

# **ALLEN COUNTY CODE TITLE 5 HIGHWAY DEPARTMENT**

## **ARTICLE 3 OIL EXISTING HIGHWAYS**

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NOW BE IT ORDAINED by the Board of Commissioners of the County of Allen, Indiana, that any resident of Allen County, Indiana, may have the right to oil an existing gravel or stone road along their property between May 1 and October 1 of any year. Subject to the approval of the Allen County Highway Director, according to the following conditions:

### **5-3-1 Chapter 1: Notification**

#### **5-3-1-1 Method and Time**

Notification in writing to reach the Allen County Highway Superintendent at least two weeks prior to having the road oiled.

#### **5-3-1-2 Required Signatures**

Said written notification is to be signed by the property owners abutting the stretch of road to be oiled, to be oiled, together with a duly-authorized representative of the person, partnership, association or corporation which is to perform the work described; such signature is to indicate the representative's capacity and the principal involved.

### **5-3-2 Chapter 2: Registration**

#### **5-3-2-1**

All companies performing oiling operations within the boundaries of Allen County Indiana are to register with the Allen County Highway Department prior to performing such oil services within the boundaries of Allen County, and post a permit which that cost will be \$25.00 per permit.

### **5-3-3 Chapter 3: Insurance**

#### **5-3-3-1**

Every person, partnership, association or corporation performing oiling operations an/or owning land abutting the road to be oiled, which roads are within the boundaries of Allen County, shall be required to carry insurance having limits of \$500,000.00 to

\$1,000,000.00, or in such amounts as may be set from time to time by the Board of Commissioners of Allen County.

## **5-3-4 Chapter 4: Conditions and Specifications**

### **5-3-4-1 Conditions**

Climatic conditions, general condition of the section of road to be oiled, and type of road oil, must be satisfactory to the Allen County Highway Superintendent prior to placing the oil.

### **5-3-4-2 Road Oil Specifications**

The only type of road oil that can be used is SM-24

(Specification) --	Gravity	=	24.0
	Viscosity	=	300 Seconds
	Flash	=	225
	Fire	=	250

Or S.C., M.C., A.E.P., or C.B.A.E. as per the current Indiana State Highway Commission "Standard Specifications".

### **5-3-4-3 Rate Application**

The rate of application will be from 0.1 gallon to 0.3 gallon per square yard of road surface, as determined by the Allen County Highway Superintendent.

### **5-3-4-4 Payment**

The Allen County Highway Department will not pay for the road oil or the application of the same.

## **5-3-5 Chapter 5: Penalties**

### **5-3-5-1 Lack of Proper Notice**

The penalty for conducting oiling operations within the boundaries of Allen County without giving proper notice endorsed as provided herein shall be a fine of not more than \$100.00, and subject the person, partnership, association or corporation to arrest by any member of the Allen County Police Department; each day that a person, partnership, association or corporation shall conduct oiling operations in violation of this Title, and each separate non-continuous stretch of road which is oiled in violation of this Title, shall also constitute a separate violation within the meaning of this Title.

### **5-3-5-2 Failure to Register**

The penalty for failing to register by any person, partnership, association or corporation engaged in oiling activities within the boundaries of Allen County shall be a fine of not more than \$100.00 and subject said person, partnership, association or corporation to arrest by any officer of the Allen County Police Department.

### **5-3-5-3 Violation of Insurance and Bonding Provision**

Any violation of the insurance and bonding provision of this Ordinance shall be punishable by a fine of not more than \$100.00 and the person, partnership, association or corporation violating such provision shall be subject to arrest by any member of the Allen County Police Department.

**Approved on the 25<sup>th</sup> day of March, 1970, by the Board of Commissioners of the County of Allen, Indiana,**