

Rules and Regulations  
CONSTRUCTION OF ACCESS DRIVEWAYS AND TURNOUTS  
TO  
FREMONT COUNTY ROADWAYS  
State of Wyoming

Amended August 3, 2021

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## **CHAPTER 1**

### **TITLE, AUTHORITY, PURPOSE AND INTENT**

#### **1. Title**

- A. This resolution shall be known as the “Rules and Regulations for the Construction of Access Driveways and Turnouts to Fremont County Roadways.”

#### **2. Authority**

- A. The Authority for Wyoming Counties to manage and control County Roadways is granted in Wyoming Statute (2019 Edition) 24-1-104.

#### **3. Purpose**

- A. To promote the public health, safety and general welfare of the present and future residents of Fremont County, Wyoming.
- B. To promote standards of design and procedures for the construction of Access Driveways and Turnouts from County roads.
- C. To avoid excessive expenditure of public funds for the supply of public improvements and services ensuring that new developments meet County standards and that the costs are apportioned to the property owner.
- D. To ensure proper location and design of access driveways and turnouts to County roadways and maintain the physical integrity of roadway surfaces and adjacent drainageways.

#### **4. Intent**

- A. No person, partnership, corporation or company shall install, construct, alter or use any access driveway or other turnout to any roadway owned and/or maintained by Fremont County that does not conform to the requirements of these regulations.

## **CHAPTER-II**

### **MATERIALS, CONSTRUCTION AND MAINTENANCE**

#### **1. Materials**

- A. The property owner shall furnish all materials necessary for the construction of driveways and turnouts. All materials shall be subject to inspection and approval by the Fremont County Transportation Department.

## **2. Construction**

- A. The property owner shall do all work and pay all costs incurred in the construction of access driveways and other turnouts within the County Road Right-of-Way, including the cost of repairing any damages to the County Roadway during construction ~~thereof~~.

## **3. Inspection and Maintenance**

- A. The Fremont County Transportation Department is hereby authorized to inspect all driveways and other turnout installations at the time of construction and any time thereafter and to require such changes, maintenance and repairs as may be considered necessary to provide protection of life and property on or adjacent to the roadway.

## **4. Roadway Construction and Reconstruction**

- A. Any existing access driveway structure or turnouts which are destroyed or removed in the construction of reconstruction of a section of roadway will be replaced or reconstructed by the County Transportation Department to a design within these regulations and a condition equal to or better than the original structures.

## **5. Use of Roadway Right-of-Way**

- A. The property owners abutting a County Road shall not:
  - I. erect any sign, either fixed or moveable, on or extending over any portion of the roadway right-of-way; Signs on fences which do not extend into the right-of-way are permissible.
  - II. conduct any business of any nature on or within the roadway right-of-way;
  - III. erect or place any materials which may impact public health safety and welfare on or within the road right-of-way.
  - IV. cause or allow any items to be placed or stored in the right-of-way.

# **CHAPTER III**

## **DESIGN REQUIREMENTS**

### **1. Location**

- a. The location of access driveways and other turnouts shall be selected to provide maximum safety for roadway and driveway users. The following rules shall generally apply for the location of driveways and turnouts in relationship to roadway sight distance, intersections, side property lines and other driveways:

- i. **Sight Distance** – All driveways and turnouts shall be located so there is a minimum horizontal and vertical sight distance of five-hundred feet (500') in both directions along the County Road.
- ii. **Intersections** – all driveways and turnouts shall be located a minimum of one hundred twenty-five feet (125') from the intersecting right-of-way lines of other roadways. Exceptions should be cleared with the County Transportation Department.
- iii. **Side Property Lines** – all parts of any access driveway or other turnout, including radii, shall be a minimum of twelve and one half feet (12 ½') from the side property lines. Exceptions to this rule may be allowed when physical conditions make it impossible to comply or where such compliance will create a potential safety hazard.
- iv. **Other Driveways** – all parts of any access driveway or turnout, including the radii, shall be a minimum of twenty-five feet (25') from any other access driveway or turnout to the same roadway.

## 2. Radii

- A. Radii for all access driveways and turnouts shall not be less than ten feet (10').

## 3. Drainage

- A. Drainage in roadway side ditches shall not be altered or impeded. Culverts shall be a minimum of fifteen (15") inches in diameter and shall be installed under each driveway or turnout unless it can be demonstrated by the landowner that such structures are not needed.

## 4. Slope

- A. The driveway or turnout slope or grade shall be so constructed as to conform to the slope of the roadway shoulder, from the edge of the roadway surface to the shoulder line and then shall be sloped downward to a point above the center line of the side ditch. Waver will not be permitted to drain from the driveway or turnout onto the roadway and shoulder surfaces.

## 5. Width

- A. The width of access driveways shall not exceed twenty-four feet (24') for all residential driveways and forty feet (40') for all other driveways. Turnout widths are not restricted.

## 6. Angle

- A. The angle of the access driveway from the roadway surface shall be as nearly ninety degrees (90°) as site conditions will permit. In no case shall an access driveway vary more than ten degrees (10°) from perpendicular.

## **7. Heavy Traffic Access Driveways**

- A. Drive-in theaters, car washes and other heavy traffic volume businesses must make allowances for car storage on the premises to prevent stacking of vehicles on the roadway. The County roadway shall not be used as a holding area for vehicles. Depending on anticipated volume, Fremont County may require a Traffic Impact Study be conducted to determine if any additional traffic lanes must be built prior to approval of Heavy Traffic Access Driveways.

## **8. Subdivision Access**

- A. Whenever a residential subdivision abuts a county road, service roads may be required. Driveways from subdivision lots shall not be permitted to have direct access to county roads unless approved by the County Commissioners.
- B. If permitted by the County Commissioners, access driveways from Subdivisions must be combined on lot lines and shall not be closer than one hundred twenty-feet (125') from any other access points.

### **CHAPTER IV**

#### **MODIFICATOIN AND VARIANCE**

Where, in the opinion of the Fremont County Transportation Department, extenuating circumstances exist which may prohibit complete conformance with these regulations and where lack of such complete conformance will not create a traffic hazard, the Department may modify or vary the provisions of these regulations to the minimum extent necessary to permit the construction of the driveway in accordance with the intent of these regulations.

### **CHAPTER V**

#### **SEVERABILITY**

If any provision of these regulations is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of these regulations are declared to be severable.

## **CHAPTER VI**

### **VIOLATIONS AND PENALTIES**

Any person who willfully violates any provision of these regulations or any order or rule issued under these regulations shall upon conviction thereof by any court of competent jurisdiction, shall be subject to a fine of not more than one hundred (\$100.00) dollars or to imprisonment for a period not to exceed thirty (30) days, or both such fine and imprisonment.

## **CHAPTER VII**

### **APPEALS**

Any decision of the County Transportation Department may be appealed to and reviewed by the Board of County Commissioners. Decisions of the Board of County Commissioners may be reviewed by the District Court and the Wyoming State Supreme Court as set forth in Wyoming Statutes 9-4-114.

## **CHAPTER VIII**

### **AMENDMENTS**

The Board of County Commissioners may amend these regulations from time to time as the need for change becomes evident. Such amendments shall be made in compliance with requirement of the Wyoming Administrative Procedures Act. (W.S. 9-4-101 thru 9-4-115).

## **CHAPTER IX**

### **ADOPTION AND EFFECTIVE DATE**

This resolution providing minimum standards for the construction of access driveways and other turnouts to County Roadways shall be in full force and effect after its adoption by the Board of County Commissioners and its proper filing with the Wyoming Secretary of State in accordance with the Wyoming Administrative Procedures Act.