

**CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN**

**MOTION TO APPROVE  
ROAD/SIDEWALK/SHARED-USE PATH  
ASSESSMENT POLICY**

**December 12, 2017**

WHEREAS, the Charter Township of Oshtemo has heretofore adopted road assessments for local roads, platted streets, reconstruction or overlay of gravel, dust control on gravel roads, together with an assessing policy and administrative procedure; and

WHEREAS, the Charter Township of Oshtemo has adopted a Non-Motorized Facilities/Sidewalk Ordinance, being Ordinance No. 468, and Section IX allows the Township Board to establish the costs for construction, reconstruction or repairs.

WHEREAS, upon the recommendation of the Road Committee, it is the desire of the Township Board to amend the road assessments for local roads and platted streets as well as sidewalks and shared-use paths.

NOW, THEREFORE, until further modification the Township Board, road/sidewalk/shared-use path assessment charges within the Charter Township of Oshtemo shall be as follows:

Motion made by Nancy Culp, seconded by Zak Ford to adopt the foregoing Policy.

The following voted "Aye":

Elizabeth Heiny-Cogswell, Dusty Farmer, Nancy Culp, Deborah Everett,  
Dave Bushouse, Zak Ford and Ken Hudok

The following voted "Nay":           None

The following abstained:           None

The following members were absent:   None

The Supervisor declared the Motion carried and the Policy duly adopted.

  
\_\_\_\_\_  
Dusty Farmer, Clerk  
Oshtemo Charter Township

CERTIFICATE

I, Dusty Farmer, the duly elected and acting Clerk of the Charter Township of Oshtemo, hereby certify that the foregoing motion to approve Road/Sidewalk/Shared-Use Path Assessments Policy was adopted by the Township Board of said Charter Township at a regular meeting of said Board held on December 12, 2017, at which meeting a quorum was present as hereinbefore set forth; that said Policy was ordered to take effect January 1, 2018.

  
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Dusty Farmer, Township Clerk

**CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN**

**ROAD – SIDEWALK -- SHARED USE PATH  
ASSESSMENT POLICY**

**EFFECTIVE: JANUARY 1, 2018**

**ADMINISTRATIVE PROCEDURE**

With assistance of the Capital Improvements Committee, the Township Board shall annually determine which roads will be restored/reconstructed or which will receive Hot Mix Asphalt (HMA) or gravel overlay. Selection of projects and treatments shall be subject to available Township funds, budgeting and scheduling.

A project funding formula is herein outlined. Specific projects shall be approved by the Township Board. On projects with no petitions, a Township Board resolution is needed.

Resolutions or petitions for Assessment Districts shall be forwarded to the Road Commission for Public Hearing.

Township road dollars shall, in general, not be spent on roadway reconstruction if the local street is not served with sanitary sewer and sanitary sewer is available to be extended to service properties along the street. This deferment of other than routine road maintenance is to facilitate the coordination of roadway work with sanitary sewer extensions to utilize Township funds in the most efficient and effective manner. If work is deferred for a local street under this policy, said local street will be planned for sanitary sewer extension within three years.

**FUNDING FORMULA**

**SUBJECT TO AVAILABLE FUNDS**

**1. Local Roads –**

Chip Seal or Seal Coat

Township Funds as supplemented with Road Commission Par Funds

HMA Overlay/Reconstruction

Township Funds as supplemented with Road Commission Par Funds

**2. Plat Streets –**

Chip Seal or Seal Coat

Township Funds as supplemented with Road Commission Par Funds



Ultra-Thin HMA Paving

100% Of Additional Cost Over Township-Proposed Project shall be by special assessment. Cul-de-Sacs shall be assessed in a manner that approximates an equitable contribution for the "pie" shaped square yardage frontage each assessable parcel (i.e. approximately comparable to the ½ roadway width square yardage assessed on a two-sided street).

HMA Overlay/Reconstruction

Township Funds as supplemented with Road Commission Par Funds

**3. Dust Control (gravel roads) –**

100% Township Funds

**4. Failed Condition Local Road –**

The Failed Condition Local Road Policy of the Road Commission shall be utilized.

**5. Sidewalks/Shared Use Paths –**

\$30.00 Per Front Foot For Single-Family Residential Zoning

\$35.00 Per Front Foot For Commercial/Industrial Zoning

Note 1: If developed, actual land use shall take precedent when determining the sidewalk/path assessment. When the underlying zoning allows other than single-family residential, or when substantial frontage remains undeveloped, the Township Board may elect to enter into an agreement with the property owner to defer collection of the full assessment until the parcel further develops.

Note 2: An exception shall apply to single-family residential properties which are (a) located along North 10th Street, from W. Main to the Kal-Haven Trail, or (b) located along an "arterial roadway" as classified by the National Functional Classification (NFC) will not be assessed. This location-based exemption is intended to recognize the subordinate neighborhood-usage of the sidewalk/path, versus the facility's function as an arterial/connector.

**6. Land Owner Initiated or Shared-Use Private Roads –**

At its sole discretion, the Oshtemo Township Board may elect to facilitate creation of a special assessment district for private roadway improvements when shared-use or other unique conditions warrant the proposed improvements as a public interest. Properties in Private Roadway SAD's shall bare 100% of the cost for the improvements, and shall include reimbursement of the administrative costs incurred by the Township.

A petitioned Public Roadway SAD project is exempt from Township cost participation as outlined in this policy. Specifically, the Township Board shall separately determine to what extent, if any, the Township shall contribute to the project.

**ASSESSING POLICY**

1. The Township shall annually determine which roads will be restored/reconstructed or which will receive an HMA or gravel overlay subject to budget limitations.
2. Parcels or outlots not in a plat, but with frontage on a plat street would be assessed using the funding formula but not to exceed the largest assessment in the district.
3. Parcels located on a "curved corner" will be assessed using the funding formula but not to exceed the largest assessment in the district.
4. Assessments for condominium units will assessed using the funding formula and the amount will be divided equally among the number of units.
5. The Township has the right and responsibility to set an assessment district, when it has been determined a road must be overlaid or reconstructed and funding is needed.
6. If sidewalk/shared use path project costs are less, individual assessments will be credited accordingly.
7. If any development is required by zoning to provide a sidewalk/shared use path, the development bears the full cost.

8. The Township reserves the right, should the need arise, to revise this policy at any time and may establish assessment districts calling for abutting land owners to share in the construction, restoration/reconstruction, HMA or gravel overlay of any road, sidewalk or non-motorized facility. In addition, the Township may consider a petition for road improvements and the establishment of a special assessment as provided by state law.