

**TOWN OF MERCER**  
**ROAD OPENING AND CULVERT POLICY**

**A. ROAD OPENINGS**

**Section 1: Work Performed in Right-of-Way**

Any work performed in any Town of Mercer right-of-way, which disturbs, alters, modifies, obstructs or otherwise prevents the safe passage of traffic, degrades, or damages the constructed road bed or surface, road drainage system, or installed utilities shall require a permit from the Town or his/her designee.

Such permit shall be requested on a Road Opening Permit Application provided by the Town. The permit application shall identify the location, nature, time frame of the proposed work, Dig Safe control number, disclosure of dates, times and person notified at all applicable utilities and all other requested information.

When a road opening creates an access from private property onto a town road, including but not limited to driveways, secondary access roads, and field roads, the new access shall be so designed and constructed, including necessary ditching that runoff from the new access does not discharge surface runoff into the town road.

**B. CULVERT POLICY**

**Section 1:** The cost of purchasing and installing the initial or first driveway culvert/access culvert will be the responsibility of the property owner. Driveway/access culverts may be purchased at cost through the Town of Mercer by any property owner for use in the Town. More than one driveway/access culvert is permissible; however, the property owner will be responsible for the purchase, installation, maintenance and replacement of each additional culvert to the property. Culverts must meet town specifications, see Section 5.

**Section 2:** The cost of replacing a driveway access culvert will be the responsibility of the Town of Mercer except that, if the Town or his/her designee shall determine there is no necessity of replacing a culvert, the Town will not be responsible for performing the work.

**Section 3:** The installation procedure for culverts is the responsibility of the Town. If the property owner prefers, he/she may install, replace or reset a culvert at his/her own expense under the following conditions:

- A. A property owner may install, replace or reset a culvert in accordance with the Town's specifications.

**TOWN OF MERCER**  
**ROAD OPENING AND CULVERT POLICY**

- B. A property owner may employ an individual contractor to install, replace or reset a culvert according to the Town's specification.
- C. Replacement culverts shall be new plastic construction, and of a size and type approved by the Town.

**Section 4:** Notwithstanding the other provisions of this policy, the Town of Mercer will not be responsible for installing or replacing a culvert if the property owner, his agents or assigns, cause condition which necessitates that a culvert be installed, replaced.

The intent of this section is to place responsibility on the property owner if he/she causes his/her own need for work to be performed, and to place responsibility on the Town if environmental or other uncontrollable factors cause the need for work to be performed.

**Section 5:** All culvert installations not performed by the Town shall be pre-approved by the Town, and shall be inspected for compliance with these specifications before the Town shall be responsible for maintenance or replacement.

Upon inspection by the Town, any culvert found to be improperly installed, shall be promptly and properly re-installed at property owner expense.

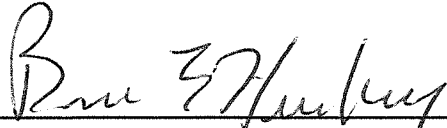
No culvert may be installed so as to block, disrupt, or otherwise interfere with the free and natural flow of water along the existing ditch or run-off system.

All culverts shall have a minimum length of 20 feet and shall also be a minimum of 12 inches in diameter; the Town may require that a larger diameter culvert be installed if deemed necessary. All culverts, regardless of who they are installed by, shall be set in gravel of good quality, and pitched or graded so as to allow the free flow of water through them. The area around the mouths of the culvert shall be rocked-up or graded, or otherwise stabilized such as to prevent soil erosion.

**Section 6:** The Town will be responsible for the replacement of the primary driveway/access culvert, where necessary, as determined by the Town, during road reconstruction where ditching has occurred. Secondary driveway/access culverts will continue to be the responsibility of the property owner as described in Section 1.

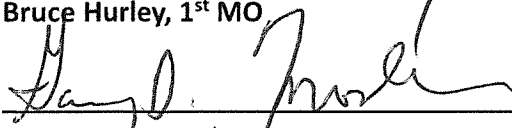
**Section 7:** This policy is effective immediately upon signing, and replaces any other policies the Town had in respect to road openings and driveway/access culverts.

TOWN OF MERCER  
ROAD OPENING AND CULVERT POLICY



---

Bruce Hurley, 1<sup>st</sup> MO



---

Gary Mosher, 2<sup>nd</sup> MO

---

Mary Burr, 3<sup>rd</sup> MO

Adopted 05/23/2024