

**TOWN OF CREDIT RIVER, MINNESOTA  
ORDINANCE NO. 2004-2**

**ORDINANCE PROVIDING CONDITIONS UPON WHICH DEDICATED  
TOWNSHIP ROADS MAY BE ACCEPTED**

The Town Board for the Town of Credit River, Scott County, Minnesota, hereby ordains:

Section 1. Acceptance of Roads by the Township. No roads dedicated after the effective date of this ordinance shall be accepted by the Township for purposes of the Township's obligation to maintain, improve, or otherwise provide any services on, over or to said unaccepted roads unless all of the requirements of this ordinance shall have first been met.

Section 2. Effect of Non-acceptance of Dedicated Roads. A road, which is dedicated but not accepted by the Township, shall be deemed a private road for purposes of road construction, maintenance and liability. The Township shall have no responsibility to construct or maintain unaccepted roads, and shall not be liable for any damage or loss which may occur on unaccepted roads.

Section 3. Requirements for Acceptance of Dedicated Roads. The Township may accept a road dedicated after the effective date of this ordinance as a Township road provided the dedicator of said road follows the procedures of this Section.

- A. Prior to construction of said road, the dedicator of the proposed road must submit designs and specifications for the proposed road to the Town Board for review and approval by the Town Board. Said designs and specifications shall be consistent with design standards adopted by the Town Board pursuant to this ordinance. Prior to review of the plans and specifications by the Town Board, the dedicator must execute an agreement to pay all costs reasonably incurred by the Township in reviewing the plans and specifications, and inspecting and testing the road construction, including consulting engineering and testing costs.
- B. Construction of the road must not commence without first receiving approval of the plans and specifications by the Town Board. The road must be built according to the plans and specifications approved by the Town Board.
- C. During construction of the road, the Town Board may have the Township Engineer or other road supervisor ("Engineer") present during any or all construction activities to ensure that the road is constructed according to the plans and specifications approved by the Town Board. If the Town Board elects to have the Engineer present during construction, no road construction activities shall take place without first coordinating the construction with the

Engineer such that the Engineer may be present during all construction activities.

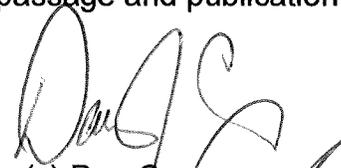
- D. If deemed necessary by the Township, the dedicator shall provide the Township with a letter of credit from a bank acceptable to the Township or a cash deposit sufficient to pay the estimated costs to be incurred by the Township related to the design and inspection of the road. Said letter of credit or cash deposit shall be released upon payment of all Township expenses related to the design and inspection of the road.

Section 4. Adoption of Design Standards. The Town Board may adopt or modify road design standards from time to time by resolution pursuant to the authority of this ordinance.

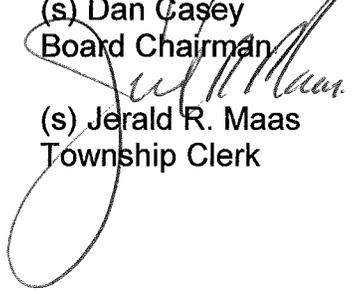
Section 5. Acceptance of Dedicated Roads. Upon compliance with the requirements of this ordinance by the dedicator, the Township may accept the dedication of the road if it finds acceptance of such road to be in the public interest.

Passed by the Town Board of the Town of Credit River this 6<sup>th</sup> day of December 2004.

This ordinance shall be effective upon passage and publication in the official Township newspaper.



(s) Dan Casey  
Board Chairman



(s) Jerald R. Maas  
Township Clerk