

# CITY OF GRAND MEADOW UNOPENED STREET AND ALLEY POLICY

(map to supplement policy)

## **Definitions:**

Opened Street or Alley. A public right-of-way (street or alley) improved for Public Use by the general public to accommodate vehicle access on a regular, continuous basis as defined by the City.

Public Use. Use available to the general public as distinguished from a particular individual or group of individuals. Public Use right-of-way is available for vehicular use and travel by the general public.

Regular Use. Regular Use defined as use of the Unopened Street or Alley that results in a detectable altered condition of the street or alley. Altered conditions include, but may not be limited to, leaving ruts, furrows, channels or potholes or use that prohibits healthy turf maintenance.

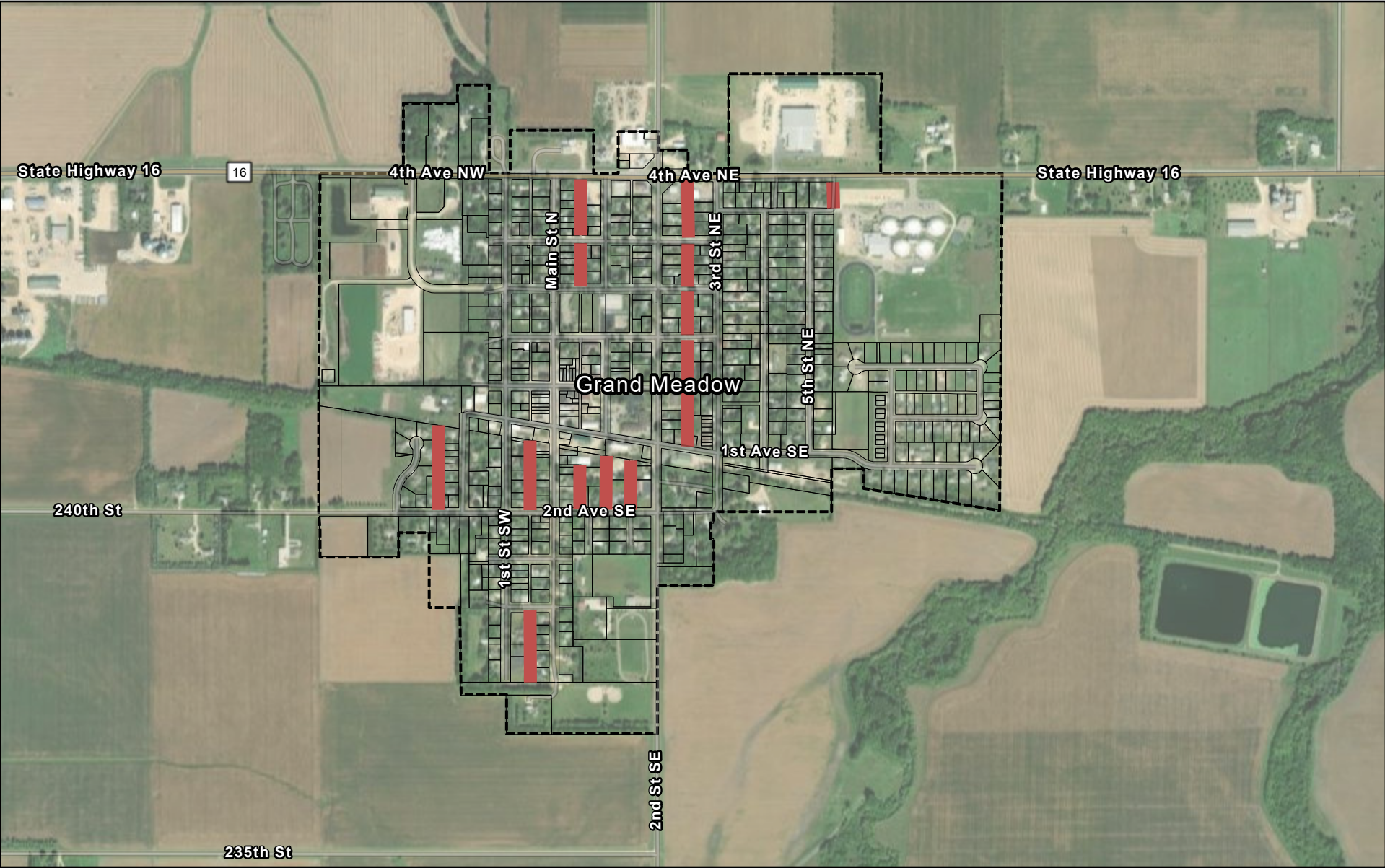
Unopened Street or Alley. A public right-of-way that is not improved by the City or to City standards or otherwise intended for use Regular Use by the general public and has not been opened by the City for Public Use for vehicle access. Unopened Streets or Alleys may be accessed occasionally for non-regular use.

## **Policies for unopened alleys:**



1. Grass maintained at grade will be permitted in Unopened Street or Alley rights-of-way to a height not exceeding eight (8) inches. Trees, shrubs, and other vegetation that prevents the use or drivability of any public way to emergency, City, utility, or City-authorized/permitted vehicles in an Unopened Street or Alley are not permitted.
2. Unopened Street or Alley right-of-way shall be mowed and maintained by adjacent property owners.
3. Non-permanent but semi-durable materials such as pavers, framed or walled flower beds, retaining walls, play features, above ground pools, and other hardscaping is not permitted in Unopened Street or Alley right of way. Parking in Unopened Street or Alley right-of-way is not permitted, except for temporary unloading.
4. Permanent, durable materials such as fences, garages, sheds, home additions, in-ground pools, or similar will not be permitted in Unopened Street or Alley right of way.
5. Stockpiling or composting of leaves, compost, vegetative material, grass clippings, brush, and the like is not allowed in Unopened Streets or Alleys.

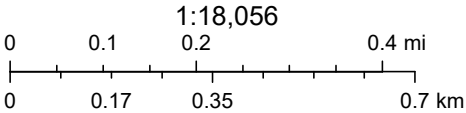
6. Placement of fill, altering the grade, or changing the grass surface of an Unopened Street or Alley is not allowed. Grading and surface treatments such as gravel, asphalt, pavers, or other materials placed by others with the intent to drive upon the Unopened Street or Alley right of way are not permitted. It is unlawful for any person to do or cause any work to be done to improve an alley for Public Use or Regular Use.
7. Property owners are hereby notified that structures that are proposed to be accessed on a Regular Use basis from an Unopened Street or Alley right of way do not have rights to use the public way for ingress/egress to that structure. Regular Use access (e.g. driveways) must be from a public street opened by the City for Public Use. As an alternative, 75% of property owners (percentage is based on frontage feet) abutting the Unopened Street or Alley may petition for opening of the street or alley provided it is constructed to City standards for the full width and length of street or alley. Upon receiving a petition, the City will obtain an estimate for construction. The estimates will be mailed to owners of the property abutting the street or alley, starting a protest period of 30 days (protests must be submitted in writing). If over 50% of property owners (percentage is based on frontage feet) abutting the Unopened Street or Alley protest opening of the street or alley, the project cannot proceed. If protests are equal to or less than 50%, the results will be presented to the City Council with a recommendation to proceed with the project. The City Council will make the final decision as to whether to proceed with the project. The full cost of construction will be assessed to properties abutting the street or alley. Opening of streets or alleys is subject to City Council approval and proper review and execution of documentation.
8. The placement of private materials, whether permitted or not, upon an Unopened Street or Alley right of way is temporary and subject to removal at any time by the City of Grand Meadow when City or authorized utility or permit holder work in the area is necessary. The City is not responsible for notification to the owners, nor subject to any damage, relocation or replacement costs for private improvements or property placed in the public way, whether permitted or not. Private use of the public way is done at the user's exclusive risk.
9. Non-permitted uses, as detailed above, are a nuisance and subject to code compliance actions up to an including issuance of a citation and abatement. The cost of returning the public way to its original or better condition shall be at the cost of the unpermitted user.
10. In some extremely limited cases, Unopened Street or Alley right of way may be vacated by the City, subject to very strict review.
11. The City will not be obligated to maintain Unopened Street or Alley right of way. The City will not be obligated to remove snow from dead-end alleys.

# Unopened Alleys



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-  City Limits
-  Parcels



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Maxar