

**LOXAHATCHEE GROVES WATER CONTROL DISTRICT
CRITERIA FOR GRADING NON-DISTRICT ROADS**

District-owned facilities (roads and canals) shall be the primary consideration of the District. Courtesy grading of non-District roads (i.e., roads within the boundaries of the District not owned by it) is not an obligation of the District Supervisors or of the District. The District will not extend District service to any non-District road that does not meet the criteria set forth below.

1. **ACTIVE COURTESY GRADING** - To be eligible for an Active Courtesy Grading, a non-District road must:

- a. Directly connect two or more District roads (i.e., "A", "B", "C", "D", "E", "F", Folsom, G-Square and North Roads) or be determined by the District Supervisors to be necessary for the maintenance or operation of District improvements; and
- b. Be open to access by the general public (evidence to that effect must be provided to the District).

Active courtesy grading will be performed only after request via petition (signed by all affected landowners) is made to the District office and approval obtained from the Board of Supervisors under this policy. Active courtesy grading of all qualifying, non-District roads will be done on a rotational basis; and only when manpower, equipment and time are available and not required for normal or emergency District work.

2. **PASSIVE COURTESY GRADING** - In the event a non-District road does not qualify for an Active Courtesy Grading, a Passive Courtesy Grading may be requested. To be eligible for a Passive Courtesy Grading, a non-District road must:

- a. Be open to access by the general public (evidence to that effect must be provided to the District); and
- b. Exhibit sufficient adverse road conditions as to prevent access by local E.M.S., Fire-Rescue or law enforcement agencies or the U.S. Postal Service (written evidence to that effect must be provided to the District).

Passive courtesy grading will be performed only after request via petition (signed by all affected landowners) is made to the District office and approval obtained from the Board of Supervisors under this policy. Passive courtesy grading of all qualifying, non-District roads will be done on an "as-needed" basis as described in Paragraph 2.b. above; and only when manpower, equipment and time are available and not required for normal or emergency District work. Active courtesy grading of non-District roads shall have precedence over passive courtesy grading of non-District roads.

3. Application for either type of courtesy grading must be made to the District through the District Administrator. The District Administrator or his/her representative shall visit the site proposed for courtesy grading and approve it before the road is accepted for

courtesy grading. A property owner must provide his name and telephone number as a liaison with the District. The current mailing address of the liaison is also required. All petitions, for either active or passive courtesy grading, may only be signed by the affected landowners. Evidence of land ownership such as a copy of the deed, title policy, assessment roll or other legal document shall be submitted with the petition.

4. Due to the type of equipment used to perform courtesy grading of roads, the residents requesting the service **MUST PROVIDE AND PREPARE** the materials necessary for the work to be done, as well as providing a minimum of 15 feet of horizontal clearance, and a minimum of 20 feet of vertical clearance from overhanging limbs, power and telephone lines. These conditions must continue to exist so long as courtesy grading is to be performed. This may require the addition of road material and removal of encroaching vegetation from time to time at the affected landowners' sole cost and expense. If for any reason problems arise on any road, the District Administrator is authorized to terminate courtesy grading at any time.

5. When the District Administrator is satisfied that (a) the road provides the necessary clearance for the equipment to perform the work, and (b) the criteria in either Paragraph 1 or Paragraph 2 have been satisfied, he/she will inform the Board of the location and the Board shall decide whether to accept such road for courtesy grading. The District Administrator will maintain a record of all qualifying roads and the dates grading was performed.

6. Roadway drainage on non-District roads will not be provided by the District, but such drainage is to be provided by the residents of the area of the courtesy grading, which run-off may be collected and discharged through the District's canal system. It will be the obligation of the residents of the area, as noted above, to provide adequate drainage facilities for their roadways and the drainage pipe connection from the subject roadway drainage system to the District's roadways and/or canal banks. An application to install the drainage system, if it involves a culvert connection with a District canal or affects a District road, shall be submitted to the District, and such installation shall not be constructed until a permit is issued by the District.

7. This policy supersedes any prior District policy regarding the grading of non-District roads. From and after the date of its adoption, only those non-District roads meeting the criteria set forth in this Policy and approved by the Board shall be subject to courtesy grading by the District.

8. This policy is subject to change by the District Supervisors from time to time as they determine is in the best interest of the District.

**Adopted by the Board of Supervisors
December 11, 2000**