

TOWN OF PINETOP-LAKESIDE

ORDINANCE 25-480

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, ADOPTING THE ADDITION OF CHAPTER 12.26 TOWN OF PINETOP-LAKESIDE ROAD MAINTENANCE TO TOWN CODE TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES.

WHEREAS, the Town Council of the Town of Pinetop-Lakeside believes that adding Town Code Chapter 12.26 TOWN OF PINETOP-LAKESIDE ROAD MAINTENANCE to Title 12 STREETS, SIDEWALKS, AND PUBLIC PLACES, is in the best interests of the citizens of the Town.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, NAVAJO COUNTY, ARIZONA, as follows:

- Section 1. **Adoption by Reference.** Pursuant to A.R.S.§9-802, the Town hereby adopts the addition of Town Code Chapter 12.26 TOWN OF PINETOP-LAKESIDE ROAD MAINTENANCE of Title 12 STREETS, SIDEWALKS, AND PUBLIC PLACES as set forth in "Exhibit A".
- Section 2. **Effective Date.** This Ordinance is to be effective upon the expiration of a thirty (30) day period following the adoption hereof and completion of publication and any posting requirements pursuant to A.R.S.§9-812.
- Section 3. **Severability.** All ordinances, or parts of ordinances, adopted by the Town of Pinetop-Lakeside in conflict with the provisions of this Ordinance or any part of the Town Code adopted herein by reference, are hereby repealed, effective as of the day this Ordinance is effective.

PASSED AND ADOPTED by the Mayor and Town Council in an open meeting of the Town Council of the Town of Pinetop-Lakeside, Arizona, this 20th day of February 2025.



TOWN OF PINETOP-LAKESIDE

Stephanie Irwin
Stephanie Irwin
Mayor

ATTEST:

Kristi Salskov
Kristi Salskov, CMC
Town Clerk

APPROVED AS TO FORM:

William J. Sims
William J. Sims, III
Town Attorney

EXHIBIT A

TOWN CODE TITLE 12.26

TOWN OF PINETOP-LAKESIDE ROAD MAINTENANCE

TITLE 12 CHAPTER 26

TOWN OF PINETOP-LAKESIDE ROAD MAINTENANCE

Sections

- 12.26.010 Maintenance of streets.**
12.26.020 Adding roads to the Town maintained roads system

Purpose

This policy describes the legal parameters and departmental procedures that guide the Public Works Department and the Town Council in determining whether new Town roads should be established, whether other eligible public roads should be accepted into the Town maintained roads system, and how resources should be allocated to maintain those that are accepted into the system. Management procedures are hereby adopted with a goal of allocating resources in an equitable and objective manner.

Applicability

This policy applies only to public roads that are accepted into the Town of Pinetop-Lakeside maintained roads system. For a list of Town maintained roads follow this link: [Town Maintained Roads](#).

12.26.010 Maintenance of streets.

The Public Works Department shall, under the direction of the Town Council, provide road construction and maintenance services in an equitable and objective manner. A road classification system that provides a method of prioritizing services based on road function as defined in (Appendix A) and Pavement Condition Index (PCI) are adopted herein. The classification system will be used as a guide for construction and maintenance. Road construction and maintenance services shall be based on a maintenance plan developed every five (5) years after evaluation of PCI assessment, traffic counts, functional classes of Town roads, and funding availability.

Based on the five (5) year evaluations, the Public Works Department will classify all roadways within the Town of Pinetop-Lakeside maintained roads system according to the definitions as outlined in (Appendix A). Maintenance will be based on the classification of a road in the Town of Pinetop-Lakeside road maintenance system after Town Council approval of the maintenance plan.

Town Council Actions

After development of a five (5) year maintenance plan, the Public Works Department will schedule an agenda item for the Town Council's consideration. The Department will make a recommendation to the Town Council regarding the list of roads to be included for construction and maintenance services.

If the Town Council authorizes the proposed five (5) year maintenance plan, a resolution so stating will be recorded at the Navajo County Recorder's Office.

12.26.20 Adding roads to the Town maintained road system

Roads may be added to the Town of Pinetop-Lakeside maintained roads system if they are eligible for maintenance under the law. Residents may request the Town Council to add a public road to the maintained road system by presenting a petition (Appendix B) to the Public Works Department, signed by

two or more residents having direct access to the road, along with proof of the existing right-of-way and a certification by a Registered Land Surveyor, licensed to practice in the State of Arizona, certifying that the existing road is within the dedicated public right-of-way.

Determination of Eligibility

Roads will not be considered for inclusion in the Town maintained roads system unless or until they are constructed, at no cost to the Town, to a minimum geometric standard with appropriate drainage features. Chapter 12.24 of the Town Code ([Town Code Chapter 12.24](#)) shall define minimum geometric standards.

Determination of eligibility for Town maintenance shall be the responsibility of the Public Works Department. The Town Attorney shall be requested to review the status of the road if there is any question as to whether it is a validly established public road. If the road is not a validly established public road, it must be dedicated to the Town of Pinetop-Lakeside to become a public road.

When a request is received for a road to be added to the Town of Pinetop-Lakeside roads maintenance system, the road will be evaluated to determine if it is eligible for maintenance, if maintenance is feasible and if the road is of service to the traveling public. The following will constitute the eligibility determination criteria:

1. Satisfaction of specifications:
 - a. Subdivision streets and ways constructed to the Town Code specifications at no cost to the Town in accordance with a plat approved pursuant to Chapter 16.16 of the Pinetop-Lakeside Town Code ([Town Code Chapter 16.16](#)) are to be accepted for maintenance within one year of completion (this applies only to public subdivision streets). Subdivision roads that are currently not dedicated to the public require a replat of the subdivision in order to dedicate street rights-of-way, sidewalk, drainage and utility easements and other easements to the public. The re-platting shall conform to current Town Standards at the time of the request for acceptance.
 - b. Streets and roadways constructed to the Town Code specifications at no cost to the Town provided the petition has been approved by the Pinetop-Lakeside Town Council.
2. Maintenance Feasibility:
 - a. Location: The road must be directly accessible from a publicly maintained road.
 - b. Drainage: Drainage along the road must be such that frequent maintenance will not be necessary in wet weather.
3. Public Necessity:
 - a. The road must be of service to the traveling public. In this regard, the “traveling public” will be considered to mean two or more residences and/or businesses per mile under separate ownership. Stub roads serving only one residence or business or serving properties under unified ownership will not be of service to the public within the meaning of this policy.

Town Council Actions

After evaluation of the request of a road to be added to the Town of Pinetop-Lakeside maintained roads system, the Public Works Department will schedule an agenda item for the Town Council’s consideration.

Exhibit 1

The Department will make a recommendation to the Town Council regarding the acceptance of the road(s) into the Town of Pinetop-Lakeside maintained roads system.

If the Town Council authorizes maintenance on the road, a resolution so stating will be recorded at the Navajo County Recorder's Office and the Town of Pinetop-Lakeside maintained roads system will be amended.

Appendix A

Functional Street Classification

Arterials ¹	Facilitate relatively long trip lengths at moderate to high operating speeds with somewhat limited access to adjacent properties. Arterials generally serve major centers of activity in urban areas and have the highest traffic volume corridors. These streets are often major gateways to the community.
Collectors	Collect and distribute traffic between arterials and local streets at moderate to low operating speeds. Collectors provide for more accessibility to adjacent properties than arterials.
Local Street	Generally, provide direct access to abutting properties. Local streets possess relatively low traffic volumes, operating speeds, trip lengths, and minimal through traffic movements.

1) Currently, all arterial routes are state highways owned and maintained by the Arizona Department of Transportation.

Appendix B

PETITION TO INCLUDE ROAD IN TOWN OF PINETOP-LAKESIDE MAINTAINED ROAD SYSTEM

INSTRUCTIONS & INFORMATION

Requirements for road to be petitioned

- A. The road to be petitioned must be within the dedicated public right-of-way.
- B. All owners of property abutting the road to be petitioned, including those with an easement or other property interest in it must sign the petition.
- C. The road must meet all applicable law, regulations, and be constructed, at no cost to the Town, to a minimum geometric standard with appropriate drainage features according to Chapter 12.24 of the Town Code.
- D. No petition can be approved if it is determined by the Public Works Director that the road proposed for acceptance is not dedicated to the public, or if a determination is made that the road is for private rather than public convenience.
- E. The road being petitioned must have a minimum of two (2) dwellings or commercial units for each mile under separate ownership (i.e., at least one dwelling for each 2,640 feet of road).
- F. The road being petitioned must be directly accessible from a publicly maintained road and drainage along the road must be such that frequent maintenance will not be necessary in wet weather.

Responsibilities of and Commitments by Petitioners

- A. Furnish complete/accurate and legible property information requested on form.
- B. All property owners of each parcel abutting the road to be petitioned must sign the petition.
- C. If more than one road is being petitioned, separate petitions must be submitted for each road (or portion thereof).
- D. Carefully read Section V of the petition form by which each petitioner agrees to certain specific conditions.
- E. Mail or deliver completed petition to:

Public Works Department
958 S. Woodland Road
Lakeside, AZ 85929.

Public Works Responsibility After Petition is Received

After the petition has been received and validated, not later than six (6) months after the date of the petition, the Public Works Director, or designee, will advise the petitioners concerning whether the petition, as submitted, is valid for further consideration by the Town. If the petition is not valid, the petition

spokesperson will be advised what steps are necessary to make the petition administratively acceptable unless the petitioned road is deemed to be of no use to the public.

The Town will arrange to have the roadway inspected to determine compliance with Town Code Chapter 12.24 or in case of subdivision roads dedicated to the public Town Code Chapter 16.16. The field inspection will determine if the roadway visually appears to meet the minimum construction standards, allowing the petition process to go forward. If the roadway fails the visual inspection, the spokesperson for the petitioners will be notified of the reasons. At this point the petitioners have the option of withdrawing the petition. For the petition to move forward, it becomes the responsibility of the petitioners to have an assessment performed detailing the extent of work needed for the roadway to meet Town standards. Based on the assessment and cost estimate, the petitioners must decide whether to proceed with the petition. If the decision is made to proceed, the Town will review the construction plans to confirm compliance with Town standards. Once all necessary construction has been completed, the Public Works Department will schedule an agenda item for the Town Council's consideration. The Public Works Department will make a recommendation to the Town Council regarding the acceptance of the road into the Town of Pinetop-Lakeside Maintained Road System. Contingent to the Town Council decision, the road will then be added to the Pinetop-Lakeside Maintained Road System.

The Town will not maintain any road until the entire right-of-way has been dedicated to the Town/Public, accepted and so recorded.

Please provide the information requested in accordance with these instructions. If you have any questions after you have read these instructions and studied the petition form, please contact the Public Works Department at 928-368-8885.

**TOWN OF PINETOP-LAKESIDE
ROAD PETITION**

DATE: _____

(date petition mailed, or hand carried to Public Works)

I. This petition is submitted for consideration in accordance with the Town of Pinetop-Lakeside Road Maintenance Policy. The undersigned accepts responsibility as spokesperson for this group of petitioners and has also signed as a petitioner. The undersigned spokesperson confirms by signature below that petitioner signatures appearing in Section V of this petition are the actual signatures of owners of property abutting the petitioned road (or portion thereof) and that each petitioner does understand that the purpose of this petition is for the Town to assume maintenance of the right-of-way described in this petition.

Spokesperson Name (printed)

Mailing Address

Signature

Phone Number

II. Petition validation information concerning the road (or portion thereof) being petitioned:

- a. Is approximately _____ feet long
- b. Has _____ homes erected on properties abutting.
- c. Has, to the best of my knowledge, _____ property owners.

III. Provide proof of existing right-of-way and a certification by a Registered Land Surveyor, licensed to practice in the State of Arizona, certifying that the existing road is within the dedicated public right-of-way. The proof must be presented as a survey drawing with a legal description of the right-of-way. The survey drawing must include abutting properties and roads.

IV. We, the undersigned petitioners, do hereby propose for acceptance into the Town of Pinetop-Lakeside Road Maintenance System, the right-of-way according to the attached survey map and legal description as well as the information provided in Sections II, III, and IV above.

- V. Here begins the signatures and other relevant property information of owners of property abutting the right-of-way which is being petitioned for the Town to assume maintenance by adding it to the Town Maintained Road System.

ALL INFORMATION MUST BE LEGIBLE AND COMPLETE

I have read and understand all Sections of this petition:

Name(s) (signed): _____
Name(s) (printed): _____
Address: _____ Phone No.: _____

Witnessed by: _____
Parcel Number: _____ Subdivision: _____

Name(s) (signed): _____
Name(s) (printed): _____
Address: _____ Phone No.: _____

Witnessed by: _____
Parcel Number: _____ Subdivision: _____

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