PURPOSE

To establish the standard operating procedure and policy for requests to provide maintenance of unimproved County right-of-way.

BACKGROUND

There are approximately 2800 mapped miles of roads in unincorporated Pima County, which are not subject to or accepted for County maintenance. The Department of Transportation (DOT) does not have the capacity or budget to provide maintenance of roads that have not been accepted into the Department’s maintenance program.

The Department will provide for limited maintenance upon meeting the threshold criteria as provided within this SOP for unimproved mapped roadways within County right-of-way, which are used to access residential properties.

REGULATIONS AND AUTHORITY

The following statutes and ordinances provide the basis for the standard operating procedure:

- A.R.S. § 28-6701 – Establishing, altering, or abandoning local highway. Grants Board of Supervisors (BOS) authority to establish public roads in the County and other legal subdivisions.
- A.R.S. § 28-6706 – Primitive roads. Grants BOS authority to designate a roadway as primitive, signage requirement, and limits liability for damages and injuries from public use.
A.R.S. § 11-822 – Subdivision approval; platting regulations; violation; classification; easement vesting. Approval of a plat does not necessarily constitute acceptance of any street into the County maintenance system.

A.R.S. § 11-831 – Review of land divisions; definitions. Defines what is considered legal physical property.

County Code 10.44 – Construction in County Right of Way. User responsibilities and permitting requirement.

County Code 18.81 – Grading Standards. Establishes grading and permitting requirements.

POLICY

Access to properties is permitted through County right-of-way and maintenance work may be performed by the public through the submitting of a Right-of-Way Use Permit. Unimproved roadways within County right-of-way, which are not accepted into the maintenance program, are not maintained by the Department except when residential property access is impassable and no reasonable alternative access route exists. The extent of maintenance provided by the County will be limited to improvements sufficient to allow for passage of a conventional two-wheel drive passenger motor vehicle.

PROCEDURE

The below procedure is only applicable to unimproved roads within County right-of-way that are not accepted into the maintenance program which are used to access residential properties. Maintenance is to be limited to only improvements sufficient to allow for passage of a conventional two-wheel drive passenger vehicle in accordance with the following:

A. Threshold Criteria

When accessibility with a conventional two-wheel drive passenger motor vehicle results in significant wheel slippage, a tire lifted off of the ground due to suspension limitations, and/or high centering or bottoming out impeding forward momentum, and residents have no reasonable means to provide their own maintenance -- grading will only be considered for those instances where, at the time of the scheduled work order the following conditions are met.

1. If it is possible for the conventional two-wheel drive passenger motor vehicle to go around the obstacle without reaching the threshold criteria, maintenance will not be provided.
2. Photos 1, 2 and 3 are an example where a conventional two-wheel drive passenger motor vehicle has difficulty traversing the obstacle even when selecting the best path. If no access
were available to residences except through this location, maintenance would be provided in accordance with this SOP but only to the extent necessary to make the roadway traversable by the conventional two-wheel drive passenger motor vehicle.

3. Photo 4, 5 and 6 are examples of non-maintained right-of-way where the conventional two-wheel drive passenger motor vehicle is able to traverse the roadway without significant difficulty and no maintenance would be provided by DOT.

B. Requests by Residents to Provide Maintenance

Where threshold criteria (2) has been met and residents request maintenance, the following steps apply.

1. Resident calls DOT or enters a request through SeeClickFix.
2. A service request will be created by DOT staff to evaluate the roadway condition and confirm maintenance and right-of-way status within 1 working day of request from constituent. The request will be evaluated within 1 work week.
3. A utility blue stake ticket is required for all requests involving ground disturbance except in emergencies acknowledged the Director. Examples would be complete road washout to a depth over 3 feet or declared state of emergencies where specific disaster assistance is requested by the Office of Emergency Management. Blue stake request response times are provided at http://www.arizona811.com/
4. In instances where no alternative access exists, and threshold criteria are determined to be met, maintenance will be provided subject to resource availability and other maintenance priorities.
Photo 1 – Threshold Met
Subject: Roadway Maintenance Requests
Unimproved County Right-of-Way

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Photo 2 – Threshold Met
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Photo 3 - Threshold Met
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Photo 4 - Threshold Not Met
Photo 5 - Threshold Not Met
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Photo 6 - Threshold Not Met