

## NAVAJO COUNTY ROAD MAINTENANCE POLICY

### PURPOSE

There are two categories of roads on which the Board of Supervisors may expend public monies—County Highways established pursuant to law and other public roads and streets that meet the criteria in ARS § 28-6705 or that have been constructed or improved to County standards at no cost to the County through the formation of a County Improvement District pursuant to Title 48 of the Arizona Revised Statutes. This policy describes the legal parameters and departmental procedures that guide the Public Works Department and the Board of Supervisors in determining whether new County Highways should be established, whether other eligible public roads should be accepted into the Navajo County Maintained Road System, and how resources should be allocated to maintain those that are accepted into the system. Management procedures are hereby adopted with a goal to allocate resources in an equitable and objective manner. This policy has been adopted by the Board of Supervisors pursuant to ARS § 12-820.01 as it's "determination of whether and how to spend existing resources, including those allocated for equipment, facilities and personnel."

**Note:** This policy applies only to public roads that are within the Navajo County Maintained Road System. It does not apply to other public roads, such as those within municipalities or those that are part of the Indian Reservation Roads system. Subject to the availability of funds, the Board of Supervisors from time to time may provide special funding for maintenance activities on these other roads, or approve the County's participation in joint road projects, pursuant to intergovernmental agreements with municipalities or federal, state or tribal agencies as is authorized by ARS § 11-952.

### POLICY

The Public Works Department shall, under direction of the Board of Supervisors, provide road construction and maintenance services in an equitable and objective manner. A road classification system that provides a method of prioritizing services based on road function and average daily traffic (ADT) is adopted herein. This classification system will be used as a guide for construction and maintenance and shall be referred to as "Level of Development" or "LOD." LOD classes A through F are defined on page 4. Preferred geometrics for each LOD are on page 5 and maintenance activities for each LOD are shown on page 6. The Public Works Department will classify all roadways within the Navajo County Maintained Road System according to their Level of Development. Maintenance will be based on the classification of a road in the Navajo County Road Maintenance System and the lowest class of road shall be eligible for maintenance blading at least three times per year.

### CATEGORIES OF PUBLIC ROADS

#### **County Highways**

County Highways are the only category of public roads on which the County may expend public monies for new construction, alterations or improvements. Roads in this category must have been formally established by the Board of Supervisors pursuant to ARS §§ 28-6701, 28-6702 and 28-6703. (Key statutes referenced in this policy are in the appendix.)

All County Highways are part of the Navajo County Maintained Road System. It is the policy of the Public Works Department to maintain and to improve, as necessary and appropriate, all County Highways established pursuant to law. Substantial public resources have been committed to such roads and it is the duty of the Department to ensure that such roads continue to serve the needs of the traveling public.

### **Roads Meeting the Criteria in ARS § 28-6705 or Improved to County Standards through an Improvement District**

Certain other public roads may qualify for maintenance (but not new construction, alteration or improvement) if they meet the criteria in ARS § 28-6705 or have been constructed or improved to current County standards at no cost to the County through the formation of a County Improvement District.

Maintenance services shall be provided only to those roads in this category that have been accepted by the Board of Supervisors for inclusion in the Navajo County Maintained Road System. Roads in the Navajo County Book of Maintained Roads and the Navajo County Book of Primitive Roads as of the effective date of this policy are hereby accepted into the unified Navajo County Maintained Road System.

Roads in this category that are accepted into the Navajo County Maintained Road System shall be maintained in accordance with the Level Of Development classification adopted herein.

### **Roads Designated as Primitive Roads Pursuant to ARS § 28-6706**

The Board of Supervisors may designate a public road as a Primitive Road if it was opened before June 13, 1975 and was not constructed in accordance with County standards and is not a County Highway. Neither the County nor its employees are liable for damages or injuries resulting from the use of a Primitive Road except for intentional injuries or gross negligence caused by an employee acting within the scope of the employee's employment.

### **Public Rights of Way that Are Not Part of the Navajo County Maintained Road System**

Roads that are in use but have not been accepted into the Navajo County Maintained Road System, as well as "paper" rights of way that have been granted to the public in an easement or other recorded document but have not been accepted into the Navajo County Maintained Road System, are not the maintenance responsibility of the County and are outside the scope of this policy.

### **ADDING ROADS TO THE NAVAJO COUNTY MAINTAINED ROAD SYSTEM**

Roads may be added to the Navajo County Maintained Road System provided that they are eligible for maintenance under the law. Residents may request the Board of Supervisors to add a public road to the Maintained Road System by presenting a petition to the Board of Supervisors, signed by two or more residents having direct access to the road, along with proof of the existing right-of-way and a certification by a Registered Land Surveyor, licensed to practice in the State of Arizona, certifying that the existing road is within the dedicated public right-of-way.

### **Determination of Eligibility**

County Highways are automatically included in the Navajo County Maintained Road System. Other eligible public roads are those that qualify for maintenance under ARS § 28-6705 or that has been improved to current County standards at no cost to the County through the formation of a County Improvement District. Roads will not be considered for inclusion in the Navajo County Maintained Road System unless or until they are constructed, at no cost to the County, to a minimum geometric standard with appropriate drainage features. The GUIDELINES FOR DESIGN OF VERY LOW-VOLUME LOCAL ROADS, published by the American Association of State Highway and Transportation Officials, 2001 (or most recent edition), shall define minimum geometric standards.

Determination of eligibility for County maintenance, pursuant to statute, shall be the responsibility of the Engineering Division. The County Attorney's Office shall be requested to review the status of the road if there is any question as to whether it is a validly established public road.

When a request is received for a road to be added to the Navajo County Road Maintenance System, the road will be evaluated to determine if it is eligible for maintenance under the applicable statutes, if maintenance is feasible and if the road is of service to the traveling public. The following will constitute the eligibility determination criteria:

1. *Satisfaction of specifications and guiding state laws:*

- a. Subdivision streets and ways constructed to County engineering specifications at no cost to the County in accordance with a plat approved pursuant to ARS § 11-806.01 are to be accepted for maintenance within one year of completion. (This applies only to public subdivision streets. Private streets are not eligible for County maintenance under any circumstances.)
- b. Public roads laid out, constructed, and opened before June 13, 1975 are eligible for maintenance even if they were not constructed to County engineering specifications in accordance with an approved plat. To be considered, the road must have sufficient width for safe two-way traffic operation and have sufficient provision for roadside drainage. (Sufficient width for a low volume road is considered to be at least 20 feet.)
- c. Public roads constructed or improved to County engineering specifications at no cost to the County through the formation of a County Improvement District are also eligible for maintenance.

2. *Maintenance Feasibility:*

- a. Location: The road must be directly accessible from a publicly maintained road.
- b. Drainage: Drainage along the road must be such that frequent maintenance will not be necessary in wet weather.
- c. Soil Conditions: There must be sufficient workable material for routine blading to result in a reasonably safe and comfortable road. The surface material of the road shall not be of a nature that will result in extraordinary maintenance of the motor grader resulting from routine blading.

3. *Public Necessity:*

- a. The road must be of service to the traveling public. In this regard, the "traveling public" will be considered to mean two or more residences and/or businesses per mile under separate ownership. Stub roads serving only one residence or business or serving properties under unified ownership will not be considered to be of service to the public within the meaning of this policy. To maximize the benefits received from the use of scarce public resources, roads that serve larger segments of the population will receive a more favorable consideration than will those roads that serve only a few individuals or businesses.

**Board Actions**

After a field check on the road for which maintenance is requested, the Public Works Department will schedule an agenda item for the Board of Supervisors' consideration. The Department will make a recommendation to the Board regarding the acceptance of the road into the Navajo County Maintained Road System as well as a frequency-of-maintenance recommendation based on LOD.

If the Board authorizes maintenance on the road, a resolution so stating will be recorded at the County Recorder's Office and the Navajo County Maintained Road System will be amended.

Should it be discovered that the public has not made significant use of a road in the Navajo County Maintained Road System for a period of five years the Department may initiate Board action to remove the road from the system. The Department may also request appropriate Board action to abandon all rights and interests in County Highways and other roads or portions thereof that no longer serve the needs of the traveling public or were never opened for public use.

### **LEVEL OF DEVELOPMENT (LOD) CATEGORIES FOR COUNTY MAINTAINED ROADS**

It is the policy of the Public Works Department to classify all roads in the Navajo County Maintained Road System according to their Level of Development. The following defines the LOD Classification System that will be used to determine the nature and frequency of maintenance activities on a road.

#### LEVEL OF DEVELOPMENT A--Major Collectors

- These roads qualify for federal funding assistance. They serve through traffic between arterial roads and other major collectors or they link neighborhoods.

#### LEVEL OF DEVELOPMENT B--Minor Collectors > 400 vehicles per day (vpd)

- These roads serve through traffic within local areas, provide connection to local roads and link major collectors and arterials. They carry more than 400 vpd.

#### LEVEL OF DEVELOPMENT C--Subdivision Roads

- These are local roads built to County standards in accordance with the subdivision approval process.

LEVEL OF DEVELOPMENT D--Minor Collectors with < 400 vpd. The category is broken down into the following sub-categories based on ADT.

- These roads serve through traffic within local areas and may provide connection to local roads and streets.
- D-1--Minor Collectors with >250< 400 vpd
- D-2--Minor Collectors with >100< 250 vpd
- D-3--Minor Collectors with <100 vpd

#### LEVEL OF DEVELOPMENT E--Local Roads >100 < 250

- These roads serve as access to farm, residence, business or other abutting property. Through traffic is local in nature and extent. Traffic volumes are greater than 100 vpd and less than 250 vpd.

#### LEVEL OF DEVELOPMENT F--Very Low Volume Roads

- These roads serve various functions but they carry very low traffic volumes of less than 100 vpd. They serve as access to public lands, farms, ranches and/or residences.

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**LEVEL OF DEVELOPMENT DESIGN AND CONSTRUCTION GUIDELINES FOR EXISTING ROADS**

Level of Development	Design Speed Preferred or determined by Engineer	Lane Width	Shoulder Width Preferred/ (Alternate)	Clear Zone Preferred/ (Alternate)	Surface Type and Base	Right-of-way Preferred/ (Alternate)	Drainage	Crown
LOD A: Major Collector	55 MPH	12 Ft.	5 Ft.	18-24 Ft. See attachment A	3" Asphaltic Concrete with 10" ABC	100 Ft. (66 Ft.)	25 Yr. Storm under the rd. W/100 Yr. Depth < 9" over the road	2 %
LOD B: Minor Collectors ADT > 400 vpd	55 MPH	12Ft.	5Ft.	18-24 Ft. See attachment A	To be determined by Engineering analysis. It may be 3" A.C. over 10" ABC or 2" AC over 6" ABC depending on the truck traffic	66 Ft	10 yr. Storm under the road w/50 yr. depth < 9" over the road	2%

LOD C-1 Local Asphalt Subdivision Roads	These roads were built to County Standards in Accordance with the normal subdivision approval process for asphalt							
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LOD C-1 Local Gravel Subdivision Roads	These roads were built to County Standards in Accordance with the normal subdivision approval process for gravel							
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LOD D-1: Minor Collector W/ADT > 250 < 400 VPD	55 MPH	10 Ft.	2 Ft.	14 Ft. If right of way allows	D.B.S.T. over 6" ABC or Stabilized Native soil	66 Ft.	10 yr. Storm under the road W/50 yr. Depth < 9" over the road	3% D.B.S.T. or 5% Native
LOD D-2: Minor Collector W/ADT > 100 < 250 VPD	40 MPH	10 Ft.	2 Ft.	12 Ft. If right of way allows	4" ABC on 6" compacted soil	66 Ft.	To be determined on a case by case basis	5%
LOD D-3: Minor Collector W/ADT < 100 VPD	45 MPH	10 Ft.	2 Ft.	7 Ft. or as determined by Low Volume Design Guide	Compacted native soil or Pit Run Gravel	66 Ft.	To be determined on a case by case basis	5%
LOD E: Local Roads W/ADT > 100 < 250 VPD	35 MPH	9 Ft.	2 Ft.	7 Ft. or as determined by Low Volume Design Guide	4" ABC W/compacted Native or compacted Native if ADT < 100 VPD	50 Ft.	To be determined on a case by case basis	5%
L.O.D. F: Very Low volume roads W/ADT < 100 VPD	35 MPH	9Ft.	0 Ft.	7 Ft. or as determined by Low Volume Design Guide	Compacted Native Soil	50 Ft.	To be determined on a case by case basis	5%

**MAINTENANCE ACTIVITIES AND FREQUENCIES FOR VARIOUS LOD ROADS  
DBST OR AC SURFACES**

	L.O.D. A	L.O.D. B	L.O.D. C	L.O.D. C-1	L.O.D. D-1	L.O.D. D-2	L.O.D. D-3	L.O.D. E	L.O.D. F
<b>CENTERLINE/ EDGE STRIPING</b>	1 YR.	1 YR.	n/a		n/a	n/a	n/a	n/a	n/a
<b>CHIP SEAL FREQUENCY</b>	7 YRS.	7 YRS.	7 YRS.	n/a	7 YRS.	n/a	n/a	n/a	n/a
<b>OVERLAY FREQUENCY</b>	20 YRS.	20 YRS.	30 YRS.	n/a	n/a	n/a	n/a	n/a	n/a
<b>SIGN REPLACEMENT</b>	7 YRS.	7 YRS.	7 YRS.	7 YRS.	7 YRS.	10 YRS.	10 YRS.	AS NEEDED	AS NEEDED
<b>SIGN INSPECTION FREQUENCY</b>	2 per YEAR	2 per YEAR	1 per YEAR	1per YEAR	1 per YEAR	1 per YEAR	1 per YEAR	AS NEEDED	AS NEEDED
<b>DRAINAGE MAINT. FREQUENCY</b>	2 YRS.	2 YRS.	2 YRS.	2 YRS.	3 YRS.	3 YRS.	4 YRS.	AS NEEDED	AS NEEDED
<b>DRAINAGE INSPECTION FRQUENCY</b>	1 YR.	1YR.	1YR.	1YR.	1YR.	2 YRS.	2 YRS.	AS NEEDED	AS NEEDED
<b>MOWING FREQUENCY</b>	2 per YEAR	2 per YEAR	1 per YEAR	1 per YEAR	1 per YEAR	1 per YEAR	1 per YEAR	0	0
<b>RECONSTRUCTIO N FREQUENCY</b>	40 YRS.	40 YRS.	40 YRS.	n/a	15 YRS.	n/a	n/a	n/a	n/a
<b>BLADING CYCLE</b>	n/a	n/a	n/a	1 PER 6 WEEKS	1 PER 6 WEEKS	1 PER 8 WEEKS	1 PER 8 WEEKS	1 PER 12 WEEKS	1 PER 17 WEEKS
<b>SNOW REMOVAL PRIORITY ( # 2 IS FOR BUS ROUTES)</b>	1	1	3	3	3	4	4	5	5

Appendix:

## **ARIZONA REVISED STATUTES**

### **ARS 28-6701. Establishing, altering or abandoning local highway**

A. The Board of Supervisors may establish, alter or abandon a highway in the county and other legal subdivisions and acquire real property for these purposes by purchase, donation, dedication, condemnation or other lawful means.

B. A highway in the county or any other legal subdivision may be established or altered by presentation of a petition that is signed by ten or more resident taxpayers of the county to the Board of Supervisors or to the Board of Supervisors by the governing body of a legal subdivision, that requests that a highway be established or altered and that gives the highway s beginning, end, general course and direction. The Board of Supervisors may either reject the petition or act on the petition as prescribed by this article. The Board of Supervisors may abandon or vacate these highways by resolution as provided in chapter 20, article 8 of this title.

### **ARS 28-6702. Proposed highway survey; notice of hearing**

On filing the petition prescribed in section 28-6701, the board of supervisors shall:

1. Direct the county engineer to make a survey of the proposed highway and to file with the board a report of the proposed highway and a map as surveyed that shows the legal subdivision of the lands traversed by the survey. If a survey and maps have already been made for any purpose, these data and maps may be used instead of conducting a survey pursuant to this section.
2. Set a date for a public hearing on the petition.
3. Give notice to the public of the hearing by advertising once a week for two consecutive weeks in a newspaper of general circulation in the county. The notice shall state the purpose and the date of the hearing and shall direct all persons desiring to object to the action requested in the petition to file with the board of supervisors a statement in writing setting forth their objection or opposition, and to show cause why the petition should not be granted.

### **ARS 28-6703. Hearing**

A. At the hearing provided for in section 28-6702, the board of supervisors:

1. Shall consider the feasibility, advantages and necessity of the highway sought to be established.
2. If the board determines the proposed highway is a public necessity, may approve the establishment of the highway by resolution and may accept any right-of-way or property donated to this state or the county.

B. An affected landowner or party may execute a written waiver or release of all compensation or any part of the compensation or may grant any easement or other conveyance of property for the purpose of establishing a highway. 1995

**ARS 28-6705. Public road and street maintenance**

The Board of Supervisors may spend public monies for maintenance of public roads and streets other than legally designated state and county highways located without the limits of an incorporated city or town. Before spending public monies under this section, the roads or streets shall be both:

1. Laid out, opened and constructed without cost to the county.
  2. Completed pursuant to a plat approved pursuant to sections 11-802 and 11-806.01 and in accordance with standard engineering road specifications adopted by the Board of Supervisors to ensure uniform compliance.
- B. The Board of Supervisors may spend public monies for maintenance of public roads and streets laid out, constructed and opened before June 13, 1975 even if the roads and streets were not constructed in accordance with subsection A of this section.
- A. Maintenance of a public road or street does not include purchasing or laying cement. To reduce long-term maintenance costs for maintenance authorized by this section, the Board of Supervisors may spend monies to add rock products, gravel and processed materials to the base of the roads and streets. Petroleum based or nonpetroleum based products may be used in the maintenance and repair of unpaved roads, alleys and shoulders identified pursuant to section 9-500.04 or section 49-474.01. 1998

**ARS 28-6706. Primitive roads**

- A. The board of supervisors or the governing body of a city or town may designate a public road within its jurisdiction as a primitive road as prescribed in this section.
- B. Neither a county, city, or town, nor its employees are liable for damages or injuries resulting from the use of a primitive road designated under this section except for intentional injuries or gross negligence caused by an employee acting within the scope of the employee's employment.
- C. The board of supervisors or the governing body of a city or town shall not designate a road as a primitive road unless it was opened before June 13, 1975 and was not constructed in accordance with county standards.
- D. The county, city or town shall place signs on every road designated as a primitive road in locations adequate to warn the public. These signs shall state "primitive road, caution, and use at your own risk. This surface is not regularly maintained."
- E. A board of supervisors or the governing body of a city or town shall not designate a state or county highway as a primitive road.

**ARS 28-7041. State highways and routes defined**

- B. The state highways, to be known as state routes, consist of the highways declared before August 12, 1927 to be state highways, under authority of law that the board, after receipt of a recommendation from the director, may add to, abandon or change. If the board proceeds contrary to the recommendations of the director, it shall file a written report with the governor stating the reasons for the action.
- C. The state highways consist of the parts of the state routes designated and accepted as state highways by the board. A highway that has not been designated as a state route shall not become a state highway and any portion of a state route shall not become a state highway until it has been specifically designated and accepted by the board as a state highway and ordered to be constructed and improved.
- D. All highways, roads or streets that have been constructed, laid out, opened, established or maintained for ten years or more by the state or an agency or political subdivision of the state before January 1, 1960 and that have been used continuously by the public as thoroughfares for free travel and passage for ten years or more are declared public highways, regardless of an error, defect or omission in the proceeding or failure to act to establish those highways, roads or streets or in recording the proceedings. 1995

**ARS 28-7042. Width of public highways; exception**

- E. Highways that were constructed, laid out, opened or established before August 12, 1927 as public highways by the territory or state or by a Board of Supervisors or political subdivision of this state and that have been used continuously by the public as thoroughfares for free travel and passage for two years or more, regardless of an error, defect or omission in the proceeding to establish the highways or in recording the proceedings, and highways established pursuant to law are declared public highways sixty-six feet wide, unless the width of the highways is otherwise specified. Except as specifically provided for in this title, this section does not apply to a portion of a public highway within the limits of an incorporated city or town that has a population of more than two thousand five hundred persons according to the most recent United States decennial census or the most recent special census as provided in section 28-6532. 1997