

POLICY FOR CONSTRUCTION OF CURB, GUTTER, RELATED APPURTENANCES AND IMPROVEMENTS
WITHIN CITY OWNED STREET RIGHT OF WAY, PARKSTON, SOUTH DAKOTA

Curb and gutter construction projects defined:

1. Type "A" Project- A construction project in which a majority of private property owners within a clearly definable district, voluntarily petition the City of Parkston for construction of curb, gutter, related appurtenances and improvements on city owned right of way, with all the benefits of assessment district rules and regulations as set forth by South Dakota Codified Law.
2. Type "B" Project- A construction project in which an individual private property owner or group of private property owners, asks the permission of the City of Parkston for the right to construct curb, gutter, related appurtenances and improvements on city owned right of way, without benefit of assessment district rules and regulations as set forth by South Dakota Codified Law.

Curb and gutter construction projects explained:

Type "A" Project Policy

Property owner responsibility:

1. To bring forth to the City of Parkston a petition for improvement, correct in all aspects according to the laws of the State of South Dakota, asking for the assessment of improvement costs as detailed herein.
2. To pay for, by rules of assessment, all those costs incurred by the City of Parkston relating to the construction of curb, gutter and appurtenances as is deemed necessary by the City Engineer's authorized representative, at the time of design.

Those costs to include but not be limited to the cost of:

- a. Old concrete curbing removal and disposal
- b. Non-conforming concrete driveway removal and disposal
- c. Curb and gutter subgrade excavation and preparation
- d. Curb and gutter construction
- e. Curb insets for drainage purposes
- f. Alley approach improvements
- g. Intersection radius improvements
- h. All required backfill
- i. Related engineering expenses

City of Parkston responsibility:

1. To act on all petitions brought before the city in a timely manner.
2. To administer the requirements of the assessment petition process as dictated by South Dakota Codified Law, if said petition is accepted and approved by the City of Parkston.

3. To supply an estimated total cost of assessment to each property owner within the defined district.
4. To issue instructions for the preparation of contract of contract documents, governing all phases of the project, from bidding through final project acceptance.
5. To pay all costs incurred for the improvement of the street surfacing within the confines of the project.

Type "B" Project Policy:

Property owner responsibility:

1. To purchase a "non-assessment district curb and gutter improvement permit" from the City of Parkston at the cost of \$5.00 for administrative purposes and an additional \$3.00 per linear foot of curb and gutter abutting property to be improved, based on accepted lot dimensions.

Each individual owner will be required to purchase a permit and the permit fee will be non-refundable.

2. To hire a competent, experienced contractor with the ability to construct curb, gutter, appurtenances and improvements according to detailed drawings and as instructed by the city engineer's representative at the time of construction.
3. To protect all grade and alignment stakes set by the city engineer and to accept any additional charged costs of restaking in the event this is necessary.
4. To pay for all improvements including but not limited to the cost of:
 - a. Old concrete removal and disposal (old curbing, old driveways, etc)
 - b. Curb and gutter subgrade excavation and preparation
 - c. Curb and gutter construction
 - d. Curb inserts for drainage purposes
 - e. Alley approach improvements if property owners agree
 - f. Intersection radius improvement if property owners agree
 - g. All required backfill
5. To accept and agree that the construction of curb and gutter by the property owner(s), carried no guarantee of street improvement by the City of Parkston adjacent to said curb and gutter.
6. To accept and agree that the purchase of a non-refundable "non-assessment district curb and gutter improvement permit" does not guarantee that the curb and gutter construction will be allowed.

The curb and gutter construction will commence only after the city engineer's representative has arrived at a design gutter grade and has determined that the curb and gutter construction will not adversely affect the existing street surfacing and storm water drainage pattern of the adjacent area.

The design elevation of the front edge of curb and gutter concrete cannot be higher than the existing street surface at the match point, nor can said front edge elevation be more than four (4) inches lower than the existing street surface at the match point.

7. To accept and agree that, in the event an assessment district encompasses the private property owner's subject property at a date subsequent to curb and gutter construction. An additional cost (for engineering, intersection radius improvement, alley approach improvement, etc) may be assessed to subject property, owner and above that which was expended as part of this type "B" project.

City of Parkston responsibility:

1. To act on all purchased "non-assessment district curb and gutter improvement permits" in a timely manner by instructing the city engineer to begin design procedures and construction staking.
2. To pay all engineering costs relating to the design and initial staking of the curb and gutter improvements.
3. To pay all expenses relating to the construction of storm sewer, if necessary, including but not limited to:
 - a. Storm sewer inlet from and grates
 - b. Storm sewer inlet structures
 - c. Storm sewer piping installation
 - d. Storm sewer design engineering
4. To adjust street surfacing elevations abutting newly constructed curb and gutter to the front edge of concrete elevation, providing curb and gutter construction is approved and all requirements of grade as specified, are met.
5. To record, by legal description, all purchases "non-assessment district curb and gutter improvement permits" and, if the type "B" project is disallowed, to provide for a credit of the permit purchase price towards costs incurred by the same property in a subsequent type "A" (assessment district) project.

This credit of equal amount will occur in place of a refund and will happen only in the event that, after design, it is determined curb and gutter will adversely effect the street surfacing or area drainage patterns, and is disallowed under a type "B" project permit.