

CITY OF JACKSON

STREET IMPROVEMENT POLICY

Established by

Ordinance No. 01-17

Approved March 5, 2001

**CITY OF JACKSON
STREET IMPROVEMENT POLICY**

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CITY OF JACKSON
STREET IMPROVEMENT POLICY
REVISED 2000

PREAMBLE

WHEREAS, the City of Jackson believes it essential to develop a comprehensive street improvement policy; and

WHEREAS, the City of Jackson has a number of streets which it desires to improve by construction or reconstruction and construction of curbs and gutters; and

WHEREAS, The City of Jackson has a number of unpaved and/or substandard streets which it desires to improve by paving and construction of curbs and gutters and storm water facilities or by asphalt overlay; and

WHEREAS, the cost of general maintenance of substandard streets (i.e. graveled, oiled, chip and sealed, and partially asphalt) creates a financial drain on the City and an indirect tax on the general public; and

WHEREAS, the construction of streets with concrete curb and gutters and storm water facilities reduces the cost of maintenance, increases the life of the street, aids in the correction of storm water problems and improves the valuation of property; and

WHEREAS, the City made certain commitments on the initial use of transportation sales tax revenue, which projects have either been completed or will be completed in the 2000 budget year; and

WHEREAS, the City acknowledges that arterial and collector streets and those situated in the Central Business District (C-3) provide a benefit to all residents as well as adjoining property owners so as to justify the use of city funds to construct and reconstruct same; and

WHEREAS, the Board of Aldermen is desirous of establishing a uniform policy for the improvement of its streets.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That the following policy is hereby established as the official City of Jackson Street Improvement Policy:

POLICY

ARTICLE I. DEFINITIONS.

The following words and phrases shall, for the purposes of this policy, have the following meanings:

- A. *"Asphalt overlay - unpaved"* shall mean the placement of three (3) or more inches of asphalt as well as other-required subgrade materials over an existing unpaved street.
- B. *"Asphalt overlay - paved"* shall mean the placement of three (3) inches or less of asphalt materials over an existing paved street.
- C. *"Central business district"* shall mean any area zoned C-3.
- D. *"Engineered Street"* shall mean streets which include curb and gutters, storm water controls, and a designed grade, all of which are included and approved in accordance with the City's standard street specifications.
- E. *"Local streets"* shall mean residential streets as defined in the Code of Ordinances.
- F. *"New construction and/ or reconstruction"* shall mean the removal or partial removal of the existing pavement and the replacement of same in accordance with the city street standards. This includes concrete and asphalt engineered streets based upon City standard street specifications. Words used in this context shall not mean general maintenance, minor repair or overlay.
- G. *"Partially asphalt "* shall mean gravel or "chip and seal" streets which have been patched or repaired with asphalt concrete or hot mix. (This definition does not include streets which have been overlaid or paved with asphalt concrete or concrete by order or direction of the Board of Aldermen).
- H. *"Residential, "collector" and "arterial"* streets are defined in Missouri Statute and the Code of Ordinances.
- I. *"Undeveloped but platted "* or any combination thereof shall mean a street which has previously been platted but has not been put to grade and/or paved in accordance with city street standards.

ARTICLE II . GENERALLY.

A. *Construction Guidelines.*

Design and construction of all new streets, either new or reconstruction, shall adhere to the following guidelines:

1. All new construction and reconstruction projects, except asphalt overlay streets improved in accordance with this provision, shall include curb and gutter and conform to the City Street Standard Specifications;
2. All new construction and reconstruction projects shall be preceded by the placement or replacement of infrastructure and utilities as needed;
3. Driveways will be the responsibility of the property owner, except that the City' s contractor will replace anything damaged or removed during construction with like material; and
4. The City will back fill with clean top soil, finish, grade and seed the areas behind the curb.

B. *Major Street Plan Compliance.*

1. The City shall pay the difference in the cost of paving any street required by the Major Street Plan or city directive to be wider or thicker than a residential street in residential zones.
2. The City shall pay the cost of bridges or other methods of stream or water course crossing through City transportation sales tax as availability of funds allow on streets designated arterial or collector streets on the City's Major Street Plan.

C. *Sidewalks.*

1. Sidewalks shall be installed in all new and reconstructed streets where existing and tax billed to property owners.
2. If more than 50% of the abutting property owners owning more than 50% of the lineal footage of any street petition for sidewalks they shall be constructed under Chapter 88 RSMo. and assessed 100% to the property owners.
3. All new sidewalk construction shall conform to City Street and sidewalk standards design and construction specifications as well as the City' s land subdivision regulations.

ARTICLE III. EXISTING STREETS.

A. Existing Graveled, Oiled, Chip & Sealed, Partially Asphalt Streets.

1. As a result of the difficulty and expense to the City of maintaining gravelled, oiled, chip and sealed, and partially asphalt streets, the City shall not, from the date hereof, improve said streets other than is provided herein.
2. In the event a property owner on a gravel street submits to the City a petition for dust control, the City shall water or chemically treat said street to retard dust, provided, however, that more than a majority of the property owners on the abutting street pay in advance the cost of the dust retardant and application thereof (total cost regardless of number of participants);
3. In the event that a property owner(s) on a gravel street submits to the City a written request for an asphalt overlay, the City shall approve the overlay, provided, however, that:
 - a. Either all or part of the property owners shall pay to the City the full amount of 100% of the overlay estimate in advance, and
 - b. A majority of the property owners owning a majority of the front feet of said street duly acknowledge in writing that the street has not been engineered and that they shall not oppose normal street construction with concrete and curb and gutter should the City Engineer deem it necessary.

The design of any such asphalt overlay shall be reviewed and approved by the City Engineer. Prior to any overlay work, the City may coordinate and arrange for any drainage ditch and other preparation work as deemed necessary. However, all property owners shall take any appropriate action to ensure storm water protection. Pre-existing public alleys shall not be eligible for asphalt overlay.

B. Existing Local, Arterial, and Collector Streets With or Without Curbs and Gutters and Storm Water Control.

Existing local, collector, and arterial streets with or without curbs and gutters and storm water control shall be repaired or replaced when necessary by the City at no cost to the abutting property owners. For the purposes of this policy, any street, the construction of which has been financed by the property owners or by a developer under the City's land subdivision regulations, which shall require replacement or reconstruction, in the opinion of the City Engineer, shall be constructed at city expense.

ARTICLE IV. NEW STREET CONSTRUCTION.

- A. All new street construction shall conform to City Street standards design and construction specifications.
- B. All new street construction shall conform to the City's Major Street Plan.
- C. All new streets platted and opened by initiation and direction of the mayor and board of aldermen shall be financed in a manner deemed appropriate by the Board of Aldermen depending on relative benefit to the City as a whole and the affected property owners and all within the sole discretion of the Mayor and Board of Aldermen.
- D. The construction and paving of undeveloped but platted streets (see definition) shall be subject to the provisions hereof and shall be constructed under Chapter 88 RsMO at the property owner's expense and in conformance with the City's Land Subdivision Regulations.

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ARTICLE V. ASPHALT CONCRETE OVERLAY

Priorities.

Streets will be scheduled for asphalt overlay - paved, as defined herein, when needed as recommended by City staff and approved by the Board of Aldermen.

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ARTICLE VI. CURBS, GUTTERS AND STORM WATER CONTROL.

- A. Except as provided herein, no street shall be constructed, reconstructed, paved or overlaid unless and until curbs and gutters, and storm water control when necessary or desirable in the opinion of the City engineer, are existing or constructed prior to or in conjunction with the overlay.
- B. Curbs and gutters as well as storm water facilities shall be installed on existing streets when more than 50% of the property owners who reside within the City limits owning more than 50% of the front lineal footage submit a voluntary petition.
- C. Curbs and gutters as well as storm water facilities shall be installed on existing streets when the City exercises its options under Section 88.700 of the Missouri State Statutes, the cost of which shall be paid 100% by property owners through special assessment.

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ARTICLE VII. CITY STREET STANDARDS.

City street standards for design and construction are hereby adopted as set forth in Exhibit A, attached hereto and incorporated herein by reference.

ARTICLE VIII. EXCLUSIONS.

City may contribute and pay a portion or all of the cost of city initiated street improvement projects which are prioritized by the city council in order to open new streets or connect existing streets for traffic flow, traffic safety, industrial development or any street project deemed by the city council to provide a major public benefit which offsets the benefit derived by the adjoining property owners.

**PETITION TO THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF JACKSON, MISSOURI
FOR STREET IMPROVEMENTS
NEW CONSTRUCTION - ENGINEERED STREET**

We, the undersigned current property owners situated along _____, in the City of Jackson, Missouri, do hereby petition the Mayor and Board of Aldermen to improve the aforementioned street with concrete pavement, curb and gutter, storm water controls, and a designed grade in accordance with the City's Street Improvement Policy for an engineered street.

<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>DATE</u>
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