

Private Street Acceptance Policy

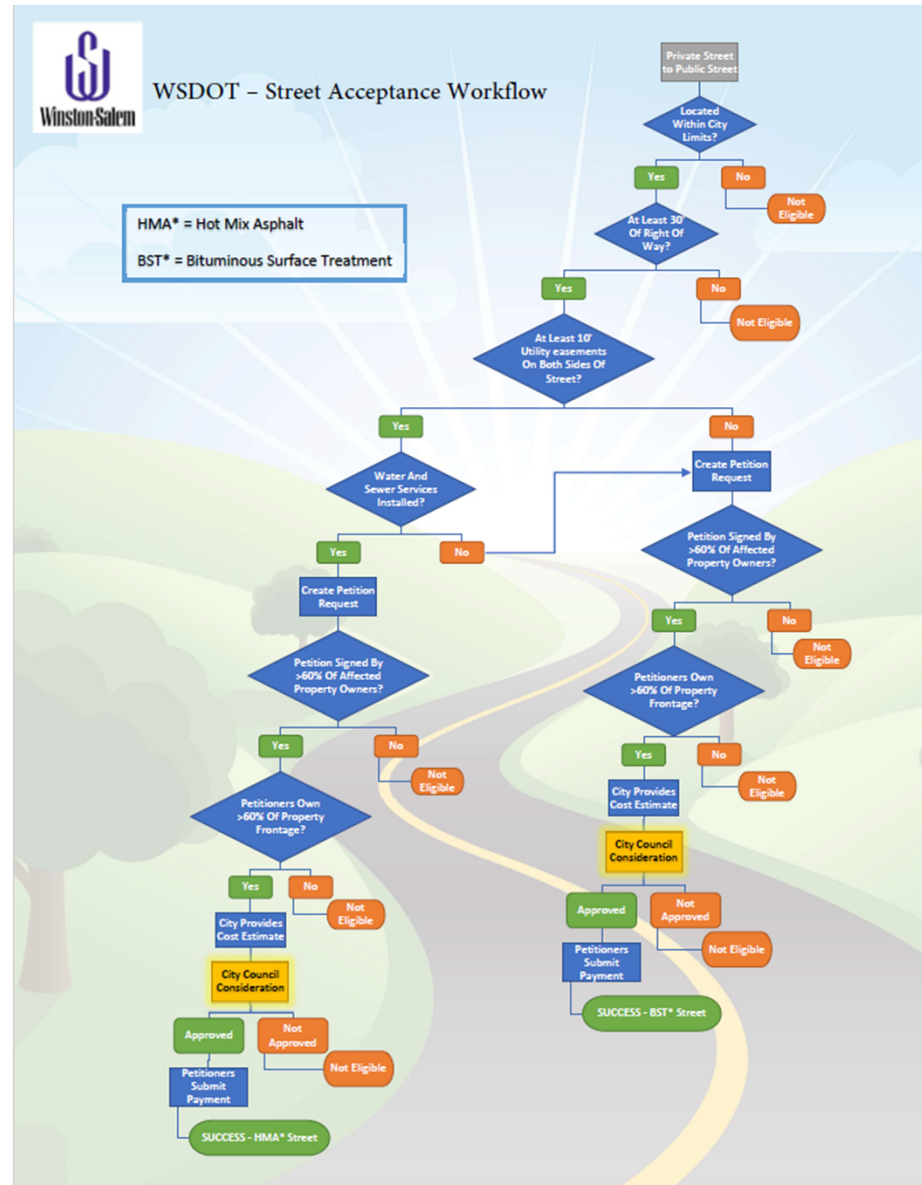
Jeff Fansler, Director of Transportation



Summary

The Winston-Salem Department of Transportation and Field Operations have received several inquiries about accepting privately maintained streets for public maintenance. Additionally, streets in disrepair and/or were not built to the City of Winston-Salem standard are not eligible for public maintenance. Section 74-179 of the City of Winston-Salem Code of Ordinances outlines the City's current procedure for accepting private streets onto the public maintenance schedule which requires various assessments, cost sharing, Council action, and the subsequent construction of improvements to bring the street into compliance with the City of Winston-Salem infrastructure standards. Staff was asked to benchmark peer cities to determine best practice for handling private infrastructure that is deteriorating resulting in requests for public maintenance assistance.

What does Winston- Salem Do?





Winston- Salem, NC.

Street must be within city limits

Street must have 30' of right of way

At least 10' utility easement on both sides of street

Create petition request

Petition must be signed by 60% of affected property owners

City provides cost estimate to bring infrastructure up to city standards

City Council consideration

If approved – Petitioners submit payment



Peer City
Review

Durham, NC

Lenior, NC

Mooreville, NC

Greensboro, NC

Charlotte, NC

Chapel Hill, NC



Durham,
NC.

Public Works Director reviews request to determine if infrastructure satisfies all applicable requirements.

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If applicable, Public Works Director recommends acceptance to City Council

Only City Council has the authority to accept infrastructure for maintenance by the city.

Qualifiers: Street width, Municipal water service, Sanitary sewer and Storm drainage systems are mapped and recorded

Lenior, NC.

Complete formal written request (by resident and or property owner of said street) and submit to Director of Public Works

Director of Public Works will review and ensure that all infrastructures meet city requirements.

Director of Public works makes recommendation through the City Manager to City Council

Approval / Disapproval indicating street name, location and general description of street as well as the date shall be on file in the office of the city clerk.



Mooreville, NC.

Must be in the Town limits

Must be on adopted plan or approved subdivision

Determine if there are there any physical or topographic challenges

Negotiate cost share

Greensboro, NC.

- **Street Connection must Satisfy Public Need**

- City Executes Maintenance Agreement
- Grantee (City) shall only be responsible for the asphalt street maintenance from edge of pavement to edge of pavement-Often requires street to be resurfaced prior to acceptance
- Grantor agrees to be solely responsible for all other items including but not limited to:
 - Curb & Gutter
 - Shoulders and Ditches
 - Sidewalks
 - Stormwater Infrastructure
 - Asphalt Patching of Utility Cuts
 - Landscaping and Mowing Maintenance
 - Street and Traffic Signs
 - Streetlights
 - Snow and Ice Removal
 - Water and Sewer Facilities

Charlotte,
NC.

Sec. 6.203. Acceptance of and improvements in unapproved streets.

The City shall not accept for maintenance, lay out, open, improve, grade, pave, or light any street or authorize the laying of water mains, sewer connections, or other facilities or utilities in any street within its territorial jurisdiction, (i) unless such street shall have been accepted or opened as, or shall have otherwise received the legal status of a public street prior to the said attachment of the City's subdivision jurisdiction, or (ii) unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Charlotte-Mecklenburg Planning Commission, or (iii) unless such street be accepted as a public street by the City Manager.

Sec. 17-28. Public street improvements generally; cost per front foot.

The policy of the town with respect to public street paving shall be that where the property owners petition for public street improvements, fifty (50) percent of the total cost of said improvements, whether the same shall include or not include curb, gutter, grading, storm sewer, subgrade material, and asphalt surfacing, shall be assessed against the property abutting the improvement on each side of the public street on a prorata front foot basis.

Sec. 17-29. Paving of public streets without curb and gutter.

Petitions for paving without curb and gutter will be received by the council and accepted or rejected based on the meeting of certain criteria by the public street in question. The criteria are as follows:

- (1) That it shall apply only to existing dirt or gravel public streets for which paving would normally be done by the town and assessed against the property adjacent to it. It does not apply to new subdivisions.
- (2) The section of the public street to be paved shall be relatively level with a maximum grade of four (4) percent.
- (3) The public street to be paved must be a minor residential public street, not a part of the town's thoroughfare plan, or one which for some other reason carries considerable traffic.
- (4) The section of the public street to be paved must be one that is not generally used for on-street parking.

Petitions for public street paving without curb and gutter shall be made on a form provided by the town for this purpose and shall include the statement that future improvements of the public street by construction of curb and gutter shall be assessed at the full rate with no allowance for previous assessments for paving alone.

Public street improvement petitions shall normally be done in the order in which they are received by the town.

Key Takeaways/Discussion

- Inconsistent processes
- Reliance on staff assessments
- Division between public resource and additional maintenance
- Cost sharing negotiations
- Annexation expectations
- Infrastructure ailments
- Property impacts
- Development requirements for new streets (public and private)
- Powell Bill (State Street-Aid) eligibility