

CHAPTER 43

PRIVATE ROAD CONSTRUCTION AND MAINTENANCE ORDINANCE

43.010. Purpose.

- A. It is the intent of this Chapter to set minimum standards for the construction and maintenance of private roads in the Charter Township which are not intended, now or in the future, to be dedicated to the public; and to provide penalties for the violation hereof.
- B. The requirements of this Chapter shall apply to those vehicular accessways which, by definition of this Chapter, may be classified as private roads and may be required to obtain site plan approval under the Plymouth Township Zoning Ordinance such as multiple family projects, cluster housing projects, etc., as well as private roads which may be created as a result of the division of lots and/or parcels.

43.020. Definitions.

"Private Road", for the purpose of this Chapter only, shall mean a privately owned and maintained roadway providing access to more than one residence upon which persons other than the owners thereof may also travel and whereby public and private vehicles may be requested from time to time by said owners, to use the roadway to provide services such as fire protection, waste collection, common carrier delivery services and other public and private services which utilize heavy trucks.

43.030. Construction Standards – Pavement, Drainage and Easement Requirements.

- A. All private roads shall be constructed in accordance with the latest edition of the Michigan Department of Transportation (MDOT) standards specifications for construction.
- B. Pavement, drainage and easement requirements are as follows:
 1. If the private road services two to four residences one of the following minimum construction standards must be utilized.
 - a. An asphalt roadway of minimum width of twenty (20) feet, with a minimum surface thickness of 1 ½" MDOT Mixture 36A and 1 ½" MDOT Mixture 13A, and laid on an eight (8) inch minimum thick base course,

placed in two compacted four (4) inch layers of MDOT specification 22A or equivalent, as approved by the Township Engineer. Road drainage shall be obtained as described in Paragraph 1e below.

b. A concrete roadway, consisting of Portland Cement Concrete, of minimum width of twenty (20) feet, with six (6) inch plain concrete MDOT Grade P1 placed on prepared subgrade. Pavement jointing shall be according to Portland Cement Association's recommendations.

c. Full depth asphalt roadway, of minimum width of twenty (20) feet, consisting of 2 inches MDOT Mixture 36A wearing course placed over two (2) courses of 3.5 inches each, MDOT Mixture 13A placed over a prepared subgrade.

d. Access roads with a fire hydrant must provide a minimum width of twenty-six (26) feet along the entire length of the road for a distance of twenty (20) feet on either side of the hydrant unless otherwise approved by the Township Board

e. Notwithstanding the above construction standards, with the approval of the Township Board, the asphalt or concrete roadway may be a minimum of sixteen (16) feet with two (2) foot load-bearing shoulders. Asphalt and concrete surfaces shall meet the above specifications (1a-c), and shoulders shall be constructed of gravel or an equivalent material capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

f. Drainage for the above sections shall be provided by concrete curb and gutter, or shoulder and open ditch.

(1) Concrete curb and gutter shall be MDOT detail C-4 with concrete mixture MDOT Grade P1.

(2) Minimum grade shall be 0.50 percent, maximum grade 6.00 percent. Crown for all roads shall be 2.00 percent.

(3) Shoulders shall be three (3) feet wide by a minimum four (4) inches thick MDOT 23A

aggregate, on each side of road. Ditch section shall be seven (7) feet wide with centerline of ditch no more than twenty (20) inches below center line of road. Two (2) foot load-bearing shoulders provided under the sixteen (16) foot pavement option (43.030.B.1.d) may be included as part of the above-required three (3) foot shoulders for drainage.

g. The above minimum specifications shall not be construed as a substitute for sufficient pavement thickness where traffic conditions and/or soil conditions require more substantial pavement designs. Design shall be according to the American Association of State Highway and Transportation Officials (AASHTO) standards. Regardless of the material chosen, the design engineer shall furnish a complete design analysis of the pavement section chosen to confirm the adequacy of the design and to demonstrate that the design meets or exceeds the minimum requirements specified.

h. The private easement for the roadway shall be a minimum of sixty (60) feet wide in order to provide space for surface drainage, construction and maintenance of public utilities, including but not limited to sewer and water.

However, easements shall be wider than sixty (60) feet, if necessary to comply with standards of the most recently adopted version of the International Fire Code and its Appendices.

- (1) If public utilities are not required to occupy the easement, a minimum easement width of thirty (30) feet is required. However, easements shall be wider than thirty (30) feet, if necessary to comply with standards of the most recently adopted version of the International Fire Code and its Appendices.
- (2) The applicant must provide a layout plan of sufficient detail to show how each parcel shall be serviced by utilities.

2. If the private road services five (5) or more residences, then the following minimum construction standards must be utilized:

a. An asphalt roadway of minimum width of twenty-six (26) feet, with a minimum surface thickness of 1 ½" MDOT Mixture 36A and 1 ½" MDOT Mixture 13A and laid on an eight (8) inch minimum thick base course, placed in two compacted four (4) inch layers of MDOT specification 22A or equivalent, as approved by the Township Engineer. Road drainage shall be obtained as described in Paragraph 1e below.

b. A concrete roadway, consisting of Portland Cement Concrete, of minimum width of twenty-six (26) feet, with six (6) inch plain concrete MDOT Grade P1 placed on prepared subgrade. Pavement jointing shall be according to Portland Cement Association's recommendations.

c. Full depth asphalt roadway, of minimum width of twenty-six (26) feet, consisting of 2 inches MDOT Mixture 36A wearing course placed over two (2) courses of 3.5 inches each, MDOT Mixture 13A placed over a prepared subgrade.

d. Notwithstanding the above construction standards, with the approval of the Township Board, an asphalt or concrete roadway may be a minimum of twenty-two (22) feet with two (2) foot load-bearing shoulders. Asphalt and concrete surfaces shall meet the above specifications (2a-c), and shoulders shall be constructed of gravel or an equivalent material capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

e. Drainage for the above sections shall be provided by concrete curb and gutter, or shoulder and open ditch.

(1) Concrete curb and gutter shall be MDOT detail C-4 with concrete mixture MDOT Grade P1.

(2) Minimum grade shall be 0.50 percent, maximum grade 6.00 percent. Crown for all roads shall be 2.00 percent.

- (3) Shoulders shall be three (3) feet wide by a minimum four (4) inches thick MDOT 23A aggregate, on each side of road. Ditch section shall be seven (7) feet wide with centerline of ditch no more than twenty (20) inches below center line of road. Two (2) foot load-bearing shoulders provided with the twenty-two (22) foot pavement option (43.030.B.2.d) may be included as part of the required three (3) foot shoulders for drainage.

f. These minimum standards are not to be construed as substitutes for good engineering design for private roads where traffic loads, horizontal alignment, vertical alignment, soil conditions, intersections and other site features warrant the use of roadway standards for state or county roads. Such designs shall be prepared by a licensed engineer analyzing such conditions as listed above, but not limited to those above, to determine adequate pavement thickness, width and alignment. Regardless of the material chosen, the design engineer shall furnish a complete design analysis of the pavement section chosen to confirm the adequacy of the design and to demonstrate that the design meets or exceeds the minimum requirements specified.

g. The private easement for the roadway shall be a minimum of sixty (60) feet wide in order to provide space for construction and maintenance of public utilities, including but not limited to sewer and water. However, easements shall be wider than sixty (60) feet, if necessary to comply with the standards of the most recently adopted version of the International Fire Code and Appendices.

h. In case of multiple family, cluster housing, etc., a separate easement for private roadways may not be required. This aspect will be reviewed by the Township Engineer or consultant, as well as the Township Fire Chief, during the site plan review process and recommendations will be made to the Planning Commission. In all cases, access shall be provided as required by the most recently adopted version of the International Fire Code and Appendices.

3. **Site Drainage.** All pavement and adjacent properties shall be drained in a manner that conforms to the grading, drainage and surface standards of the Charter Township of Plymouth. Further, the drainage methods used shall be consistent with the Wayne County Storm Water Management Ordinance.

4. **Vertical Clearance.** The vertical clearance above all access roads shall be a minimum height of thirteen feet and six inches (13' 6") and maintained as such.

5. **Design Requirements.** Including the standards above, all access roads shall meet the following requirements to be in compliance with the Township fire code:

Length	Min. Pavement Width	Turnaround Required
0 – 150 ft.	20 ft.	None.
151 – 500 ft.	20 ft. unless a hydrant is present, the width shall be 26 ft. for a distance of 20 ft. on either side of the hydrant	Turnaround required from the following: <ol style="list-style-type: none"> 1. 120 ft. hammerhead; 2. Y turn; or 3. 96 ft. pavement diameter cul-de-sac
501 – 750 ft.	26 ft.	Turnaround required from the following: <ol style="list-style-type: none"> 4. 120 ft. hammerhead; 5. Y turn; or 6. 96 ft. pavement diameter cul-de-sac
Over 750 ft.	Special Approval Required	

43.040. Testing.

A. The project owner/developer shall secure the services of an independent testing laboratory for the quality control testing for all backfill and earth work compaction density control and all sampling and testing of concrete, asphalt and aggregate.

B. Before a certificate of occupancy (temporary or final) is issued for a project, owner/developer of the property must submit certified copies of all test results, plus a certification from a registered civil engineer certifying the following:

1. All subgrades have proper compaction and have been established at proper design grade.
2. All utilities within the road proper and/or within close proximity of the pavement area have been compacted to the specifications set forth by the project designer and also in accordance with Charter Township of Plymouth standards.
3. All aggregate base courses are of specified materials, depth and compaction.
4. All asphalt base courses have been installed at proper temperature, thickness and compaction.
5. All asphalt surface courses have been applied at proper temperature, thickness and compaction.
6. All concrete paving areas have been installed to proper thickness and all standard tests, such as slump and strength tests, have been run and are acceptable.
7. All control joints and expansion joints, necessary and required, have been properly installed.

43.050. Maintenance Standards; Maintenance Agreement.

A. Maintenance of private roads including, but not limited to filling chuck holes, regarding, repaving, resurfacing and the removal of snow shall be the sole responsibility of abutting property owners.

B. Owners or developers of property to be serviced by a private road shall execute an agreement to provide for the continued maintenance of the road which document shall be binding upon future owners of the property and shall be deemed an obligation running with the land. Said document shall be provided prior to the land split forwarded to the county for recording. The obligation to provide said document shall be a condition of any land split approval.

43.060. Maintenance Obligation; Maintenance by Township; Costs and Expenses.

A. Each owner of property to be serviced by a private road shall participate equally in the cost of maintenance.

B. If the owners fail to properly maintain the road, the Township has the right, but not the duty, to do so and may charge the owners for all costs and expenses incurred.

C. Payment of the charges shall be due upon written demand by the Township to the owners at the address set forth on the tax rolls.

D. In addition to other methods of collection, the Township shall have the right to place the assessment on the Township tax roll and to collect said assessment in the same manner as any property tax or assessment.

43.070. Site Plan Required. If a private road will be required to service one or more parcels which are to be created by the division of land for building purposes, a site plan shall be required to be submitted in conjunction with the land split application. The site plan shall show, as a minimum, existing grades, proposed road grades, proposed house grades, yard setback lines, road location, road design (vertical, horizontal and cross section), soil conditions and any other data the Township or its representative deems necessary to evaluate the proposal. No split or land division shall be approved until the above-referenced site plan is approved by the Township or its representative.

43.080. Time of Construction. No certificate of occupancy (temporary or final) shall be issued to any parcel which is served by a private road until the full road intended to service all parcels has been installed and approved.

43.090. Street Signs. The abutting property owners served by the private road shall be responsible for installing and maintaining a street sign properly identifying the name of the private road and the fact that said road is private. All street signs shall be in accordance with the latest standards of Wayne County for size, type, materials, location and construction. All private street names shall be approved by the Township Fire Chief and Township Police Chief prior to installation of said sign.

43.100. Scope. The Chapter shall be deemed to include and apply to all projects that have not received final approval as of the date of adoption of this ordinance.

43.110. Penalty. Any person, firm or corporation who shall violate any provision of this Chapter shall be punished as provided in Chapter 1 of the Township Code. Each day that the violation continues after due notice has been served in accordance with the terms and provisions hereof shall be deemed a separate offense.

Effective: March 16, 2009

State Law Reference: Road access, MCL 560.102(j)(i); Motor Vehicle Code, MCL 257.744