

**ORDINANCE NO. 2007 - 017**  
**COMMISSIONERS OF DELAWARE COUNTY**  
**AMENDING RESOLUTION 2000-017 (Title 5, Chapter 15 of the Code of Delaware County)**  
**Terminating the County's Duty to**  
**Maintain Private Streets**

**ORIGINAL**

WHEREAS, Resolution 2000-017 (now codified in Title 5, Chapter 15 of the Code of Delaware County) created a duty of the County to maintain private streets under certain criteria;

AND WHEREAS, Indiana law does not otherwise require the County to provide such maintenance;


AND WHEREAS, the lack of sufficient funding for road maintenance requires that the priority of the Commissioners should be to maintain public streets and roads;


THEREFORE, BE IT HEREBY RESOLVED that the Code of Delaware County is hereby amended by deleting from Title 5, Chapter 15, Section 3, the following:

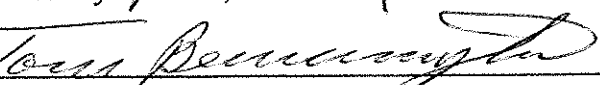
- A. When all of the owners of land accessed by a private street petition the Board of Commissioners to perform maintenance on the private street and when such owners provide the County with easements over the lands on which the private street lies the County will provide the following:
  - 1. Existing gravel or stone streets will be stoned and graded as needed.
  - 2. Existing asphalt or concrete streets will be patched as needed.
  - 3. Proper traffic signage will be provided and maintained.
  - 4. Snow removal will be provided only to the extent that it is provided on other local streets.

This provision for maintenance is not to be used for upgrading a street through resurfacing with machine laid hot asphalt. Such improvement would be done under the provisions of the following section.

DELAWARE COUNTY COMMISSIONERS

By:   
John H. Brooke, President

By:   
Larry Bledsoe, Vice President

By:   
Tom Bennington, Member

ATTEST:

  
Judy Rust, Delaware County Auditor

C-Line Com  
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