

CLAYTON COUNTY, IOWA

CATTLEWAY POLICY

This policy is established by the Clayton County Board of Supervisors regarding installation, maintenance, and perpetual responsibility of cattleways on Clayton County Secondary Roads.

CONSTRUCTION

Placement of a cattleway under a county road where no cattleway currently exists shall not be allowed unless Clayton County deems its installation will not cause adverse damage or effect to right of way or traveling public.

Property Owner is responsible for 50% of cost of materials for cattleway and 50% of cost of roadway materials, such as granular backfill, and surface materials, such as Portland cement concrete, if structure is used exclusively for livestock. Property Owner is responsible for the additional materials cost above the cost for the drainage structure if cattleway is needed for drainage and used for livestock. Clayton County will be responsible for installation of the structure. An agreement will be signed between Property Owner and Clayton County. After execution of the agreement, Property Owner has thirty (30) days to make payment to Clayton County Secondary Roads Department.

PROPERTY OWNER

Property Owner must be owner of record of the property on both sides of the road.

Property Owner must agree to donate an easement for right-of-way required to Clayton County to construct and maintain the cattleway.

Property Owner is responsible for all fencing necessary to confine livestock in a passageway from right-of-way lines to the structure. The fenced passageway shall in general be at right angles to the centerline of the road or the shortest reasonable way from the structure to the right-of-way fence.

Property Owner is responsible to construct and maintain the approaches suitable for use of livestock and shall in no way obstruct the inlet and outlet of the structure or impair the efficiency of drainage through the structure.

Property Owner shall cut weeds in the enclosure and adjacent to the fence where the Clayton County mowers cannot operate because of the structure.

MAINTENANCE

Clayton County will be responsible for maintenance of the cattleway and associated costs. If the County Engineer deems the structure needs to be replaced, the Property Owner will be responsible for 50% of the cost of materials if used exclusively for livestock. If the County Engineer deems the structure needs to be replaced, the Property Owner will be responsible for 50% of the additional materials cost above the cost for the drainage structure if cattleway is needed for drainage and used for livestock. When replacement is necessary, Property Owner(s) will be notified by certified mail. The Property Owner(s) are responsible for notifying the County Engineer within fifteen (15) days if the cattleway is still active. A new agreement may be sent to the Property Owner(s) when replacement is necessary. The agreement must be executed within thirty (30) days following the 15-day notice. After this time, Clayton County will assume the cattleway is inactive and close the pass.

CLOSING CATTLEWAY

When Property Owners are different on each side of the cattleway, Clayton County has the right to close the cattleway without notification to the new Property Owners.

Any cattleway, once placed in the road right-of-way, becomes the property of Clayton County. No alterations to a cattleway may be made by any party other than Clayton County or without consent of the County Engineer.

This policy will remain in effect until amended by the Clayton County Board of Supervisors.

PASSED AND ADOPTED this 11th day of April, 2023.

/s/ Ray Peterson, Chairperson, Board of Supervisors

Attest: /s/ Jennifer Garms, Clayton County Auditor