

BILL NO.: 18-0817

ORDINANCE NO.: 18-OB60

INTRODUCED BY: COUNCIL MEMBER(s) Bickowski

1 **AN ORDINANCE TO ESTABLISH THE PRIVATE STREET SIGNING**
2 **PROGRAM AND TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO**
3 **ENTER INTO STREET/STOP SIGN INSTALLATION AGREEMENTS AS**
4 **NECESSARY TO INSTALL STREET AND/OR STOP SIGNS ALONG PRIVATE**
5 **STREETS AT THE INTERSECTION WITH JEFFERSON COUNTY PUBLIC**
6 **WORKS DEPARTMENT MAINTAINED ROADWAYS WITHIN ALL COUNCIL**
7 **DISTRICTS.**

8 **WHEREAS**, Jefferson County, Missouri, Code of Ordinances, Chapter 305,
9 Section 305.070, Part C., states: "The Highway Administrator may designate entrances
10 and intersections to County roads from private roads or streets as a stop intersection or as
11 a yield intersection and erect stop signs or yield signs at the entrance to a County road
12 from a private road."; and,

13 **WHEREAS**, Jefferson County, Missouri, Council has requested that the Public
14 Works Department establish a private street signing program to provide a mechanism by
15 which the public can seek support and assistance for the installation of stop and/or street
16 signs along a private road at the intersection with a County road; and,

17 **WHEREAS**, the Public Works Department has developed the Private Street
18 Signing Program and associated street/stop sign installation agreement attached hereto as
19 Exhibit A; and,

FILED

AUG 31 2018

1 **WHEREAS**, the Public Works Director recommends approval of the program
2 that allows the Highway Division to accept requests for service, collect payments, install
3 signage and maintain thereafter in perpetuity, subject to the requirements and limitations
4 of the executed agreements; and,

5 **WHEREAS**, the Jefferson County, Missouri, Council now finds it is in the best
6 interest of the County to authorize the implementation of the Private Street Signing
7 Program and to enter into any necessary street/stop sign installation agreements with
8 authorized public representatives for the purpose of improving the health, safety and
9 welfare of the traveling public.

10 **BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI,**
11 **COUNCIL, AS FOLLOWS:**

12 Section 1: Jefferson County hereby establishes a Private Street Signing
13 Program which enables the Director of Public Works to execute any street/stop sign
14 installation agreement with authorized public representatives when the Director deems
15 that such agreement will further the purpose of improving the health, safety and welfare
16 of the traveling public.

17 Section 2: The Jefferson County, Missouri, Council hereby authorizes the
18 Public Works Director to implement the Private Street Signing Program and execute any
19 necessary street/stop sign installation agreements. A copy of said program agreement is
20 attached hereto as Exhibit A. The Public Works Director is further authorized to take any
21 and all actions necessary to carry out the intent of this Ordinance.

1 Section 3: A copy of the agreement shall be maintained by the Department of
2 the County Clerk consistent with the rules and procedures for the maintenance and
3 retention of records as promulgated by the Secretary of State.

4 Section 4: This Ordinance shall be in full force and effect from and after its
5 date of approval. If any part of this Ordinance is invalid for any reason, such invalidity
6 shall not affect the remainder of this Ordinance.

**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Don Bickowski	<u>yes</u>
Council Member District 2, Renee Reuter	<u>yes</u>
Council Member District 3, Phil Hendrickson	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Daniel Darian	<u>yes</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, James Terry	<u>yes</u>

THE ABOVE BILL ON THIS 27th DAY OF August, 2018:

PASSED FAILED



Don Bickowski, County Council Chair



Pat Schlette, Council Administrative Assistant

THIS BILL WAS APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 30TH DAY OF AUGUST, 2018.

THIS BILL WAS VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS DAY OF , 2018.

Kenneth B. Waller

Kenneth B. Waller, Jefferson County, Missouri, Executive

ATTEST:

Randy B Holman

Randy B. Holman, County Clerk

BY: *Katherine E. Missey*

First Reading: 08-13-2018

Second Reading: 08-27-2018

Third Reading: 08-27-2018

STREET / STOP SIGN
INSTALLATION AGREEMENT

This AGREEMENT is entered into by and between the Jefferson County Public Works Department (hereafter, "Department") and _____ (hereafter, "Owner(s)") for the exclusive right to enter upon and use the described property for the purpose of carrying out the installation and maintenance of a **STREET / STOP** (circle one or both) sign that is to be placed along the private road, street or drive known as _____ and at the intersection of the County-maintained road known as _____.

WHEREAS, the Owner(s) grant a right of entry upon the following described parcel(s) of land:

Parcel ID: _____

Project: Traffic Sign Installation off County Right of Way or Prescriptive Easement

Address: _____

NOW, THEREFORE, in consideration of the promises, covenants and representations in this Agreement, the parties agree as follows:

(1) CONSIDERATION: In exchange for the right of entry onto private property and cost of sign installation, the Department agrees to only perform the necessary described sign installation work and return any other disturbed, above ground private property to the original condition. The mutual exchange of the stated sign installation and maintenance services for the right of entry onto private property and initial cost of sign installation will constitute fair, adequate, good and valuable consideration.

(2) PAYMENT: The Owner(s) shall pay Jefferson County, Missouri one-hundred dollars and zero cents (\$100.00) for a stop or street sign installation, or one-hundred fifty dollars and zero cents (\$150.00) for both stop and street sign installations. This payment made by the Owner(s) reflects the labor, equipment and material expenses incurred by the County for the initial installation. The Department agrees to tag, track and maintain the sign installation thereafter and in perpetuity.

(3) UTILITY LOCATION: In order to perform the stated work within this agreement, the Department must have all utilities properly located within the area of sign installation. The Owner(s) understand that independent utility location companies that are hired by the public utilities will be on their private property marking any public utilities that could be in conflict with Department sign installation procedures. The Department and Jefferson County, Missouri are held harmless to any damage that these independent utility location companies may cause to the private property owned by the Owner(s) stated in this agreement, or any adjacent properties affected. The Owner(s) further understand that painted markings or location flags from utility location process may be marked on their private property by others. The Department reserves the rights to adjust sign installation locations based on the in-field location of public utilities. The Department and Jefferson County, Missouri are held harmless of any damage incurred to unmarked, underground private property that is owned by the Owner(s).

(4) PROPERTY DESCRIPTION: Attached hereto are photographs, maps, plats, parcel ID's or other physical descriptions of the sign installation that is to be maintained or improved by the County. Both parties agree that the physical description will be the only actual or immediate adjacent areas subject to this agreement.

(4) DURATION OF OCCUPANCY: The Department agrees that upon completion of the previously described work on the above-noted route or property and projects, all right of entry onto the described private property that has been granted to the Department by the Owner(s) shall cease and be no longer in effect, except for the need for post and/or sign maintenance or replacement. The specific duration of the right of entry onto private property for the purpose of initial sign installation shall be from _____ (date) to _____ (date)

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date written below.

Executed by the Owner(s) this _____ day of _____, 20____

Executed by the Department this _____ day of _____, 20____

SIGNATURES OF OWNER(S)

ADDRESS

PHONE NO.

JEFFERSON COUNTY PUBLIC WORKS DEPARTMENT

BY: _____

TITLE: _____

Return to:

Jefferson County Public Works

Highway Department

Attn: Traffic Planner

725 Maple St., Room 104

Hillsboro, MO 63050

Make checks payable to: Jefferson County Public Works