

**SPRINGVALE TOWNSHIP**  
**Isanti County, MN**  
**5-2003**

**Ordinance and Specifications for New Road Construction or**  
**Improved Recorded Roads in Springvale Township**  
**Effective: July 16, 2012**

**The Board of Supervisors of Springvale Township ordains:**

**I. DEFINITION**

For the purpose of this document: A road will be defined as that travelway or access to serve more than two (2+) residences. A private driveway will be defined as that travelway or access that serves two (2) or less private single family residences or farm dwellings. A development is defined as the building of more than two (2+) residences, or the creation of more than 2 (2+) buildable sites, served by the same road.

Township Engineering Firm: The Township Board will at its discretion, designate a registered engineering firm; as each project requires.

**II. ROAD PAVING POLICY**

**A. Existing Township Roads**

Landowners on a section of Township road must Petition the Township Board with their request for paving. Petitioners must prepare and present a petition that meets the form required by the Minnesota Chapter 429 Special Assessments. A petition form and Minnesota Chapter 429 handout is available from the Township.

The Township Board may proceed with paving a Township road without a petition. The funding of the project can be either by expenditure of general funds or by assessing all or a portion of the costs to the benefitted properties in accordance with Minnesota Chapter 429 Special Assessments.

## **B. New Township Roads or Developments**

Everyone who desires to develop within Springvale Township, will be required to sign a Developers Agreement with Springvale Township for any public improvements that are required. Developments shall construct the new roads with bituminous pavement. All new developments shall have one access from a paved street, where one is adjacent to the property to be developed. Details of the street construction shall be within the design standards of the Township as set by their roadway standards policy and in the development agreement for the new plat.

All newly created roads in Springvale Township must be constructed of bituminous pavement.

## **III. DEVELOPERS AGREEMENT**

All persons seeking to subdivide land for the purpose of platting and/or developing new roads in the Township must enter into a written Developer's Agreement with the Township setting forth the rights and obligations of the parties and in a format acceptable to the Town Board.

A developer must submit an engineer's bid estimate for the development of road improvements. Upon concurrence with the township's engineer firm, the developer must place in an escrow account held by the Township an amount equal to 1½ times (1.5x) the amount of the bid within ten (10) days of being notified of the successful bid. If the developer's engineer and township's engineer do not agree, the town board will make the final decision.

As the job progresses the developer may request an escrow reduction, in an amount matching reviewed receipts for paid expenditures.

## **IV. DESCRIPTION**

Road Construction in Springvale Township shall be completed in accordance with the Minnesota Department of Transportation (MnDOT) Standard Specifications for Construction, Division II and Division III; and the Springvale Township Roadway Standards. The standards shall be the version that is in effect at the time of the project approval.

All costs incurred for road construction, including but not limited to items such as: plan preparation, materials, labor, equipment, inspection, shall be accounted to the project. The Township may participate in the cost of paving existing township roadways. The Township will set the level of participation either by policy that is adjusted from time to time, or on a project by project basis. New developments must have at least one access from a paved street, where one is adjacent to the property to be developed.

## **V. PERMITS**

A permit from the Springvale Township Board shall be required for the purpose of building any new driveway, accessing a town road, within the Township. A permit fee is established by the Springvale Township Board, the fee may change at any time without prior notice from the Springvale Township Board.

## **VI. ROADWAY STANDARDS**

All new roads or improved recorded township roads must follow policy #102-01 Springvale Township Roadway Standards. The Township Board adopted standards for the design, materials, construction and inspection of all roadway improvements under the jurisdiction of the Township Board. These standards are monitored and updated as needed within the document titled Springvale Township Roadway Standards. This document is available upon request from the Township Clerk.

## **VII. ACCEPTANCE**

All roads built through developer agreements and/or by the approval of the town board will be subject for review as far as they pertain to the requirements above. The Springvale Township Board will not accept any road or portion thereof dedicated by private owners until all conditions of the above specifications have been met. The Owner/ Builder/ Contractor/ Developer must provide lien waivers or written proof that all materials, equipment rental and labor costs involved in the construction of said roads are free of all liens or financial obligations. There must be evidence of clear title to all land on which said road lays over, prior to the approval of the application for road dedication by the Springvale Township Board. The above specifications are subject to any reasonable modifications felt necessary by the Springvale Township Board and/or its agents. Additional requirements may be found necessary during the course of construction.

The Springvale Township Board and/or its agents reserve the right to delay the acceptance of said proposed roads for maintenance consistent with the Springvale Township Subdivision Ordinance or until such time that there is a minimum of one (1) occupied residence adjacent to said roads to justify the need for public maintenance service in the Town Board's discretion.

**VIII. VARIANCE PROCEDURE**

In instances where strict enforcement of the specifications dictated by the Ordinance and Specifications for New Road Construction or Improved Recorded Roads, Right of Way Ordinance, Roadway Standards Policy, or Driveway Policy of Springvale Township would cause practical difficulties because of circumstances unique to the individual property under consideration; the landowner may request a variance from the Springvale Township Board per Minnesota Statute 394.27 section 7.

Any request for a road variance will be acted upon in a timely manner by the Springvale Township Board after consultation with the Township's Engineering Firm.

**IX. EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage according to law.

Adopted September 3, 2003 / recorded September 18, 2003

Amended April 6 2005 / recorded April 11, 2005

Amended January 30, 2008

Amended July 16, 2012

Burt Coleman  
Springvale Town Board Chair

Attest:

Michelle Kleven  
Township Clerk