

ORDINANCE NO. 667

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA ESTABLISHING REQUIREMENTS FOR ROAD ACCEPTANCE AND MAINTENANCE

WHEREAS, prior to 1995, the County of Shasta ("County") accepted roads into the maintained mileage system when constructed in accordance with County standards for paved roads, and

WHEREAS, the County's revenues available for road maintenance of public roads have continued to decrease substantially, and

WHEREAS, revenues available for maintenance of roads do not increase in proportion to increases in maintained mileage, and

WHEREAS, in 1995, County's Board of Supervisors adopted Resolution 95-31 setting forth its policy for maintenance of subdivision roads and roads proposed for acceptance into the County system of maintained mileage; and

WHEREAS, Resolution 95-31 provided that road maintenance in private subdivisions could be accomplished by county service areas, or homeowners associations, provided that an inactive permanent road division was formed to provide maintenance in the event that a homeowners association failed to do so; and

WHEREAS, Proposition 218 (Article XIII D of the California Constitution) was passed and increased the procedural steps required to form permanent road divisions and provided an opportunity for landowners to object to the formation of a permanent road division or to object to new or increased assessments at a later date; and

WHEREAS, as a result of the changes in legal requirements to form and finance permanent road divisions and in order to maintain acceptable levels of maintenance on roads within Shasta County, modification of existing policies are required.

NOW, THEREFORE, the Board of Supervisors of the County of Shasta ordains as follows:

Section 1. No new roads will be accepted into the County system of maintained mileage except for collector and arterial roads that are constructed in accordance with County standards for paved roads.

Section 2. New subdivisions creating five or more lots shall be required, as a condition of approval, to form a Permanent Road Division in accordance with Streets & Highways Code §§ 1160 *et seq.* and all other applicable laws to provide for the maintenance of the roads serving the subdivision.

Section 3. Roads proposed for public use that are to be constructed by assessment districts or community facility districts shall be maintained by a Permanent Road Division formed in accordance with Streets & Highways Code §§ 1160 *et seq.* and all other applicable laws.

Section 4. Roads serving four or fewer lots are exempt from this ordinance.

Section 5. This ordinance replaces and supersedes Resolution 95-31.

PASSED AND ADOPTED this 6th day of January, 2009, by the Board of Supervisors of the County of Shasta, by the following vote:

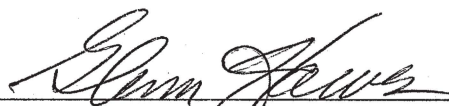
AYES: Supervisors Kehoe, Baugh, Moty, Hawes, and Hartman

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None



GLENN HAWES, CHAIRMAN

Board of Supervisors

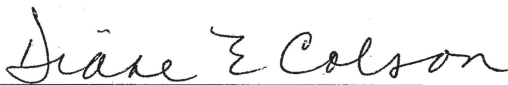
County of Shasta

State of California

ATTEST:

LAWRENCE G. LEES

Clerk of the Board of Supervisors

By 

Deputy

THIS INSTRUMENT IS A CORRECT COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE

ATTEST JAN 06 2009

CLERK OF THE BOARD
Supervisors of the County of Shasta, State of California

BY: 