


<p><b>TOWN OF SANDGATE</b> Sandgate, VT 05250</p> 	<p><b>TITLE:</b></p> <p><b>CULVERTS IN TOWN RIGHT OF WAY</b></p>	<p><b>Document Type:</b> Policy</p> <p><b>Document Number/ Revision:</b> 107.01</p> <p><b>Original Issue:</b> 02/04/1991</p> <p><b>Reissue:</b> 12/06/2010</p>
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**Section I. Purpose:** To describe Town Policies regarding culverts in the town right of way.

**Section II.** The Selectboard hereby adopts this Policy in order to provide reference and authority when culvert-related issues are at hand within the Town. There are three culvert-related scenarios where the culvert system “system” is within the Town right of way or easement and the system is traversed in the process of gaining access to private property. We have:

- A. existing systems which have failed;
- B. existing right-of-ways which may require systems; and,
- C. proposed right-of-ways which may require systems.

**Section II. General:**

- A. Property owners who fall into the above referenced categories should first consult with the Road Foreman to determine the need for the system and the size of the proposed system.
- B. The Road Foreman shall determine the size of the proposed system but in general the minimum diameter culvert shall be 15: (fifteen inches). The minimum length of a culvert shall be 24’ (twenty-four feet).
- C. Installation of said systems shall not be initiated without the proper permitting and review process, where applicable.
- D. Maintenance of systems covered under this policy shall be the responsibility of the Town.
- E. Where the Town is not responsible for the installation of the system, the property owner may use an independent contractor for the installation. Said installation shall be inspected and approved by the Road Foreman.
- F. Culverts for temporary purposes, such as logging right-of-ways, shall be installed at the expense of the property owner or logging company. Removal (if required by the Town) and the reconstruction of the ditch to its original pre-system state shall be the responsibility of the property owner or the logging company. The installation and removal (if applicable) shall be supervised and approved by the Road Foreman.
- G. All systems shall have a rock header at both ends and shall be at least 12” (twelve inches) below grade. All systems and materials incorporated therein shall meet the minimum requirements of the Vermont Agency of Transportation or State or Federal agency with jurisdiction over such matters.
- H. Where the Road Foreman determines that the failure of the system resulted from forces other than normal wear and tear, or was due to the neglect or direct action of the property owner, the Town may require the entire expense to be the responsibility of the property owner.
- I. The responsibility of the Town for materials, excavation, and labor involved in the installations of system under this policy shall be limited to 1 (one) system per parcel of land. Where property is accessed by more than one system, the Town’s responsibility for materials will be limited to 1 (one system).

**Section 111. Replacement of Failed Existing Systems:** Replacement of existing systems, which have failed, shall be completed in accordance with proper engineering practices. The town shall first determine whether replacement is necessary pursuant to Clause 2 of this policy. In general, replacement of systems under this Section shall be at the expense of the town. The town shall provide the necessary equipment and labor necessary for the proper installation of the replacement systems. The property owner shall bear no direct expense for the replacement except as provided for in Clause 1 of this policy.

**Section IV. Installation of New Systems on Existing accesses:** Installation of new systems on existing accesses shall be completed in accordance with proper engineering practices. The initial expense for the materials required for installation of this type shall be borne by the property owner. The Town shall provide the necessary excavating equipment and labor. Replacement of systems installed under this section shall be handled in accordance with Section A of this policy.

- A. Clause 1.** In the event that the replacement system is, by request of the property owner, larger or substantially more involved than the original installation, the property owner shall bear the expense of the incremental difference in cost associated with the project.
- B. Clause 2.** The Town reserves the right to determine whether the system will be replaced or decommissioned. In certain circumstances the access may no longer be used or required and the town may find it cost effective to remove the system and replace with ditching or other form of water control.

**Revision History:**

<b>Doc. Number</b>	<b>Date</b>	<b>Actions</b>
107.00	02/04/1991	Approved by the Selectboard; Original issue
107.01	12/06/2010	Reformatted with no changes. Approved by Selectboard.