

TOWN OF CASTLE VALLEY, UTAH

ORDINANCE 00-1

**AN ORDINANCE PROHIBITING THE OBSTRUCTION OF,
EXCAVATION, BLOCKING, OR INTERFERENCE WITH PUBLIC
ROADWAYS WITHIN THE TOWN**

Preamble

The Town Council of the Town of Castle Valley finds that all persons are entitled to access using the public roadways within the Town and that interference with access of public roads should be prohibited; that construction activity using the public roads or improving portions of properties adjacent to public roads should be subject to regulation by the Town to protect emergency vehicle ingress and egress and the rights of the public to use public roads.

Be it ordained by the Town Council of the Town of Castle Valley, Utah:

1. It shall be unlawful to obstruct public access through and across all public roads within the Town of Castle Valley whether the road is established by plat or otherwise, without having first obtained a permit from the Town.
2. Every application for a permit to partially or totally obstruct a public road by any means, including excavation, construction, or other means shall be submitted to the Town Clerk on a form to be provided by the Town with a required application and processing review fee of \$50.00. No application shall be deemed filed in completed form until a written acknowledgment of the receipt of a completed application is issued by the Clerk upon direction from the Mayor.
3. Every applicant for a road access, obstruction, or excavation permit shall provide a traffic access management plan in writing with the permit application which demonstrates that emergency access to all properties and structures along the public road will not be impaired or obstructed by the applicant's proposed activity and that all property owners shall have reasonable access to each lot at a reasonable point of access at all times during the applicant's proposed activity.
4. Each application shall be reviewed as directed by the Mayor, by the Road Committee, the Fire District, and Sheriff's office to assure that the traffic management plan proposed by the applicant meets the requirements of this ordinance and the need of public safety. The Mayor may request review of the application by other personnel of the Town to assure that the public interest will be protected if the application is granted.

5. Each application for an excavation in or on a public road in the Town shall be accompanied by a cash or surety bond to assure the restoration of the road to its pre-excavation activity status with a portion of the bond held for a period of six (6) months to assure the Town that adequate security is provided to repair any settling or other residual damages to the road and is repaired in a timely and workmanship manner. The amount of the cash or surety bond shall be set by the Mayor after consultation with appropriate personnel with knowledge of the cost of potential repairs to restore the road to its pre-excavation condition.

6. The Mayor may issue the required permit in letter form defining the road subject to the permit, a specified time period within which all proposed activity under the permit must be completed and describing the conditions and requirements necessary to assure that ingress and egress are maintained and that the road will be restored to the pre-permitted work condition of the road.

ENACTED by the Town Council of the Town of Castle Valley, Utah this 19th day of April, 2000.

Those voting aye: Robert Ryan, Mark Webster, Karen Nelson
Bruce Keeler, Darr Hatch, absent.

Those voting nay: _____

TOWN OF CASTLE VALLEY

/s/ Bruce A. Keeler
Bruce A. Keeler, Mayor

ATTEST:

/s/ Dorothy L. Harding
Dorothy L. Harding, Town Clerk