

**CHAPTER 25 - AREA SERVICE “B” ROAD MAINTENANCE ORDINANCE  
OF DUBUQUE COUNTY, IOWA**

Adopted March 1, 1999  
Amended October 6, 2003  
Amended February 14, 2005  
Amended July 27, 2009  
Amended May 24, 2010

Table of Contents

		Page
Part 1 Introduction . . . . .		2
25-1	Title . . . . .	2
25-2	Purpose . . . . .	2
25-3	Definitions . . . . .	2
25-4 through 25-10 Reserved		
Part 2 General Purposes . . . . .		2
25-11	Powers of the Board . . . . .	2
25-12	Authority to Establish . . . . .	2
25-13	Notice and Hearing . . . . .	2
25-14	Hearing - Area Service System B Road Establish by Resolution . . . . .	3
25-15	Maintenance Policy . . . . .	3
25-16	Exemption from Liability . . . . .	3
25-17	Repealer . . . . .	4
25-18	Severability Clause . . . . .	4
25-19 through 25-20 Reserved		
Part 3 Enactment . . . . .		4
25-21	Effective Date . . . . .	4
Addendum A . . . . .		5

**PART 1  
INTRODUCTION**

- 25-1 TITLE. An ordinance establishing the Area Service B Road Classification in Dubuque County, Iowa.
- 25-2 PURPOSE. The purpose of this ordinance is to classify certain roads on the area service system in Dubuque County to provide for a reduced level of maintenance.
- 25-3 DEFINITIONS. For use in this ordinance, certain terms or words used herein shall be interpreted or defined as follows:
  - 25-3.1 “**Area Service System**” include those public roads outside of municipalities not otherwise classified.
    - a “**Area Service System A**” roads shall be maintained in conformance with applicable state statutes.
    - b “**Area Service System B**” roads shall not require standards maintenance equal to farm to market, or area service system A roads. Area Service System B roads shall not mean what is construed in the normal sense as a driveway or private lane to a farm building or dwelling.
  - 25-3.2 “**Board**” shall mean the Board of Supervisors of Dubuque County.
  - 25-3.3 “**Engineer**” shall mean the County Engineer of Dubuque County.
  - 25-3.4 “**County**” shall mean Dubuque County.

**PART 2  
GENERAL PURPOSES**

- 25-11 POWERS OF THE BOARD. All jurisdiction and control over Area Service System B roads as provided by this ordinance shall rest with the Board of Supervisors of Dubuque County.
- 25-12 AUTHORITY TO ESTABLISH. The Board of Supervisors of Dubuque County is empowered under authority of Iowa Code Section 309.57, to classify secondary roads on the area system to provide for a reduced level of maintenance on roads so designated. The Board shall, by resolution, declare its intention to establish an Area Service System B Road in Dubuque County after consultation with the County Engineer.

- 25-13 NOTICE AND HEARING. The Board shall fix a time and place for a hearing and cause notice to be published as provided by law. The notice shall set forth the termini of the Area Service System B Road as set out in the Resolution of the Board, and shall state that all persons interested may appear and be heard at such hearing.
- 25-14 HEARING-AREA SERVICE SYSTEM B ROAD ESTABLISHED BY RESOLUTION. On the day fixed for the hearing or any day to which the hearing has been adjourned, upon proof to its satisfaction made by affidavit of due publication and posting of the notice of hearing, the Board shall consider any and all relevant evidence, and if the Board finds that the proposed Area Service System B Road is practicable, it may establish it by proper Resolution.
- 25-15 MAINTENANCE POLICY. Only the minimum effort, expense and attention will be provided to keep Area Service System B roads open to traffic. Bridges may not be maintained to carry legal loads, but will be posted as appropriate to advise of any load limitations. For the various maintenance activities, the minimum maintenance on Area Service Level B Roads will be as follows:
- 25-15.1 Blading. Blading or dragging will not be performed on a regular basis.
- 25-15.2 Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded or salted on a regular basis.
- 25-15.3 Signing. Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL B ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
- 25-15.4 Weeds, Brush and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained.
- 25-15.5 Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
- 25-15.6 Road Surfacing. There will be no surfacing materials applied to Area Service System B Roads on a regular basis.
- 25-15.7 Shoulders. Shoulders will not be maintained on a regular basis.
- 25-15.8 Crown. A crown will not be maintained on a regular basis.
- 25-15.9 Repairs. There will be no road repair on a regular basis.
- 25-15.10 Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
- 25-15.11 Inspections. Regular inspections will not be conducted.
- 25-16 EXEMPTION FROM LIABILITY. As provided in said Iowa Code Section 309.57, the County and Officers, Agents, and Employees of the County are not liable for injury to any person or for damage to any vehicle or equipment, which

occurs proximately as a result of the maintenance of a road which is classified as Area Service System B, if the road has been maintained as provided in Section 7 of this ordinance.

- 25-17 REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- 25-18 SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**PART 3  
ENACTMENT**

- 25-21 EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

ADDENDUM A  
[Added October 6, 2003]

CASCADE TOWNSHIP

1. BERINGER ROAD - a portion of in Sections 34 and 35, Cascade Township, T87N-R2W, from the Goose Hill Road southerly on the section line to a point 0.25 mile north of the Jones County Line a distance of 0.74 mile. [Amended July 27, 2009]
2. DUDLEY LANE - a portion of in Sections 20, 29 and 30, Cascade Township, T87N-R2W, from a point on Dudley Lane on the half section line of Section 20 southwesterly to the Goose Hill Road in the SW 1/4 of Section 30 a distance of 1.98 miles.
3. STEGER ROAD - a portion of in Section 18, Cascade Township, T87N-R2W, from a point on the Steger Road 0.41 mile west of the Roling Road then westerly to a point on the Steger Road 0.47 mile east of the Delaware County Line a distance of 0.56 mile.
4. TAUKE LANE - a portion of in Section 1, Cascade Township, T87N-R2W, from a point on Tauke Lane 0.25 mile east of the Farley Road easterly on the half section line to the termination point a distance of 0.25 mile.
5. UNNAMED ROAD - Sections 33 and 34, Cascade Township, T87N-R2W, from the Goose Hill Road south on the section line between Sections 33 and 34 a distance of 0.15 mile.

CENTER TOWNSHIP

6. ASBURY ROAD - a portion of in Section 7, Center Township, T89N-R1E, from a point on the Asbury Road on the half section line of Section 7 northwesterly to a point on the Asbury Road at the west township line a distance of 0.35 mile.
7. HUMKE ROAD - a portion of in Sections 28 and 29, Center Township, T89N-R1E, 0.3 miles west of the intersection of Potter Hill Road to a point on the Humke Road 0.75 mile east of the Graf Road a distance of 0.60 mile.

CONCORD TOWNSHIP

8. COTTAGE HILL ROAD - a portion of in Sections 25, 26, 35 and 36, Concord Township, T90N-R1W, from a point on the Cottage Hill Road 0.13 mile east of the Midway Road easterly on the section line to a point on the Cottage Hill Road 1.13 miles west of the Park Hollow Road a distance of 0.52 mile.

DODGE TOWNSHIP

9. DELAWARE ROAD - Sections 19 and 30, Dodge Township, T88N-R2W, from the intersection with IA 136 westerly to the Delaware County Line a distance of 0.24 mile.

IOWA TOWNSHIP

10. DUGGAN LANE - a portion of in Section 5, Iowa Township, T89N-R1W, from a point on Duggan Lane 0.54 mile north of the North Bankston Road northeasterly to a point on Duggan Lane 0.08 mile south of the Tom Lucas Road a distance of 1.13 miles.

JEFFERSON TOWNSHIP

11. BASSWOOD LANE - a portion of in Section 1, Jefferson Township, T90N-R1E, and Section 6, Peru Township, T90N-R2E, from a point on Basswood Lane 0.07 mile northwest of the southeast corner of Section 1 northerly to the Hantelman Road a distance of 0.75 mile. [Amended May 24, 2010]

LIBERTY TOWNSHIP

12. NEW WINE & PINE HOLLOW ROAD - a portion of in Sections 19 and 30, Liberty Township, T90N-R2W, from a point 0.2 mile north of Klas Lane northerly to the Colony Road a distance of 0.99 mile.
13. NEW WINE & PINE HOLLOW ROAD - Sections 30 and 31, Liberty Township, T90N-R2W, from the east end of Klas Lane southerly to the Klosterman Road a distance of 1.60 miles.

MOSALEM TOWNSHIP

14. SCHLOTH LANE - a portion of in Section 20, Mosalem Township, T88N-R3E, from a point on Schloth Lane 0.23 mile north of the Schueller Heights Road northwesterly to a point 0.13 mile south of the Kane Road a distance of 0.74 mile. [Amended February 14, 2005]

PRAIRIE CREEK ROAD

15. COOHEY LANE - a portion of in Section 25 & 26, Prairie Creek Township, T87N-R1E, from a point on Coohy Lane 0.45 mile east of the Stoffel Road southeasterly to the Fischer Road a distance of 0.80 mile.
16. RAYSFORD LANE - a portion of in Section 7, Prairie Creek Township, T87N-R1E, from a point on Raysford Lane 1.14 miles west of the Sundown Road westerly to a point on Raysford Lane 2,100 feet southwesterly of the east side of the NW 1/4 SW 1/4 of Section 7 a distance of 0.17 mile.

---

TAYLOR TOWNSHIP

17. CHERRY HOLLOW ROAD - a portion of in Section 1, Taylor Township, T88N-R1W, from a point on Cherry Hollow Road 0.86 mile north of the Old Highway Road northerly to the termination point a distance of 0.09 mile.

---

VERNON TOWNSHIP

18. CASEY LANE - a portion of in Sections 29 and 30, Vernon Township, T88N-R1E, from a point on Casey Lane 0.56 mile south of Dutch Lane Road southerly on the section line to the termination point a distance of 0.21 mile.
19. VERNON LANE - Section 13, Vernon Township, T88N-R1E, roadway located in the SW 1/4 of the NE 1/4 of Section 13 a distance of 0.30 mile.