the drainage area. In all cases, the absolute minimum culvert size shall be a 15-inch corrugated metal pipe or reinforced concrete pipe or corrugated polyethylene pipe or high density polyethylene pipe.
- 1.0.3 See this ordinance for approach standards Section 6.2.9.
- 1.0.4 Not all approach locations listed on the application will be approved by the Highway Department. Approach locations determined to be "unsafe" by the Highway Superintendent, will not be approved and alternative location may be required.
- 1.0.5 Approaches within a Road District, Township, or Sanitary District with Road District powers must be approved by the applicable entity.
- 1.0.6 Approaches being applied for on any property adjoining a city boundary require approval from the adjoining city.