

**HARDIN COUNTY, KENTUCKY  
ORDINANCE NO. 317, SERIES 2018**

**AN ORDINANCE RELATING TO COUNTY ROAD ENTRANCES  
AND DRIVEWAY PERMITS IN HARDIN COUNTY, KENTUCKY  
AMENDING ORDINANCE NO. 67, SERIES 1990**

**BE IT ORDAINED** by the Fiscal Court of the County of Hardin, Commonwealth of Kentucky, as follows:

**WHEREAS**, this ordinance is deemed necessary to protect the public health, safety and welfare of the citizens of Hardin County, Kentucky by permitting methods of ingress and egress from both private and public land to access county roads by allowing points of ingress and egress onto county roads at locations where safe sight distances are recognized. This ordinance will reduce the possibility of collision between traffic entering county roads and traffic traveling on county roads; discourage the possibility of county roads from becoming overused beyond their capacity to accommodate traffic safely; and ensure proper and adequate drainage of water on county roads; and

**WHEREAS**, authority for this ordinance is provided in KRS 100.281 and KRS 67.083(t).

**NOW, THEREFORE**, be it ordained by the Fiscal Court of the County of Hardin, Commonwealth of Kentucky, that this Ordinance relating to county road entrances and driveway permits is hereby adopted, approved, and required as follows:

**Section I: Administration**

A. The effective date of this Ordinance shall be the 27th day of August, 2019.

B. Commencing on the effective date of this Ordinance, no person, corporation, government body or any entity shall construct, allow or facilitate the creation of an entrance, driveway, street or passageway for the purpose of vehicular ingress or egress onto a county road in the Hardin County road maintenance system without first obtaining a permit as herein provided.

C. The Hardin County Road Department Supervisor or Road Department Engineer (herein referred to as the Road Supervisor) shall be responsible for processing, reviewing all applications for ingress/egress onto county roads and issuing permits utilizing standards as herein provided.

D. Applications for permits shall be made by contacting the Hardin County Road Department, 501 Bacon Creek Road, Elizabethtown, Kentucky.

E. Records shall be created and kept on file by the Road Department. Information to be maintained shall consist of the applicant's name, the address of the property, subdivision name and lot number, a telephone number, the date the request was made, the date the field inspection was performed, the individual conducting the inspection, a sketch of the location of the entrance in relation to the county road, the sight distance in both directions, any information which will explain special features of the application in question (topography, road curves and/or physical features which may obstruct view), the date the application was permitted or denied and the Road Supervisor's signature.

F. The Hardin County Planning and Development Commission has authority to review and dispose of plats within unincorporated Hardin County. Any plat signed by the Road Supervisor shall serve as an ingress/egress permit for public right of ways identified therein only. Individual lots shall be required to obtain an individual permit.

G. Any other planning unit having authority within the incorporated areas of Hardin County, which approves a subdivision ingress/egress upon a county road, shall be required to have the following certification exhibited upon a plat with the Road Supervisor's signature.

*I have reviewed this plat with regard to ingress/egress upon county roads and found these items to comply with all applicable county ordinances.*

\_\_\_\_\_  
COUNTY ROAD SUPERVISOR *or*  
COUNTY ROAD ENGINEER

## **Section II: Ingress/Egress Standards**

The following standards are deemed as being reasonable minimum standards to protect the public health, safety and welfare of the public.

A. Ingress/Egress design standards shall allow an entering vehicle a turning speed of 15 miles per hour to help reduce interference with through traffic.

B. Ingress/Egress points shall be able to accommodate all vehicle types having occasion to enter the site.

C. Ingress/Egress points shall be such that an existing vehicle has an unobstructed sight distance along the roadway according to the chart below. This distance shall be measured beginning at the access point at an elevation of three and one half (3 ½) feet from the grade of the street and extending so that an object two and one half (2 ½) feet above the road surface can be seen.

<b>Designated Road Speed (mph)</b>	<b>Driveway Sight Distance (feet)</b>	<b>Intersection Sight Distance (feet)</b>
20	115	225
25	155	280
30	200	335
35	250	390
40	305	445
45	360	500
50	425	555
55	495	610

Designated Road Speed will be as shown on the Hardin County Road Listing (latest edition). For roadways with no assigned speed limit, the following table based on surface width shall be used only to designate the road speed utilized to determine ingress/egress points.

<b>Surface Width (feet)</b>	<b>Designated Road Speed (mph)</b>
16 feet or greater	35 mph
15 feet to 12 feet	25 mph
11 feet or less	20 mph

Due to existing horizontal / vertical geometry or other factors, it may not be appropriate for some roadways to utilize the above table to determine designated road speed. At the discretion of the Road Supervisor in consultation with the County Engineer, these roads may be subject to further evaluation such as a speed study or other acceptable methods to determine designated road speed.

D. All ingress/egress shall provide a clear view for a motorist entering a county road. A triangle of clear vision shall be established as follows: lines following the pavement edge of the county road and the proposed ingress/egress for a distance of twenty-five (25) feet shall form the triangle. These two (2) lines form the sides of the

triangle and the base is formed by a line connecting the two sides at the furthest distance from the point of intersection. Nothing shall be allowed to be constructed, placed, planted or otherwise allowed to grow within this area in excess of two and one half (2 1/2) feet in height above the grade of the street at the pavement edge.

E. Right turn lanes and tapers shall be required:

- 1) When expected right-turn ingress movements meet or exceed 50 vehicles per hour during typical peak traffic periods;
- 2) When the volume of vehicles on the county road are expected to meet or exceed 1,000 vehicles per day;
- 3) When it can be documented through traffic analysis that such treatment is necessary to avoid congestion of unsafe conditions of the county roadway; or
- 4) When the particular land use involves heavy trucks or other vehicles, which in the opinion of the Road Supervisor or in consultation with the County Engineer will discourage the free flow of traffic.

F. Ingress/Egress spacing, to include crossovers on divided highways, shall be determined according to standards enforced by the Department of Highways of the Kentucky Transportation Cabinet.

G. Due to existing conditions such as limited sight distance, traffic volume, road speed and other safety factors, it may not be appropriate to back out onto a County Road. At the discretion of the Road Supervisor or in consultation with the County Engineer, ingress/egress for private entrances or driveways at these locations shall provide a circle drive or a three (3) point turn on private property to provide an opportunity for vehicles to pull directly onto the county road instead of backing onto a county road.

H. The standards as provided herein are minimum standards to be applied by the Road Supervisor. The Road Supervisor may apply higher or stricter standards, if in the opinion of the Road Supervisor, it is necessary due to unusual or unique characteristics of the proposed ingress/egress to provide for the health, safety and welfare of the citizens of Hardin County.

I. An existing ingress/egress point shall not be required to conform to the standards set forth in this section. An existing ingress/egress points shall not be moved unless:

- 1) The point to which it is moved conforms to the standards set forth in this section;
- 2) At the sole discretion of the Road Supervisor in consultation with the County Engineer, the point to which it is moved is in a safer location that is nearer to a point in conformity with the specifications set forth in this section notwithstanding the new ingress/egress point's nonconformity; or,
- 3) The Road Supervisor along with the County Engineer, make a written determination that moving a point of ingress/egress to a point further from conformity with this section better serves the safety and/or traffic needs of the public and the safety and needs of the property owner(s). A written determination pursuant to this subsection shall include the reasons for the determination.

J. If the Road Supervisor in consultation with the County Engineer determine that a safe ingress/egress point can be established it may not conform to the standards set forth in this section if:

- 1) An ingress/egress point has not been established on the property, and
- 2) There is not a point on the property that would conform to the standards set forth in this section.

### **Section III: Drainage Culvert Standards**

All ingress/egress points shall be provided with a culvert conforming to the following standards:

A. All ingress/egress or entrance culverts shall be installed to allow proper drainage under the point of ingress/egress. This culvert shall be fifteen (15) inches minimum diameter and twenty-four (24) feet minimum length, or of sufficient length to provide two feet of pipe on each side of the ingress/ egress. The Road Supervisor shall have the right and authority to require culvert pipe of larger diameter and/or greater length in cases where lesser specifications would provide inadequate drainage of water.

B. To allow for proper cross slope drainage, ingress/egress shall be constructed to allow the lowest point to be three to four inches below the street grade of the county road at a minimum.

C. Only corrugated metal pipe (CMP), reinforced concrete pipe (RCP) and high-density polyethylene (HDPE) pipe shall be used as proper driveway culverts. The Road

Supervisor shall accept no corrugated plastic pipe (CPP) or any other material.

D. The standards as provided herein are minimum standard to be applied by the Road Supervisor. The Road Supervisor may apply higher or stricter standards if in the opinion of the Road Supervisor it is necessary due to unusual or unique characteristics of the proposed ingress/egress to provide for the health, safety and welfare of the citizens of Hardin County.

**Section IV: Appeal**

The applicant or any other interested party may appeal the decision of the Road Supervisor to the Hardin County Fiscal Court Public Works Committee for subsequent review. The committee may collect information from any source in order to determine a safe and fair resolution. The committee may choose to waive, decrease or increase any of the standards provided herein in order to protect the public health, safety and welfare in certain situations. A majority vote of those present shall be necessary to waive, decrease or increase any standards as provided herein. The committee may impose any conditions upon the application so deemed to be in the public interest and encourage the protection of the public. Appeals shall be heard and disposed of at any Public Works Committee meeting with prior scheduling by the committee chair.

**Section V: Penalties**

Any person, corporation, government body or entity violating any provision of this ordinance shall be deemed guilty of a violation and shall upon conviction be fined not less than ten dollars (\$10.00) but not more than five hundred dollars (\$500.00) for each conviction. Each day of violation shall constitute a separate offense.

**Section VI: Severability**

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Given First Reading on the 13th day of August, 2019.

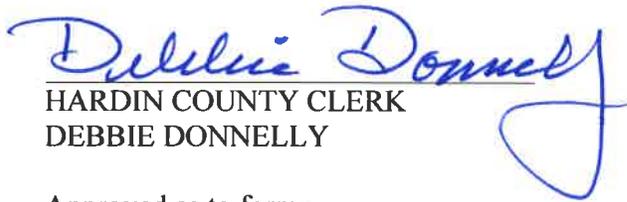
Given Second Reading on the 27th day of August, 2019.

Adopted by the Fiscal Court of Hardin County, Kentucky on the 27th day of August, 2019.



HARRY L. BERRY  
HARDIN COUNTY JUDGE/EXECUTIVE

ATTEST:

  
HARDIN COUNTY CLERK  
DEBBIE DONNELLY

Approved as to form:

  
HARDIN COUNTY ATTORNEY  
JENNIFER OLDHAM

**PUBLISHED**  
**NEWS ENTERPRISE**  
**SUNDAY, AUGUST 18, 2019**

**PUBLIC NOTICE**

Hardin County Fiscal Court, in its regular meeting on 13 Aug 2019, had the first reading of Ordinance No. 317, Series 2018 entitled:

**AN ORDINANCE RELATING TO COUNTY ROAD ENTRANCES AND DRIVEWAY PERMITS IN HARDIN COUNTY, KENTUCKY AMENDING ORDINANCE NO. 67, SERIES 1990**

A Second Reading of the proposed Ordinance will be held on 27 August 2019 at a Regular Fiscal Court meeting at 3:30 P.M., at the Hardin County Government Building, 150 N. Provident Way, 3rd Floor, Fiscal Courtroom, Elizabethtown, Kentucky.

A copy of the full text of the ordinance is available in the office of the Hardin County Judge/Executive's Office, 150 North Provident Way, Suite 314, Elizabethtown, Kentucky, Monday through Friday from 8:00 a.m. to 4:30 p.m.

*/s/*Harry L. Berry  
Hardin County Judge/Executive