



## ***MEMORANDUM***

To: Summit County Council

From: Jami Brackin

Date: March 7, 2018

Re: Class B and Class D road maps

**AGENDA ITEM: Consideration and possible approval of Resolution 2018-05 adopting the county class B and class D road maps.**

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Attached to this Memo is a Resolution officially adopting the road system we have placed on-line in the GIS system as the official road maps for Summit County.

Title 72 of the Utah Code classifies the state's highway system and designates that "[t]he county governing body exercises sole jurisdiction and control of class B roads within the county<sup>1</sup> and "[t]he county governing body exercises sole jurisdiction and control of class D roads within the county."<sup>2</sup>

Class B roads are defined as "County roads comprise all public highways, roads, and streets within the state that: a) are situated outside of incorporated municipalities and not designated as state highways; (b) have been designated as county roads; or (c) are located on property under the control of a federal agency and constructed or maintained by the county under agreement with the appropriate federal agency."<sup>3</sup>

Class D roads are defined as "any road, way, or other land surface route that has been or is established by use or constructed and has been maintained to provide for usage by the public for vehicles with four or more wheels that is not a class A, class B, or class C road under this title."<sup>4</sup>

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<sup>1</sup> Utah Code Ann. §72-3-103(4)

<sup>2</sup> Utah Code Ann. §72-3-105(4)

<sup>3</sup> Utah Code Ann. §72-3-103(1)

<sup>4</sup> Utah Code Ann. §72-1-105(1)

Each year, in order to get state funding for our class B road system, the Engineering Department/Public Works provides to the Utah Department of Transportation a map including linear miles, of our class B roads. Historically, these have been paper maps.

Meanwhile, in response to changes in the federal RS 2477 laws, the Utah legislature adopted a provision<sup>5</sup> directing each county to prepare to the best of their ability a map of all class D roads existing in the county as of October 1976. Summit County did prepare a class D map in 1976-1977 and has kept that map as “official” with the Recorder, Engineer and Attorney’s offices. The County has used that map as the presumptive basis to determine which roads are public and which are private.

While the County has relied on the class D map since 1976 and has kept it on record with the Recorder’s office, there is no evidence we could find that it was ever formally adopted. In the intervening years, some of the roads have been vacated by formal action of the Council (Commission) or altered based upon litigation. Those changes were tracked and noted but no new map has ever been created or adopted with the changes.

Each year the Sheriff, Attorneys, and Engineering departments receive numerous phone calls regarding the status of roads, whether or not roads can be gated and locked and especially in the fall during hunting season, whether the public hunters are allowed access. Each year staff tries to answer the questions to the best of their ability but without maps and precise coordinates, it is difficult to give answers over the phone.

In 2017 staff from the GIS/IT department, Engineering department, Public Works department and Attorney’s Office began compiling all of the current information and placing it in the GIS system. By so doing it allows the public to see for themselves the status of the road in the precise location for which they may have a question. It also allows staff to reference current information for their needs in planning, public works, engineering or other departments.

It is anticipated that the map system will be quickly updated whenever there are changes to the road systems including new roads from subdivisions, changes in alignment, vacations etc. and that each year in March, the County Council, as highway authority, would pass a resolution adopting the changes for that year.

#### RECOMMENDATION:

Staff is recommending the approval and passing of Resolution 2018-05 adopting the GIS road map system as the official county class B and class D road maps.

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<sup>5</sup> Now Utah Code Ann. §72-3-105(5)



Summit County  
Resolution Number 2018-\_\_\_\_\_

**A RESOLUTION ADOPTING THE SUMMIT COUNTY CLASS B AND  
CLASS D ROAD SYSTEM EXISTING ON THE SUMMIT COUNTY GIS  
SYSTEM AS OF 4-14-2018**

WHEREAS, the Summit County Council has been designated pursuant to Utah Code Ann. §72-3-103 and § 72-3-105 as the highway authority for all Class B and Class D roads within Summit County; and

WHEREAS, Class B roads are those improved roads which Summit County generally maintains, and Class D roads are those historical roads within the County that are public roads and rights-of-way, but generally do not receive any maintenance.

WHEREAS, Summit County annually provides to the Utah Department of Transportation a map of all Class B roads for which the County is requesting and receives state funding for maintenance as required; and

WHEREAS, changes in the Utah Code have allowed some use of the Class B road funds to be used for Class D Roads; and

WHEREAS, Utah Code Ann. §72-3-105(5) requires that the County “prepare maps showing to the best of its ability the class D roads within its boundaries which were in existence as of October 21, 1976;” and

WHEREAS, the Class D road map was created in 1976 in response to state law and changes in the federal RS 2477 statutes and has been on file for viewing with the Summit County Recorder, Engineer and Attorney since that time; and

WHEREAS, while the County was in compliance with state law by preparing the map, there is no record that the Class D road map was formally adopted by the legislative body in 1976 or thereafter; and

WHEREAS, each year citizens of Summit County as well as law enforcement officers and other departments have need to know the status of particular roads within the County; and

WHEREAS, the Summit County GIS maps are available for public viewing at <http://maps.summitcounty.org/flexviewers/countymap/> and are continually maintained by the County; and

WHEREAS, the GIS system provides a way to add the Class B and Class D road map system to the online information available to the public at all times;

NOW THEREFORE, be it resolved by the Summit County Council as the highway authority of Summit County that the Class B and Class D road maps existing on the Summit County GIS system on-line at <http://maps.summitcounty.org/flexviewers/countymap/> as of March 14, 2018 are hereby adopted as the official Class B and Class D road maps for Summit County.

BE IT FURTHER RESOLVED that the Class B and Class D road maps on the GIS system be updated annually in March of each subsequent year for use by the public, the Utah Department of Transportation, and Summit County personnel.

ADOPTED by the Summit County Council, this 14th day of March, 2018.

Summit County Council

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Kim Carson, Chair

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Date

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Kent Jones, County Clerk

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Date