

PERRY COUNTY CODE OF ORDINANCES
Chapter 12 - Roads / Transportation

Chapter 12: ROADS / TRANSPORTATION

Article

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Article I. ROADS, BRIDGES, AIRPORTS, AVIATION

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§ 1200.00 ESTABLISHING NEW COUNTY ROADS.

- 1) All newly constructed roads accepted by Perry County as a county road shall have a minimum of 60 feet right-of-way, with 26 feet from shoulder to shoulder. The roadbed shall have 3 ½ inch crown with no more than 12 feet difference of center line elevation per 100 feet with 90 tons of SB2 gravel according to AR State Highway Specifications per 100 feet. Ditches shall be 1 ½ foot ditches with 3:1 inside slopes. Outside slopes may vary.

([Ord. 2000-012](#), passed 12-11-2000)

§ 1200.01 ROAD CONSTRUCTION REQUIREMENTS FOR DEDICATION.

- 1) No person shall construct, reconstruct, alter, remove, or replace any portion of a road, curb or gutter, drainage structure, or driveway abutting a dedicated street within the County without first having obtained a permit from the Perry County Judge.
- 2) All construction, reconstructions, alterations, removal, or replacement required by this Ordinance shall be double chipped and sealed or asphalted and conform to the approved design standards of the Arkansas Highway and Transportation Department if said road is to be dedicated to the public for county maintenance purposes.
- 3) A person or entity subdividing land into lots of five acres or less is required to file a subdivision plat with the County Judge and shall indicate the right-of-way to be dedicated to the public as well as the location of waterline, and fire hydrants which shall be a

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minimum of six inches in diameter or the largest line available every two thousand feet throughout the subdivision portion. All streets constructed pursuant to this Ordinance shall be required to construct street signs for the purposes of identification and 9-1-1 response. Prior to construction or reconstruction of any roadway and prior to obtaining a permit from the County Judge, the person or entity filing said plat shall contact the County 9-1-1 Coordinator to receive acceptance and approval of all proposed roadway or street names.

- 4) The County Judge shall issue a permit upon proper submission for the construction or reconstruction of roads pursuant to this Ordinance and upon the payment of a fifty-dollar permit fee which shall be used towards the cost of administering this Ordinance. ([Ord. 2001-010](#), passed 5-14-2001; Am. [Ord. 2001-014](#), passed 9-10-2001; Am. [Ord. 2002-014](#), passed 11-18-2002)

§ 1200.02 UNIFORM SYSTEM OF NUMBERING HOUSES, BUILDINGS AND ROAD FRONTAGE ON ALL THE ROADS AND HIGHWAYS.

- 1) UNIFORM 9-1-1 SYSTEM. There is hereby established a uniform system for numbering the property frontage on all roads and highways in the unincorporated area of Perry County. All houses and other buildings shall be numbered in accordance with the provisions of this Ordinance.
- 2) POINTS OF ORIGIN. The beginning point for numbering of buildings on state highways and county roads in the unincorporated area of the County will be:
- a) The city limits of Perryville for state highways and county roads that begin or proceed through Perryville. The appropriate compass suffix (N, E, S, and W) will be added to those roads proceedings through Perryville.
 - b) The city limits of the other incorporated entities in Perry County for the state highways and county roads beginning there.
 - c) Highway 9 will serve as the baseline for dividing east and west roads and highways; Highway 60 will serve as the baseline for dividing north and south roads and highways with the following exceptions:
 - i) Highway 113 N will originate in the City of Houston at the intersection of Highway 60 and proceed north to end at the Perry-Conway County line. Highway 113 South will originate at the Highway 60 and Highway 113 intersection near Bigelow and proceed south to the southernmost boundary of Perry-Pulaski County line.

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- ii) Highway 10 W will originate at the end of Choctaw Street in the city of Perry and go in a westerly direction to the Perry-Yell County line.
Highway 10 E will originate at the intersection of Highways 9 and 10 in the Williams Junction Area and go east to Perry-Pulaski County line.
 - d) State highways for county roads beginning there.
 - e) Primary county roads for those connecting there.
 - f) The northern or eastern beginning point for connecting secondary county roads.
 - g) Primary state highways for connecting State Highways 10, 60, 216, 300, 113, 155, 324, 247, 9, 314, and 7.
- 3) ROAD NUMBERING. The numbering of each road shall be based on its block number. The block numbering for each road shall start at the beginning point. A block will be 5280 feet. All numbers assigned to property and buildings shall be assigned on the basis of 200 numbers (100 odd and 100 even) for every 5280 feet of road frontage. This is 52.8 feet for each separate number.
- 4) BUILDING NUMBERING. A building on the south and west sides of the road shall bear odd numbers. All buildings on the north and east sides of each road shall bear even numbers.
- 5) SURVEY.
- a) The Perry County 9-1-1 Office shall cause the necessary survey to be made and completed within twelve months from the date of the adoption of this Ordinance to determine the address of the property requiring the assignment of an address or requiring a change of address under the terms of this Ordinance. Thereafter there shall be assigned to each house and other residential, commercial, industrial or public building located on or gaining access to any road or highway in the unincorporated area of the County its respective number under the uniform system provided for in this Ordinance according to said survey.
 - b) When the said survey shall have been completed and each house or building has been assigned its respective number or numbers, and the postmasters throughout the County agree they are ready to implement the assigned numbers, the 9-1-1 Coordinator shall notify:
 - i) The owner, occupant or agent of affected house or building.
 - ii) The U.S. Postal Service and the major utilities serving the address area, i.e. electric, gas, telephone, water, sewer and all emergency services (Sheriff, ambulance, fire, etc.).

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6) INSTALLATION OF BUILDING NUMBERS.

- a) The owner, occupant, or agent of the affected house or building shall place or cause to be placed upon each house or building, the number or numbers assigned under the address system as provided in this Ordinance.
- b) Such number or numbers shall be placed on existing buildings within 30 days from the date of notification. The cost of the numbers shall be paid for by the property owner. Replacement of numbers shall be procured and paid for by owner. The numbers used shall be not less than three inches in height for commercial and residential and shall be made of a durable and clearly visible material. If the proper number is not placed on an existing building within thirty (30) days from the date of notification it shall be deemed to be in violation of this Ordinance. Any person failing to comply with the provisions of this Ordinance shall upon conviction thereof, be fined not less than \$25.00 nor more than \$50.00 plus costs for each offense. Each day said offense continues shall be considered a separate offense. Enforcement of the penalty shall be by the County Sheriff's Department.
- c) The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen plainly from the road on which the number is based. Whenever any building is situated so that the number is not clearly discernible from the road line or vision of the building from the road is otherwise obscured, the number or numbers assigned shall be placed near the walk, driveway or common entrance to such building, and affixed upon a gate post, fence, mailbox, post, or other appropriate place so as to be easily discernible.
- d) Where only one number can be assigned to a particular road frontage and several buildings are located on that frontage, suffix's (A) (B) (C), etc. may be required. The assigned numbers with suffix will be placed at both the common entrance and on the building. Fractional numbers shall not be used as an alternative to alphabetical designations.

7) 9-1-1 OFFICE RESPONSIBILITY. It shall be the duty of the Perry County 9-1-1 Office to inform any party applying for address numbers of the number or numbers belonging to or embraced within the limits of any said lot or property as provided for in this Ordinance. In case of conflict as to the proper number to be assigned to any building, the Perry County 9-1-1 Office shall determine the number of such building.

8) APPLICATION FOR BUILDING NUMBERS.

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- a) Persons with buildings in the unincorporated area of Perry County shall apply to the Perry County 9-1-1 Office for the assignment of the correct address. The address must be known by the owner or agent before electrical service is extended to the proposed building site.
- b) The owner or the agent proposing to locate any house, building or structure in need of an address in the address service area of the city of Perryville, Adona, Bigelow, Casa, Perry, Fourche, Houston, shall apply to the appropriate city or the cities may elect to refer number or numbers assignment to Perry County 9-1-1 Coordinator.

9) ADDRESS DEFINITIONS.

- a) The Perry County Road numbers assigned by the Arkansas Highway and Transportation Department are hereby adopted to be used with an assigned number for postal address and 9-1-1 emergency telephone data address for most residences and buildings in the rural area of Perry County. An address example follows: (House number) (road-Perry for County Highway for State and U.S.) (Road number) 11 Perry 1254 or 11 Highway 9 N.
- b) In the subdivisions of the unincorporated area of the County that are platted, officially accepted and on file in the Circuit Clerk's Office, the names of the streets assigned by the developer will be used with the building number for the address, example: "100 Any Street".

10) PERRY COUNTY ROAD NAMING PROCEDURES AND POLICY. The Perry County Road Naming Procedures and Policies are made part of this Ordinance by reference, which is attached to this Ordinance as "Exhibit A".

11) EXCEPTIONS. The 911 Coordinator is the necessary and proper individual to make changes as they occurring the Ordinance and is hereby delegated responsibility by the Perry County Quorum Court to make said necessary changes.

12) APPEALS. Any residents of Perry County who wish to challenge any changes made by the 911 Coordinator may do so by filing a written notice of appeal of such change within thirty (30) days of receipt of the 911 Coordinator's decision. Such appeal shall be heard by the 911 Committee in public forum.

([Ord. 1998-006](#), passed 5-11-1998; Am. [Ord. 1998-016](#), passed 11-9-1998; Am. [Ord. 1999-003](#), passed 3-8-1999)

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§ 1200.03 SPECIFICATIONS FOR INSTALLATION, MODIFICATION, OR REPLACEMENT OF CULVERTS FOR ALL DRIVEWAYS AND PRIVATE ROADS THAT CONNECT WITH COUNTY ROADS.

- 1) This Ordinance applies to the construction, modification, replacement or repair of any private driveway or private road of any kind that connects with a Perry County Road.
- 2) Any person, firm, or corporation, or its agents, officers or employees who constructs, modifies, repairs, or replaces any culvert adjacent to any county road in Perry County shall first make an application for a Culvert Permit from the Perry County Judge's Office. There shall be no cost for making such an application.
- 3) Thereafter, upon completion of the construction, modification, replacement, or repair, the person, firm, or corporation, or its agents, officers, or employees who made the application shall request the County Judge or his designee to make an inspection of said culvert. Said inspection shall confirm that said culvert meets the minimum standards set forth as follows:
 - a) Each private driveway or private road of any kind that connects with a Perry County Road shall have a culvert at the ditch line where the driveway or private road meets the public road.
 - b) The culvert shall be a minimum of eighteen inches in diameter and thirty feet in length.
 - c) The culvert shall be constructed of materials suitable for said purposes and with sufficient strength to support the use of emergency vehicles.
 - d) The applicant may seek a variance of the aforementioned standards from the County Judge, who may at his or her discretion allow for a variance if, after conferring with the County Road Department, determines that the standards are impractical, unduly burdensome, or not needed in that particular situation.

Upon confirmation that the construction, modification, replacement, or repair has been performed in compliance with the above specifications, the County Judge, or his designee, shall cause a Culvert Permit to be issued.

- 4) It shall be unlawful for any person, firm, or corporation, or its agents, officers or employees, to construct, modify, repair, or replace any culvert in a manner inconsistent with this Ordinance. Anyone violating this Ordinance shall be assessed a fine of not less than \$50.00 and not greater than \$250.00. The Perry County Sheriff, or his designee, is empowered and authorized to issue citations and take necessary appropriate actions to

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enforce this Ordinance. The County also reserves the right to take legal action to ensure compliance with this Ordinance.

- 5) **EFFECTIVE DATE.** This Ordinance shall take effect on September 1, 2010.
([Ord. 2010-002](#), passed 2-15-2010)

§ 1200.04 ROAD FEE UPON COMMERCIAL HAULERS CARRYING CERTAIN MATERIALS; STONEY POINT ROAD, HILL LOOP ROAD, AND ROCK CRUSHER ROAD.

- 1) **PURPOSE.** The purpose of this Ordinance is to preserve public safety and preserve road integrity of certain county roads within Perry County and to provide for an assessment of a fee for commercial vehicles that are transporting heavy loads in Perry County, Arkansas and for such fee to be collected by the commercial operator of any facility located on 1) Stoney Point Road, 2) Hill Loop Road, 3) Rock Crusher Road at which such loads are received or made available and then to remit the collected fees to the County.
- 2) **SCOPE.** The County shall cause appropriate signs to be placed in the prescribed locations on the County roads notifying this Ordinance thereby giving notice to all commercial haulers that the designated commercial truck route requires the collection of a road fee per load that is transported by commercial vehicles.
- 3) **DEFINITIONS.** For purposes of this Ordinance, a “commercial vehicle” is a vehicle that (a) has a capacity of 8 tons or more and (b) uses two (2) or more rear axles; “commercial or industrial facility” is any facility that processes, receives or distributes sand, gravel, rock products, or other raw mineral substances that are quarried or removed from the earth, but not agricultural products.
- 4) **PROVISIONS UPON COMMERCIAL VEHICLES.** There is hereby imposed a five dollars per load fee upon each load for the transport of materials by a commercial vehicle in Perry County upon designated roads 1) Stoney Point Road, 2) Hill Loop, and 3) Rock Crusher Road. The five-dollar (\$5.00) road fee shall be collected by the operator of any facility or site upon 1) Stoney Point Road, 2) Hill Loop, and 3) Rock Crusher Road from which matter will be received or made available for transport by a commercial vehicle. All revenue generated by this assessment shall be deposited in the County Road Fund and into separate road accounts for 1) Stoney Point Road, 2) Hill Loop, and 3) Rock Crusher Road. The funds shall be remitted on a monthly basis by the 17th of each month. The facility operator may retain up to 5% of the monthly total as an administrative fee to defray any costs incurred from collections and recordkeeping.
- 5) **PENALTIES.** A failure of an operator to collect the per load fee of \$5.00 assessed upon each load transported within Perry County upon designated roads: 1) Stoney Point Road,

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2) Hill Loop, and 3) Rock Crusher Road shall constitute a misdemeanor to be assessed a fine of \$100.00 for a first violation or failure to collect and submit the \$5.00 fee for a load. A second violation within a 12-month period shall be punishable by a fine of \$250.00, and for a third violation within a 12-month period the fine shall be \$500.00.

- 6) PROVISIONS CUMULATIVE. The provisions of this Ordinance shall be cumulative to all other laws, Ordinances, and regulations heretofore enacted, or which may be hereafter enacted covering any subject in this Ordinance.
- 7) EFFECTIVE DATE. The effective date of this Ordinance is September 12, 2011, which is the first business day after 60 days from the enactment of this Ordinance.
([Ord. 2011-012](#), passed 7-11-2011)

§ 1200.05 PREVENT ENCROACHMENT OF COUNTY ROADS.

- 1) DEFINITIONS.

County Road. Any road within the borders of Perry County, Arkansas, that is serviced, repaired, or otherwise maintained by the Perry County Road Department.

- 2) Upon passage of this Ordinance, all County Roads, for the purposes of service, repair, and maintenance, as well as for the general welfare and safety of the traveling public, shall remain unimpeded and unobstructed of any debris, structure, decoration, monument, or other object, and in no way be encroached within ten feet (10') of the edge of the traveled portion of a qualifying road.
- 3) VIOLATION. It shall be a violation of this Ordinance to place any debris, structure, decoration, monument, or other object, within ten feet (10') of the edge of the traveled portion of a County Road. Any person found to be in violation of this Ordinance shall be deemed guilty of a violation and upon conviction may be subject to the following:
- a. A fine of up to One Hundred Dollars (\$100.00) for each violation; and
- b. Removal of any debris, structure, decoration, monument, or other object at the person's expense.
- 4) REMOVAL. Notice to compel removal of any debris, structure, decoration, monument, or other object shall be made by executive order of the Perry County Judge. Appeal of any

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such executive order shall be appealed to the District County of Perry County, Arkansas.

- 5) ENFORCEMENT. The Perry County Sheriff's Department shall be entrusted with enforcement of any violation of this Ordinance.
([Ord. 2015-011](#), passed 11-9-2015)

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Article II. FERRIES, WHARVES, DOCKS, MARINE SERVICES

Section

Reserved.

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Article III. PARKING

Section

Reserved.

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Article IV. PUBLIC TRANSPORTATION

Section

Reserved.

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