



City Council Policy #54  
Acceptance of Private Streets  
Date Approved: October 7, 2002  
Dates Amended: 12/17/2018; 12/18/2023

It is the policy of the City Council of the City of Kirksville to maintain relative uniformity in the development of new streets, and it is the policy of the city to treat requests for public acceptance of private streets in as consistent and fair a manner as possible. However, the City Council will also resist attempts by private developers and homeowners' associations to transfer to the public the responsibility for the perpetual maintenance of private streets that were originally constructed as sub-standard streets, particularly if they were originally constructed as sub-standard streets expressly with the intent, or for the purpose, of avoiding the requirements of the City's subdivision ordinance, and other provisions of the Code of Ordinances for the City of Kirksville about street improvement and maintenance standards.

Generally speaking, the City will not accept responsibility for the perpetual maintenance of privately-owned streets unless and until they conform in all respects to the then-current standards for street construction and improvement as provided by the Code of Ordinances for the City of Kirksville relative to street width, construction materials, pavement thickness, curb and gutter, sidewalks, storm drainage, turnarounds, and right-of-way width.

The City Council will consider, but is not obligated to approve or accept, the following exceptions to this general policy.

**I. EXCEPTIONS**

- A. Where new streets and right-of-ways come into the city's inventory as a result of annexation. This exception is limited to streets that were platted public county roads before annexation. Private roads that are annexed into the City shall retain their status as private roads following annexation unless otherwise specifically stipulated by a pre-annexation agreement or Annexation Plan of Intent as allowed per RSMo 71.014 .
- B. In established and developed neighborhoods, the City may allow a narrower street and/or right-of-way width so long as the street meets City code in all other respects, and the City shall be free to post and enforce ordinances that prohibit on-street parking as the City Council considers appropriate.
- C. In established and developed neighborhoods, the City may waive the sidewalk requirements if the installation of a sidewalk is not practical AND would not connect to the City's existing or proposed hike/bike trail or secondary sidewalk system. Financial hardship will not be a reason for a variance.
- D. In established and developed neighborhoods, the City may alter the type of turn-around used at the end of a street, but will not waive the need for traffic turn-arounds altogether. Turn-arounds shall be sufficient in size and dimension to allow emergency vehicles and Public Works trucks to negotiate a turn-around without traversing private property and still allow space for snow storage. Driveways are not acceptable for use as a turn-around. There will be no islands or streetlights located in any turn-around in developments approved after January 1, 2019.

- E. New or existing private streets will not be accepted into the City's inventory until the City Engineer and Public Works Director determine that all street construction workmanship meets the Code of Ordinances for the City of Kirksville and a maintenance cost analysis has been completed and evaluated by the Planning and Zoning Commission per RSMo 89.460.
  
- F. Based on site-specific drainage, topographic, parking, sign installation needs, or other unique neighborhood features, the City may require that a private owner or association make other improvements, not covered in the code, before a street transfer. This could include relocation of any private structures as determined necessary by the City such as sprinkler systems in the new city right-of-way. The City will not be held liable for damage to private property that cannot be readily seen or located by the City's maintenance workers in the performance of their normal responsibilities.