

179.070 General powers and duties of engineer -- Requirement of site development plan in certain counties.

- (1) The county engineer shall:
 - (a) Have general charge of all county roads and bridges within the county;
 - (b) See that county roads and bridges are improved and maintained as provided by law;
 - (c) Supervise the construction and maintenance of county roads and bridges and other work of like nature undertaken by the fiscal court or a consolidated local government;
 - (d) Make reports as the county, consolidated local government, or fiscal court directs;
 - (e) Advise and direct employees of contractors how best to repair, maintain, and improve county roads and bridges;
 - (f) Examine the various formations and deposits of gravel and stone in the county to ascertain the materials most available and best suited for the improvement of roads therein, and, when requested by the Department of Highways, submit samples of materials and deposits and make a written report concerning the materials;
 - (g) Establish or cause to be established necessary grades and recommend means of drainage, repair, and improvement;
 - (h) Together with the fiscal court or consolidated local government, consider and either reject or approve plans, specifications, and estimates submitted for the erection or repair of bridges and the construction or maintenance of county roads;
 - (i) Inspect or cause to be inspected each county road or bridge during its construction or improvement, and certify to the fiscal court or the consolidated local government the progress of the work and whether or not the work is being done according to the contract, plans, and specifications prepared therefor. If the work is not being done in accordance with the contract, plans, and specifications, the county engineer may stop any further work thereunder until the fiscal court or consolidated local government has inspected and passed upon it;
 - (j) Remove trees or other obstacles from the right-of-way of any publicly dedicated road when the tree or other obstacles become a hazard to traffic;
 - (k) Make recommendation to municipal authorities in a county containing a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, the mayor in a consolidated local government, or the county judge/executive of a county containing a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census for the establishment of speed limits in accordance with the powers granted to municipal authorities, consolidated local governments, and the county judge/executive by KRS 189.390(5)(a), and make recommendations to the county judge/executive or

consolidated local government for the establishment of parking restrictions by the county judge/executive or consolidated local government in accordance with KRS 189.390(5)(c); and

- (1) Make engineering and traffic investigations and make recommendations based thereupon to the fiscal court of counties containing a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census or a consolidated local government for the adoption of traffic regulations for any publicly dedicated road in unincorporated portions of the county or for any road made a portion of a county through road system, established in accordance with KRS 178.330 or 178.333, or both, in any manner reasonably calculated to promote the safety and convenience of the traveling public and to protect and preserve the roads and streets. The fiscal court or consolidated local government may adopt regulations which may include but not be limited to the establishment on roads designated in the first sentence of this subsection, of traffic lanes, the installation or removal of electric signals and other signs and markers, the removal of traffic bumps, the limitation or prohibition of parking, and the regulation or prohibition of a size or weight deemed likely to impede traffic or injure the streets; provided, however, that if such regulation of size and weight of vehicles conflicts with state regulations, the latter shall prevail. Nothing herein shall be construed to prevent the fiscal court or consolidated local government from contracting with city authorities for the joint installation of signs, markers, and electric signals and for their maintenance.
- (2) In counties containing a city of the first class or consolidated local government, or when authorized by ordinance of the fiscal court of a county containing a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, having the services of a county engineer, every person, subdivider, builder, contractor, or developer of any construction project shall submit to the county engineer for his written approval a site development plan providing for the proper drainage of surface water from the development or construction site so as to prevent flooding of property in the area. If the proposed site plan does not adequately provide for such drainage, the county engineer shall order such changes as necessary before approving the site plan.

Effective: January 1, 2015

History: Amended 2014 Ky. Acts ch. 92, sec. 252, effective January 1, 2015. -- Amended 2002 Ky. Acts ch. 346, sec. 191, effective July 15, 2002. -- Amended 1992 Ky. Acts ch. 143, sec. 2, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 261, sec. 1, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 384, sec. 316, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(1). -- Amended 1972 Ky. Acts ch. 348, sec. 1. -- Amended 1964 Ky. Acts ch. 80, sec. 8. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4328.

Legislative Research Commission Note (9/2/92). The internal numbering of this statute has been changed by the Reviser of Statutes acting under KRS 7.136(1).