

300.8 Dead End Road Turnaround Policy

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SECTION I - PURPOSE

The intent of this policy is to provide a process for resolution of conflicts where there is not an adequate turn around on the public road, and where a turn around on private property is not properly maintained, disputed, or is not providing satisfactory service for the property owner(s) and/or the Town.

It is the policy of the Town of Berry that there must be an adequate turn around for maintenance vehicles such as snow plows and for emergency vehicles at the ends of all dead end Town roads. A turn around may be on private property or part of the Town road.

SECTION II – TURNAROUND AREA FREE OF OBSTRUCTIONS

In cases where property owners provide and maintain a satisfactory turn around area for Town vehicles and emergency vehicles, said turn around shall always be sufficiently free of parked vehicles, farm equipment, stored materials or any other obstruction that a large maintenance vehicle such as a fire truck or a snow plow can turn around efficiently and safely, regardless of weather conditions.

SECTION III – TYPES OF TURNAROUNDS

The preferred turn around is circular or semi-circular, allowing for reversal of direction without the need to reverse. Alternatively, if space or property ownership restricts the location, a stub road off the dead end that can accommodate a “Y” type turn is acceptable.

SECTION IV – SITING TURNAROUND AREA

Where an adequate turn around does not now exist, the preferred method to site a turn around will be through negotiation with affected property owner(s). The Town shall assure that adequate access is maintained to properties served by the Town road in question. Where alternative solutions are possible, the Town shall give preference to alternatives that shorten Town roads and to alternatives that are less costly to maintain.

Easement. If new land must be made available to the Town to provide a satisfactory turn around, it shall be surveyed and conveyed to the Town by an easement. When a satisfactory easement has been created, the Town shall relinquish all rights to claim adverse possession of private property where the snow plow has turned around in the past.

In the case where no mutually agreeable turn around can be found, the town may choose to claim the area maintained by the Town, without permission from the owner, for at least 10 years. In this case, the turn around will be surveyed, and the appropriate legal action

taken. When the town has a satisfactory turn around, it shall relinquish any claim to further adverse possession.

Where property owners are maintaining a satisfactory turn around on private property, and both the property owners and the Town wish to continue current practice, the Town will enter into an agreement with such property owners that, should a public turn around be needed in the future, if the property owner provides suitable space for such a turn around, the town will void any claim to adverse possession of the current private turn around used by Town vehicles.

Dated this 18th day of May, 2009

Posted: May 19, 2009

Brenda Kahl, Clerk/Treasurer
Tim Henneman, Sr., Supervisor
Jim Laubmeier, Supervisor

Anthony Varda, Chair
Chris Upper, Supervisor
Susan Studz, Supervisor