

## **Driveways - Approaches & Culverts**

### **Approaches & Culverts**

Property owners are required to contact the township for an initial viewing.

Property owners are responsible for constructing an approach/culvert to their property bordering a township road in which they are also responsible for the cost of materials and labor. Culverts must be made of steel with a minimum of 15 inches. All new culverts will have aprons at each end. Plastic culverts are not acceptable. Owners are not permitted to place any utility lines under or over township roads to their property unless the proper public utility company does the construction.

Any non-compliant driveway will be repaired by the property owner or repaired by the township, which would be charged/assessed to the owner.

**Adopted October 24, 2019**

## **Mail Box Support System**

### **CARLOS TOWNSHIP POLICY**

#### **Mail Box Support System**

Carlos Township is looking to upgrade the present mail box support system along township roads in order to better enable effective snow plowing and grading of township roads. The new system will also be safer for traffic, and lead to less mail box damage.

A mail box support system similar to that adopted by the Douglas County Highway department (SwingSAFE Support System) is the preferred option.

All newly built township roads taken over by Carlos Township will require the new system to be installed by the developer of the new road.

Any township roads that are rebuilt by Carlos Township will also require the new support system which will be installed by Carlos Township. Any new residence receiving mail will also need to have the Swing-Away support which will be installed by the Township. The township will bill the landowner.

If damage is done to a mailbox by a snowplow that has a swing away post, the road maintainer will be responsible for repairs. There will be no reimbursement if the mailbox is not on a SwingSAFE post.

**Adopted May 23, 2019**

## **Roads - Dust Control**

### **Roads - Dust Control-Chloride application to gravel roads.**

Carlos Township will contract to apply chloride for dust control on gravel roads. Application chloride will be applied on gravel roads where resident's homes/buildings are close to the gravel road. This distance will be at the discretion of the township supervisors. The other areas of roads that will have chloride added, will be at intersections and railroad crossings.

If residents feel they would like additional chloride applied than what is deemed necessary, resident may pay to have extra product added.

**Adopted June 28, 2018**

## **Roads: Right of Way Regulations**

### **Township Road Right of Way Regulations**

All township roads whether platted or by temporary easement, include a Right of Way requirement extending 2 rods (33 feet) on either side from the center of the road unless documented differently with Douglas County. Use of the right of way is restricted and cannot be used for signs, obstacles, etc, and must remain clear for road and ditch maintenance. Also, Minnesota State Law does not permit any private construction of wires, water pipes etc, over or under township roads unless permitted by the Carlos Town board.

### **Pushing Snow across township or any government road.**

It is unlawful to dump, plow or push snow from private driveways onto a public road. Under **Minnesota Statutes, Chapter 160.2715**, violation of this statute is a misdemeanor.

Be sure to let those whom you hire to push snow, know about this law, as well as the consequences for violation.

Snow dumped on public roads or the right of way can create a hazard, not only for motorists, but also snowplows. Even heavy snowplows have been damaged when hitting compacted and frozen snow.

Snow pushed onto a public road may cause snowdrifts, ridges and ice chunks which are hazardous to motorists.

Adopted July 12, 2018

## **Roads - Illegal Use of Right Of Way**

Carlos Township asks you to help them prevent the misuse of the Township roads as a dumping ground. Specifically, the only things that can legally be put into the right-of-way (33 feet from center of road on both sides) are mail boxes, traffic signs, and driveways.

Everything else is prohibited by law, including placement in the right-of-way of building materials, rocks, tree and brush plantings or any debris. Burning anything in the right-of-way is also prohibited.

Minnesota Statutes, Section 169.42 (traffic regulations) and, also, Minnesota Statutes, Section 609. (criminal offenses) both make the above practices a misdemeanor, punishable by a fine of up to \$700. Imprisonment for up to 90 days, for each offense.

**Adopted June 28, 2018**

## **Roads - Paving Policy**

### **Carlos Township Paving Policy**

#### **A. Paving Township Roads – Procedures and Cost Share**

**Step 1:** Property owners on any given township road may petition for its improvement with pavement. At least 35% of the lots abutting the road need land owner signatures on a petition before the board will consider the petition. If the petition is accepted by the Carlos Township Board, a feasibility report will be prepared on the necessity, cost effectiveness and the feasibility of the proposed improvement based on a cost share. The town board may also initiate the preparation of a feasibility study. Property /lot owners who live on a road where the use is primarily used by those living on the road, will be responsible for 75% of the asphalt, along with 100% for engineering and administration/legal costs. The township will pay the remaining 25% of paving costs.

**Step 2:** Next an Improvement Public Hearing will be held at which a reasonable estimate of the total amount to be assessed and a description of the methodology used to calculate individual assessments for affected lots will be available; All interested persons will be allowed to comment and the board will consider ordering the improvement and the preparation of plans and specifications for the improvement and bids for the project.

**Step 3:** If the improvement is approved, the town board, upon receiving all payments to vendors, will calculate the proper amount to be assessed against each property that will benefit from the improvement and make the proposed assessment roll available for public inspection (note B). A notice of a public hearing sent to each property owner will include the amount of their assessment, prepayment information, interest rate if not prepaid. At the hearing the town board will take all the comments of interested persons and consider all relevant evidence presented. The board may adopt the assessment at the hearing. If the assessment is approved, the clerk will be directed to certify the final assessment roll to the county auditor. Assessments are encouraged to be prepaid, however, at the discretion of the town board, assessments may be financed with interest for a period of not more than 5 years.

#### **B. Standards for proper assessment:**

- 1. The property benefits from the improvement.**
- 2. The assessment is uniform.** Benefits from an improvement are calculated based on the highest and best use of the land. Present use of the land is not the controlling factor in determining whether the land has received benefit from the improvement. Rather, the test is whether the land presently could be used for purposes which would benefit from the improvement.

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### **C. Allocation of assessments between landowners:**

#### **1. One full assessment**

- a. Each buildable lot serviced by one road being paved, which does not already have abutting pavement at a point of access.
- b. Lots that are combine for minimum parcel numbers - for tax purposes- will be assessed the same as if the lot had a separate parcel number.
- c. Each buildable non-abutting lot receiving significant benefit from tarring project accessing their property.
- d. Adjoining buildable lots with a significant building structure over the boundary line making the remaining property inseparable for marketability purposes.

#### **2. One-half assessment**

- a. Each buildable platted lot which already has paved access, but is receiving paving along some other side or sides of the property.
- b. Each buildable non-conforming lot adjacent to a lot already receiving a full assessment.

#### **3. Special Considerations**

Assessments will be determined on a case by case analysis for special buildable lots, resorts, business properties or agriculture land on large lots receiving proportionately more or less benefit from the paving project than individual residential lots. A special buildable lot is one which has been or can be developed with variance(s) granted.

The Town Board may make exceptions to these assessment guidelines on a case-by-case basis upon making specific findings in the Town Board minutes that such exception is necessary, is equitable, and within the requirements for assessments outlined in Section B.

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Adopted June 28, 2018

## **Roads - Paving Cost Sharing**

### **Paving of Township Roads**

Property owners on any given township road may petition for the black topping of a township road. The town board may also initiate the blacktopping of a township road. Carlos Township will do the contracting for the work. Property/Lot owners who live on a road where the use is primarily used by those living on the road, will be responsible for 75% of the paving costs, along with 100% for engineering and administration/legal costs. The township will pay the remaining 25% of paving costs.

See Road-Paving Policy for a more in depth description of costs.

**Adopted June 28, 2018**