

# Townships and Road Maintenance in Kansas

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Townships function differently than cities and are generally described as “a division of a county with some corporate powers” (Webster Dictionary). In Kansas, townships have much of the same corporate powers as established cities, but cities function under “home rule,” whereas a township does not.

“Home rule” gives cities’ powers to govern themselves in accordance with the state and federal constitutions. Since townships cannot pass their own laws, they must obtain permission from the county if the law is outside of the township’s legal authority.

## How Townships Operate

Townships are given certain powers through the Kansas constitution. Townships can elect a board of officials and a township clerk who assists in organizing government documents for the county. Townships can purchase property for public buildings and meeting spaces and collect revenues from these properties. Townships can also use property taxes to bring in revenue for township services, like road maintenance. Township boards are elected by the residents of the township.

## Introduction

Funding for Road Maintenance  
This fact sheet focuses on how townships provide funding for road maintenance. In

Kansas there are three systems for how townships can fund road improvements: Non-County Unit Road System, County-Unit Road System, and the General County Rural Highway System. These systems are all funded by property taxes calculated by a mill levy. Townships can vote to raise the mill levy for road systems up to ten mills and only for a specified number of years after which a reauthorizing vote would be necessary.

**A mill levy is a tax rate applied to assessed property values. A mill can be defined as one dollar per \$1,000 dollars of assessed value. The mill is determined by taking the total budget (i.e. road improvement budget) and dividing it by the total assessed value of properties in the area.**

## Non-County Unit Road System

The Non-County Unit Road System, also referred to as the County-Township System, was introduced to Kansas in 1917. This system makes the county responsible for the maintenance of all main roads, bridges, and culverts with any waterway that opens 25 feet or more, and the township is responsible for maintaining all of the local roads within the township (i.e. local residential streets). Main roads and local roads are determined by a vote of the county commission. Townships are specifically responsible for surface maintenance of gravel roads, small culverts, traffic control signs, cleaning ditches, and noxious weed removal.

Funding from this system comes from a county-wide tax and a township mill levy. The county tax uses the mill levy from the entire county to pay for maintenance of the main roads, bridges, culverts and waterways. The township has a separate mill levy to pay for their township roads; the township cannot use any funds from the county-wide tax. Currently 35 counties in Kansas use the Non-County Unit Road System to fund road improvement projects.

## County-Unit Road System

The County-Unit Road System was also authorized by state law in 1917. Unlike the Non-County Unit Road System, townships must elect to use the County-Unit Road System and be approved by the county. In this system the township does not take responsibility for maintaining any of the roads in their jurisdiction. Instead the county pays for all road improvements. Funding for this system also comes from a county-wide property tax. The county has the same mill levy for road improvements but results in a higher tax for city residents in the county since this tax funds all road improvement projects for the townships. There are 67 counties in Kansas that use the County-Unit Road System.

## General County Rural Highway

## System

A third system of funding exists in Kansas with features similar to the County-Unit Road System. The General County Rural Highway System places the county in charge of maintaining all roads outside of incorporated cities. Townships take no responsibility for maintaining their roads.

This system was authorized by state law in 1970. It uses two separate funds from the county to fund road improvement projects. One fund is for main roads and bridges in the county, and the other is for roads previously maintained by townships. This system also uses a mill levy, but does not use property tax funds from city residents for township road repair. The county must keep track of expenses on this two-way system to ensure that funds are going to the proper projects.

## Training for Township Representatives

For those working on behalf of township roads, there are resources available to help. These resources are intended to help train and educate locals to help improve transportation within their township.

The Kansas Association of Counties (KAC) provides services mostly to counties, but does provide a Township Book that informs township officials on available funding and efficient management tools. The Township Book can be found at <https://www.kansas-counties.org/resources/township-book-november-2019.pdf/view>.

Our Kansas Local Technical Assistance Program (LTAP) provides training for all local governments in Kansas. Of particular interest to townships is our class on gravel road maintenance, tailored to the conditions and materials found in the local area. LTAP also has a free quarterly newsletter and resources, all available online at [www.ksltap.org](http://www.ksltap.org).

Some federal resources can assist townships. The Manual on Uniform Traffic Control

Devices (MUTC) provides national standards for design and performance for all traffic signs and devices. County governments recommend township officials use this book to guide all sign placement within the township. Visit the MUTCD website at <https://mutcd.fhwa.dot.gov/>.

## Conclusion

There are three types of township road maintenance structures: the county-unit road system, the non-county unit road system, and the general county rural highway system. All three systems are funded using the property tax. The systems differ in the share of maintenance responsibility between the county and the township. Ample resources are available for those starting new positions in county administration or who otherwise work with unincorporated road maintenance.

## References

Bowers, N. (2016, September). General County Rural Highway System. County Comment, pp. 8-10.

Bowers, N. (2019). Township Road Book . Kansas Association of Counties.

Browning, K. (2019, February 28th). Director, Douglas County Public Works . (C. Mountford, Interviewer)

Kansas Local Technical Assistance Program . (2015 ). Kansas Local Road Management Handbook .

KSA 80-101  
KSA 68-591  
KSA 68-515b  
KSA 80-1413