

Archuleta County is in the process of inventorying and assessing cattle guards located within County rights of way. A list of such cattle guards will appear in future versions of this 5 – Year Road Plan.

A DRAFT policy regarding cattle guards within Archuleta County right of way is included in this section.

DECLARING ARCHULETA COUNTY POLICY WITH REGARD
TO THE ESTABLISHMENT AND MAINTENANCE OF CATTLE
GUARDS ON AND ACROSS COUNTY HIGHWAYS

WHEREAS, pursuant to §43-2-211, C.R.S., the Board of County Commissioners has the authority to establish cattle guards on County highways at the expense of the County or to permit the owners of land adjoining a County highway to establish cattle guards on highways at the expense of the land owners; which cattle guards shall be established according to fixed specifications and design and under the supervision of the Board of County Commissioners; and

WHEREAS, it is the recommendation of Archuleta County Public Works that the Board of County Commissioners adopt a definite policy concerning the establishment and maintenance of cattle guards on and across County highways; and

WHEREAS, this Board concurs with the aforementioned recommendation and, pursuant to the aforementioned statutory authority, desires to adopt the policy set forth below for the establishment and maintenance of cattle guards on and across County highways.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Archuleta County, Colorado, that the following policy be, and hereby is, adopted concerning the establishment and maintenance of cattle guards on and across County highways;

1. Archuleta County, acting by and through Archuleta County Public Works, shall maintain all existing cattle guards located on and across County highways until such time as any such cattle guard is no longer required. The determination as to whether or not a particular cattle guard is no longer required shall be left to the discretion of the adjacent property owners. Where it is determined that a particular cattle guard is no longer required, it shall then be removed by Archuleta County and either junked, stored for further use, or used to replace other cattle guards located on or across County highways as deemed appropriate by Archuleta County.
2. A party requesting that a cattle guard be established at a location not presently served by a cattle guard must fund the entire cost of the construction and installation of an approved cattle guard. Each approved cattle guard must be constructed and installed by a licensed, bonded, and insured excavator in accordance with the County's existing regulations. Archuleta County shall provide a standard for cattle guard construction to the person desiring to establish an approved cattle guard. During the construction and installation process, Archuleta County shall inspect the construction and installation of the cattle guard to insure it is being constructed and installed in accordance with County specifications before it shall be considered an approved cattle guard. Following the construction and installation of a cattle guard, Archuleta County must accept the cattle guard as being constructed and installed in accordance with County specifications before it shall be considered an approved cattle guard. A newly installed cattle guard which does not meet County specifications remains the responsibility of the person requesting the installation of

the cattle guard until such time as Archuleta County approves the cattle guard as being constructed and installed in accordance with County specifications.

3. Following approval of a cattle guard by Archuleta County, Archuleta County shall be responsible for perpetually maintaining the cattle guard. In no event, shall Archuleta County be responsible for the maintenance of a cattle guard until such time as the cattle guard has been approved by Archuleta County as being constructed and installed in accordance with County specifications.
4. Nothing contained in this Resolution shall limit or restrict the right of Archuleta County to discontinue or limit maintenance of a particular cattle guard or the highway upon which it is situated, or to abandon or vacate any such highway according to law, where such action is deemed to be in the public interest by the Board of County Commissioners of Archuleta County, Colorado.
5. This Resolution shall become effective upon passage and adoption by this Board.