Right of Way Management Guidelines

It is the goal of the Beltrami County Highway Department to provide right-of-ways which are safe and free of unnecessary hazards for the traveling public. It is also necessary for utility companies to have access to right-of-ways to provide valuable and necessary services to County residents and businesses. This section describes proper and improper uses of the public right-of-way.

Anyone planning on performing work within a highway right-of-way should contact the County Highway Department prior to starting any work. Anyone who fails to contact the Highway Department and performs work within the County highway right-of-way will be responsible for correcting any work and any associated costs if necessary. All excavation and/or obstructing the right-of-way requires a permit from the Highway Department. For more information see the Permit Section of this Manual.

All Contractors or individuals working within the right-of-way shall be required to be registered and have an updated certificate of insurance on file with the Highway Department.

Mailboxes

Mailboxes are the only structure that private owners are allowed to install within the public right-of-way. Neither the Beltrami County Highway Department nor U.S. Postal Service issue permits for the placement of mailboxes within the public right-of-way.

The mailbox installation and support, along with the on-going maintenance and conformity with current U.S. Postal Service and County standards, are the responsibility of the property owner. All mailboxes placed within the public right-of-way are owned by the property owner and are placed there at the owner’s risk. This section of the manual is not intended to and shall not be construed to create any affirmative duty on the part of the County Highway Department to locate and remove improperly installed mailboxes.

Mailbox supports shall be designed so that if struck it will bend or fall away from the striking vehicle to prevent severe damage to the vehicle or injury to the traveling public. Supports shall not be made of materials stronger than a wooden 4 x 4-inch post or a 2-inch diameter metal pipe that weighs more than three (3) pounds per lineal foot. Massive supports such as telephone poles, heavy metal posts, concrete posts, antique farm equipment, or other similar items are prohibited. No other objects, including, but not limited to, landscaping boulders or fences may be placed near the mailbox.

Beltrami County Highway Department sells and installs swing-away type mailbox supports.

The Beltrami County Highway Department will repair or replace properly located, installed and maintained mailboxes and/or supports damaged by actual physical contact with a County Highway Department truck or equipment. The Highway Department does not provide special mailbox installations or decorative designs. Damaged supports will be replaced with the Department's swing-away type support. Any mailbox that is repaired or replaced by the Highway Department does not imply a change of ownership. See Figure B-19 for a diagram of proper mailbox installation.
**Trees, Brush and Other Vegetation**

Trees, brush and other vegetation that grow within the public right-of-way have the potential to create a safety hazard, may make it difficult for the Highway Department to perform routine maintenance, and may interfere with traffic control devices and utilities. The Highway Department will take action to correct such obstructions as needed.

When it is necessary to remove a large quantity of trees from within the right-of-way the Department will make an effort to notify the adjacent landowner prior to removal. The landowner shall be given the opportunity to remove the trees for private use. Any trees remaining after the given timeframe will be removed and disposed of at the Department’s discretion.

The duty for caring for trees outside the public right-of-way resides primarily with the property owner. If a tree overhangs or extends into the public right-of-way, the Highway Department may trim or prune the tree to improve sight distance, eliminate any obstruction of traffic control signs or devices, or other reasons if deemed necessary by the Highway Department.

**Utility Maintenance**

Utility companies may on occasion clear trees, bushes, shrubbery or vegetation that might interfere with overhead and other utilities located within the public right-of-way. This practice is done to ensure a safe and reliable provision of services.

**Fences and Other Structures**

Fences, billboard, signs and other structures are required to be located outside the public right-of-way. Structures erected within the right-of-way will be required to be removed. The Highway Department will work with owners of older (grandfathered) structures to find alternatives and a timeline to move. However, no grandfathered structure will be allowed to stay within the recovery area/clear zone indefinitely.

**Headwall Structures**

Headwalls or retaining walls may pose potential hazards to the traveling public, snowmobilers and ATV riders. They may also hinder highway maintenance or snow removal. If a property owner constructs a headwall, the entire structure must be located outside the public right-of-way. Headwall structures constructed within the public right-of-way will be required to be removed.

**Driveway Approaches**

All driveway approaches that connect directly to a County Highway must receive approval from the Beltrami County Highway Department prior to construction. For more information see the Permit Section of this Manual.