

**TOWN OF WEST LAKELAND
WASHINGTON COUNTY, MINNESOTA**

Be it ordained by the Town Board of the Town of West Lakeland that the following sections be adopted as amendments/additions to the Code of Ordinances for West Lakeland Township.

16.8 Obstructions Within Township Right of Ways

16.8.1 Prohibition. No obstructions shall be constructed, installed or planted in the right of way. Obstructions include, but are not limited to, fences, retaining walls/structures, rip rap, boulders, posts, trees, shrubs and other such items.

Exceptions. Any obstructions placed in the right of way, including the exceptions listed below, are done so at the owner's risk. The Township is not responsible for any damage caused during maintenance or snowplowing operations within the right of way.

Mailboxes and support posts may be located within the right of way. All mailbox supports must comply with Federal Highway Administration and US Postal guidelines.

Lawn irrigation systems may be installed within the right of way at the owner's risk.

Property owners shall be allowed to plant and maintain boulevard plantings or gardens 18" or less in height within the right of way between their properties. However, plantings must be at least 3 feet from the edge of the pavement and must not impact drainage, violate applicable clear zone requirements nor obstruct visibility on the roadway. The Township may order removal of such plantings, if necessary for maintenance, safety or construction purposes, with no compensation due the property owner. If the property owner fails to perform the removal in a timely fashion, the Township may perform the removal and assess the property owner for the cost of removal.

16.8.2 Vegetation above Roadways. All vegetation, including trees and shrubs, shall be trimmed to a height of no less than 14'-0" above the road surface. This allows clearance for all vehicles, including emergency vehicles, road maintenance vehicles and permitted trucks.

16.8.3 Reimbursement for Damage. The property owner will be assessed the cost of any damage to maintenance or snowplowing equipment, emergency vehicles or permitted trucks caused by obstructions within the right of way or by vegetation less than 14'-0" above the roadway.

The Township is not responsible for damage to any obstructions placed in the right of way, including the exceptions listed above in section 16.8.1

16.8.4 Penalty. Any violation of this section shall be punishable as a misdemeanor.

Adopted on July 8, 2019

/s/ Daniel Kylo, Chairman

ATTEST:

/s/ Carrie Seifert, Clerk