

# *POLICY*

## **ENCROACHMENT AND/OR OBSTRUCTION**

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It is the policy of the Board of County Road Commissioners of the County of Kalamazoo to prohibit and, when necessary, to remove any encroachment and/or obstruction in the county road right-of-way. It is recognized that encroachments and/or obstructions along the roadways severely impact the convenience and safety of the motoring public. The removal of such encroachments and/or obstructions promotes safety for the motoring public, improves the aesthetics of the roadway, and lawfully eliminates interference with public and private utilities within the public road right-of-way. When removal is necessary, it is at the owner's expense.

Simply defined, an encroachment and/or obstruction is the unauthorized use of highway right-of-way or easements. An encroachment and/or obstruction includes any object, vegetation, landscape, earthwork, sign, fence, and/or building; and other objects, including oversized mailboxes or posts. Oversized mailboxes and mailbox posts are those exceeding the commission's requirements as outlined in the Board's policy for the accommodation of mailboxes and newspaper delivery boxes on the public road right-of-way.

It shall be the policy of the Board of County Road Commissioners that this encroachment and/or obstruction policy be uniformly and fairly administered. The Board recognizes that there are many encroachments and/or obstructions within what is commonly recognized as the right-of-way of the county road system. The Board also recognizes that these encroachments and/or obstructions constitute hazards to the motoring public ranging from none to severe and that the staff time available to identify, assess, recommend action, and follow-up on these encroachments and/or obstructions is recognized as being limited.

The managing director shall be charged with the responsibility of developing a procedure to implement this policy in accordance with Public Act No. 368 of 1925, as amended (MCL 247.171, MSA 9.251).

Adopted: 11/11/76  
Amended: 5/22/79  
Amended: 1/24/95  
Reaffirmed: 2/14/12