

ORDINANCE 1997(7)

AN ORDINANCE OF HOPKINS COUNTY, KENTUCKY, ESTABLISHING A POLICY FOR THE SALE AND/OR INSTALLATION OF DRAINAGE TILE

WHEREAS, the governing body of Hopkins County, the Hopkins County Fiscal Court has determined that the Administrative Code should be amended to provide for the establishment of a policy for the sale and/or installation of drainage tile along the roadways in Hopkins County.

NOW THEREFORE, BE IT ORDAINED by the Fiscal Court of Hopkins County that the following policy shall be adopted concerning the sale and/or installation of drainage tile on the right-of-ways of Hopkins County Roads.

1. Hopkins County shall maintain and provide for the sale to the public of drainage tile to be installed on County right-of-ways leading into the driveways and/or entrances to property adjoining the Hopkins County road system.
2. No drainage tile shall be sold for any purpose other than for installation on County right-of-ways as set forth in Paragraph 1.
3. Drainage tiles shall be sold by the County at a price to be determined by the Fiscal Court of Hopkins County.
4. Drainage tile that has been purchased by a property owner for installation on the County right-of-way for driveways or entrances onto the landowner's property, shall be installed by Hopkins County at the County's expense. (No drainage tile shall be installed by Hopkins County or Hopkins County employees on any property other than County right-of-ways or easements or on County property.)
5. Should replacement drainage tile be required to be replaced in entrances

to driveways located on County right-of-ways or in other locations on County right-of-ways, Hopkins County may furnish said tile and remove any old or damaged tile on the County right-of-way, and replace said tile. Provided however, that any such replacement must be done on a case by case basis and in each and every case an engineer or road supervisor or assistant road supervisor shall verify for the County that the tile must be replaced because it is impeding the County's drainage ditches or facilities or damaging County property, or is necessary for proper drainage on County property. On each and every such case, this information must then be provided to the Fiscal Court, and the Fiscal Court must approve each and every case prior to such installation or removal of replacement tile. Any old or damaged tile removed as herein set forth, shall be disposed of in any legal manner (either by being sold at a fair market price, being sold at auction or by being destroyed and disposed of in an appropriate landfill).

6. If a replacement tile is requested by the landowner to replace damaged or small tile in entrances to driveways located on County right-of-ways, and the Road supervisor or assistant road supervisor determines that such request is reasonable and necessary for proper drainage, on the county right-of-way, it may be replaced. The landowner shall pay for the costs of said tile and said tile shall be installed by the County at the County's expense. Any old or damaged tile replaced pursuant to this paragraph may be given to the landowner or disposed of as provided for in paragraph 5.


7. When tile is replaced by Hopkins County as provided for herein, the driveway or entrance located on County right-of-ways shall be replaced in as good condition as existed before said replacement tile was installed.

The Administrative Code of Hopkins County is altered or amended in no

other respect.

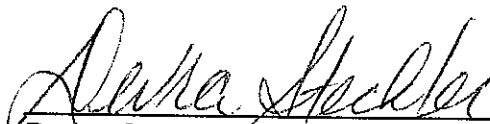
This Ordinance shall become effective upon passage and publication.

UPON MOTION OF Magistrate Barton, Seconded by Magistrate Stanley,
first reading was held and approved on the 5th day of June, 1997.



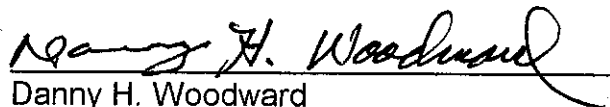
Danny H. Woodward
Hopkins County Judge/Executive

Attest:



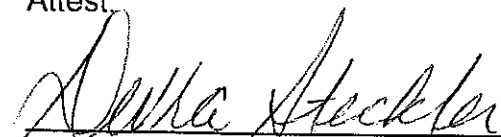
Devra Steckler, Clerk

ON MOTION of Magistrate Stanley, and Seconded by Magistrate Barton,
second reading was held on the 19th day of June, 1997, and passed on the 19th day of
June, 1997.



Danny H. Woodward
Hopkins County Judge/Executive

Attest:



Devra Steckler, Clerk