

Works Department provided the property owner pays the additional costs incurred for materials.

(4) Pipe diameter larger than eighteen (18) inches will require approval by the County Engineer.

**Sec. 1-9. Surplus dirt.**

Surplus dirt excavated on County projects, which must be hauled away and disposed of off-site, may be placed on private property, with the property owner's consent, provided that:

(1) Disposal there is more economical than hauling the dirt to the nearest County owned disposal site, and

(2) The property owner releases and holds the County harmless for any damages or liability resulting from placement of the dirt on his property, and

(3) All applicable permitting requirements by the County or SCDHEC have been or will be met.

(4) A reasonable effort is made to insure a fair and equitable distribution among property owners who want the dirt.

**Sec. 1-10. Street name signs.**

(a) The Department of Public Works shall erect and maintain street name signs on all public streets within the jurisdiction and authority of the County. Signs will be metal blanks on metal posts fabricated in a standard design established by the County Administrator and/or his designee(s).

(b) The developer of any new subdivision constructed within the jurisdiction and authority of the County is responsible for the initial installation of street name signs in accordance with an approved signage plan. All street signs shall comply with the County's design standard for retro-reflectivity.

(c) The Department of Public Works may erect street name signs at the intersections of private streets with public streets, at no cost to the residents, when there are residences with addresses on that private street.

(d) Overhead signs may be installed at selected intersections at the discretion of the County Administrator and/or his designee(s).

(e) In conjunction with subsection (a) above, the County standard for street name signs shall be included in published road design standards developed by the County Engineer. The standard shall address sign material, installation, visibility, and color. The Department of Public Works shall maintain street name signs to the County standard after acceptance of the streets.

**Sec. 1-11. Traffic engineering.**

(a) Traffic engineering on County maintained highways, streets and roads shall be in accordance with the South Carolina Manual on Uniform Traffic Control Devices latest edition.

(b) Traffic control signs on County maintained highways, streets and roads shall comply with the standards contained in the South Carolina Manual on Uniform Traffic Control Devices latest addition.

(c) The developer of any new subdivision constructed within the jurisdiction and authority of the County is responsible for the initial installation of all necessary traffic control signs in accordance with an approved signage plan. The Department of Public Works shall maintain the signs after acceptance of the streets.

(d) The use of speed bumps, humps or tables to control speeds on County maintained highways, streets or roads shall have the pavement markings and signage as outlined in the South Carolina Manual on Uniform Traffic Control Devices latest edition.

**Sec. 1-12. Street lighting.**

The County shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area.

**Sec. 1-13. Emergency maintenance of roads.**

(a) No work may be performed on any roadway not already maintained by the County unless the County Administrator and/or his designee(s) determines that access to such roadway is necessary for the performance of one (1) or more public functions, and the following conditions exist:

- (1) Such a roadway is the only access for one (1) or more property owners or residences, and
- (2) Emergency medical services, sheriff department vehicles, and other county vehicles cannot, in the lawful performance of their duties, gain full and immediate access to at least one (1) residence unless road scraping is performed, and
- (3) At least one (1) of the properties to be accessed is used as a primary residence.

(b) Any work pursuant to this Section will be done on a one-time basis only. In such cases, the County Department of Public Works is limited to the minimum improvements that will allow full and immediate access to the affected residences. Crusher-run, gravel, pipe or other materials will not be routinely provided.

(c) This Section is not applicable to roads providing access to private driveway subdivisions that were created under the County's land development regulations.

**Sec. 1-14. Abandonment of public roads and right-of-ways.**

(a) Any person or organization wishing to close an existing public street, road, or highway in Fairfield County to public traffic shall petition a court of competent jurisdiction in accordance with Section 57-9-10, et seq. of the South Carolina Code of Laws. The petition shall name Fairfield County as a respondent (unless the County is the petitioner). The County Attorney shall advise the court with regard to the County's concurrence or opposition after consultation with the County's planning, public works, and emergency services departments, and after consideration by County Council. It shall be the responsibility of the petitioner to physically close the roadway if a petition is successful. The County Attorney may submit such petition on behalf of Fairfield County if so directed by County Council.

(b) Any person or organization wishing the County to abandon maintenance on an existing County-maintained street, road, or highway shall submit to the Public Works Department a petition to do so signed by the owners of all property adjoining the road and by the owners of all property who use the road as their only means of ingress/egress to their property. The petition shall state that the property owners release and indemnify the County from any duty to maintain the road. At the recommendation of the County Engineer, the County Administrator shall have the authority to act on a petition that involves a dead-end road; County Council shall have the authority to approve petitions under all other circumstances. If the petition is approved, the County Engineer may require the property owners to place an appropriate sign alongside or at the end of the road.

(c) Any person or organization wishing to acquire ownership of an unused road right-of-way in the County (including a public right-of-way that is dedicated either by deed, prescription, or recordation of a plat) may submit a petition for consideration by County Council. If it is determined by the County's planning department and public works department that the right-of-way will not be utilized by the County for road purposes, County Council may approve a quit-claim deed conveying the County's interest to the owners of the adjoining property. Unless the owners of the adjoining property agree to another division, each may acquire that portion of the right-of-way adjacent to his/her property on his/her side of the right-of-way's centerline. The grantee(s) of the quit-claim deed(s) shall be responsible for preparing the deed(s) prior to County Council's consideration of the request. Upon approval and execution of the deed(s), the grantee(s) shall be responsible for recording the deed(s) in the office of the Register of Deeds and for returning a filed copy to the office of the County Attorney. The County Council may require the grantee(s) to pay up to the fair market value, as determined by the County Assessor's Office, in exchange for the conveyance of the right-of-way. Upon recordation of the deed, the County Assessor's Office shall adjust the appraisal of the adjoining parcels to reflect the value of the additional property.

**Sec. 1-15. Temporary closing of streets and roads.**

(a) Request. Any party desiring to have any street or road temporarily closed in the County shall submit a written request to the County Administrator.

(b) Deadlines for requests. All written requests must be submitted to the County Administrator at least ten (10) days prior to the requested closing date.

(c) Appointment of person accountable. All parties requesting such temporary closure shall designate one (1) person who shall act as spokesman for the party, as well as supervise all activities for the duration of such closing.

(d) County Administrator consideration. The County Administrator shall consider, within five (5) days, all timely submitted requests made by such parties. If approved, the County Administrator shall request the Sheriff to take appropriate action to blockade the requested streets and/or roads and the Clerk of Council shall advertise to the public through the news media all approved temporary closings. The cost of such advertising shall be borne by the parties requesting the temporary closures.

(e) Duration. All streets and roads closed pursuant to this Section shall be blockaded for a period normally not to exceed twenty-four (24) hours. Such duration, however, may be amended by the County Administrator at his/her discretion on an event basis.

(f) Emergency closings. Requests for temporary closing received less than ten (10) days prior to the requested closing date may be considered as an emergency closing if, in the opinion of the County Administrator, such closing is warranted; provided, that such action would not conflict with the public interest and, further, that there exists sufficient time for appropriate action to blockade requested streets and/or roads. All applicants will be placed on notice that future requests must be submitted to the County Administrator ten (10) days prior to the requested closing date.

**Sec. 1-16. Work on private property.**

The County Department of Public Works is prohibited from performing any work on private property not specifically authorized under the provisions of this Section except in emergency situations involving public health or safety and authorized, in writing, by the County Administrator.

**Sec. 1-17. Construction of new roads.**

No new roads will be constructed by the County Department of Public Works unless specifically directed by the County Council.

**Sec. 1-18. Trees on private property.**

The County Department of Public Works may remove dead trees on private property when there is a clear danger that they will fall onto a public road.

**Sec. 1-19. "C" construction program.**

(a) All funds available to the County Council through the "C" construction program will be used exclusively for maintenance and construction of publicly owned streets and roads in the county, and the drainage facilities directly related thereto.

(b) The County Administrator and/or his designee(s) will be responsible for implementing systematic programs for resurfacing of existing streets and new construction funded with "C" funds. New construction may include any of the following:

- (1) Paving existing unpaved roads,
- (2) Widening existing roads,
- (3) Intersection improvements,
- (4) Transportation Improvement Projects (including traffic signal devices),
- (5) Traffic Safety Projects,
- (6) Drainage Improvements (including drainage basins, curb and gutter, etc.), or
- (7) Sidewalks.

(c) The County Administrator and/or his designee(s) may provide staff support to the County Transportation Committee as requested for coordination of the "C" Construction Program for Fairfield County.

(d) The County Finance Department or their consultant may provide all financial services required for administration of the County's "C" fund allocation if requested by the County Transportation Committee.

(e) Fairfield County Council has the right to supersede the funding for the road priority program as described in Sec. 1-20 for economical development priorities and other special circumstances including but not limited to new industries, schools and or subdivisions.

(f) In the event of funding shortfalls, the County Administrator and/or his designee(s), County Council and the County Transportation Committee will evaluate the priority system and determine which projects to complete.

(g) The County Transportation Committee and/or their designee shall update the road

priority list every three (3) years.

(h) The priority list dated September 9, 2005 provided by the County Transportation Committee shall be included in this ordinance for the original road priority list "Attachment A".

**Sec. 1-20. Road paving program.**

(a) Road construction and paving projects administered by the County and funded from "C" funds shall be accomplished in accordance with a consistent, systematic program established and administered by the County Administrator and/or his designee(s). Such program shall have the following basic characteristics:

- (1) Only County maintained roads will be paved utilizing public funds,
- (2) All County maintained dirt roads are eligible for paving providing the county standards are met, and
- (3) Paving will be accomplished in priority order at a rate permitted by availability of funding.

(b) The County Administrator and/or his designee(s) will acquire and maintain the following data on all roads proposed for paving, and post this information in the Fairfield County Library:

- (1) Name,
- (2) County Road Number,
- (3) Map location,
- (4) Beginning and ending points,
- (5) Length in miles and hundredths of a mile, and
- (6) Council District.

(c) In addition, the following data pertaining to the roads priority for paving will be obtained and recorded for each road:

- (1) Number of permanent resident's homes accessed from the road,
- (2) Number of seasonal resident's homes accessed from the road,
- (3) Number of permanent resident's homes accessed from dead end spur,
- (4) Number of seasonal resident's homes accessed from dead end spur,