

FAIRFIELD COUNTY POLICY FOR THE ACCEPTANCE OF PRIVATE DIRT/GRAVEL ROADS

Qualifying Requirements

To be considered for acceptance into the Fairfield County public road system, a private road must meet each of the following criteria listed below.

1. Not a “private driveway.”
2. Directly accessible by a public road.
3. Serves at least five (5) occupied residences on individually owned parcels.
4. Road surface must be at least twenty feet in width and have proper drainage in place before it can be accepted. This includes ditches, culverts, pipes or retention ponds.
5. All proposed roads and drainage structures must meet all applicable guidelines and standards promulgated in the South Carolina 2007 Standard Specifications for Highway Construction (hereinafter “SCDOT Standards”), as subsequently amended. Any costs to bring the proposed road and drainage structures into compliance with the SCDOT Standards shall be paid for by the Applicant and/or any and all property owners abutting the private road prior to Fairfield County acting upon the Road Acceptance Application.

Road Acceptance Application

Property owners must submit a “Road Acceptance Application” as outlined below:

1. Submission of Road Acceptance Application. Any property owner with land abutting a private road may request an Application and statement of ownership and consent to dedicate to Fairfield County from the Fairfield County Public Works Department.
 - a. It will be the Applicant’s responsibility to have every owner of property abutting the private road sign the Application and Statement and then return the completed document to the Public Works Department. One Hundred Percent (100%) of the owners of property which abuts the right-of-way/private road must sign the Application and submit a Statement in order for the Application to be presented to Fairfield County Council for consideration.
 - b. The Public Works Department will ensure that all necessary signatures have been obtained and will notify the Applicant of any deficiencies, and inspect the proposed road to ensure compliance with the SCDOT Standards.
 - c. Fairfield County Council will vote to accept any easement or deed for rights-of-way, drainage easements, dirt/gravel road rights-of-way, additional rights-of-way, and other instruments authorized by Fairfield County Ordinance No. 820, and is authorized to establish procedures for the acceptance and recording of such instruments.
2. The completed Application indicates each and every property owner’s willingness and consent to:
 - a. Dedicate the associated right(s)-of-way to Fairfield County, as trustee for the public,

by separate instrument(s) which shall be recorded with the Fairfield County Clerk of Court's Office.

- b. Donate that amount of land needed to assemble a 66-foot right-of-way. A lesser right-of-way may be considered if it can be demonstrated that it is not feasible to assemble a full 50' right-of-way. In lieu of the minimum right of way, landowners could provide a combination of dedicated right of way and drainage and/or road improvement easements.
- c. Donate any existing or proposed drainage easements that the Public Works Department considers necessary for adequate drainage as required by the SCDOT Standards and/or any South Carolina Department of Health and Environmental Control and/or Fairfield County stormwater requirements.
- d. Remove and/or relocate utilities, fences, gates, structures, vegetation or other obstacles to accommodate improvements/construction within the designated right-of-way which shall be the responsibility of the applicant(s).
- e. After staff review, inspection, and approval of the road, the applicant(s) shall submit a sealed right-of-way plat, suitable for recording at the Fairfield County Clerk of Court's Office, showing the road, lots, and dedicated right-of-way.
- f. Fairfield County Council will perform all legislative steps to publicly accept the road designated for public use and into the Fairfield County Public Road System.