

19A NCAC 02C .0105 PROPERTY OWNER PARTICIPATION PAVING

(a) Subdivision-Residential Roads. Those roads which are eligible to be paved on a property owner participating basis will be administered according to the following procedure:

- (1) The property owners or their representative may contact the division engineer or his representative to determine whether or not the road in question is eligible for paving on a participating basis. If all property owners agree to pay four dollars (\$4.00) per linear foot to have the road paved they are determined eligible for paving on a participating basis.
- (2) If the division engineer or his representative determines that the road in question is eligible to be paved on a participating basis, he will so inform the property owners or their representative. He will then make a survey to determine the length of the road in question and will submit to the property owners or their representative a letter stating the cost, at a rate of four dollars (\$4.00) per linear foot, for each side of the road, to the property owners for the road to be paved and the approximate date when the work can be completed.
- (3) The property owners must then present to the division engineer or his representative a certified check made payable to the Department of Transportation, Division of Highways for the entire amount as stated in Subparagraph (a)(2) of this Rule. Once this has been accomplished, work will proceed as soon as DOT staff and supplemental funds are available.

(b) Rural Roads. The Board of Transportation shall allow the paving of a rural road on a property owners' participation basis identical in cost of four dollars (\$4.00) per foot along each side as required for unpaved subdivision/residential roads. Property owner participation paving is on a first-come, first-served basis. A section of rural unpaved road to be paved under this rule will be at least 0.30 of a mile in length provided the road is more than 0.30 of a mile in length. The section to be paved can be at the beginning, middle, or end of an unpaved road and need not connect to existing pavement.

*History Note: Authority G.S. 136-44.1, 136-44.2; 136-44.7; 143B-350(f) and (g);
Eff. July 1, 1978;
Amended Eff. December 29, 1993; November 1, 1991; July 1, 1984; October 1, 1982;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*