

Turtle Lake Township
c/o Lynette Emery, Clerk
3527 64th Street NW
Walker, MN 56484

Supervisor: Reno C. Wells
Supervisor: Dennis King
Supervisor: Thomas Boege

Date: August 15, 2023

RE: Not Doing Work in a Town Road Right-of-Way

Dear Residents and Owners in Turtle Lake Township,

This notification on behalf of Turtle Lake Township is to remind all owners and residents that you are prohibited from doing work within a town road right-of-way. The Town Board has noticed an increase in incidences where people are disturbing the traveled surface or ditches of a town road. Such activities are prohibited by law, may interfere with safety, function, or maintenance of the road, and must not occur.

The Town Board is the road authority over town roads and only the Town Board, its employees, and contractors are authorized to perform work within a town road right-of-way. The Town Board is not suggesting you cannot mow your lawn or plow your driveway, but any work that alters the road surface or drainage, or that interferes with the use or maintenance of a road, is prohibited.

Under Minnesota Statutes, section 160.2715, it is a misdemeanor offense to undertake any of the following within a town road right-of-way:

- (1) obstruct any highway or deposit snow or ice thereon;
- (2) plow or perform any other detrimental operation within the road right-of-way except in the preparation of the land for planting permanent vegetative cover or as authorized under section 160.232;
- (3) erect a fence on the right-of-way of a trunk highway, county state-aid highway, county highway, or town road, except to erect a lane fence to the ends of a livestock pass;
- (4) erect or reconstruct driveway headwalls in or on the right-of-way of a highway or road, except as may be allowed by permit from the road authority imposing reasonable regulations as are necessary to prevent interference with the construction, maintenance, and safe use of the highway or road and its appurtenances;

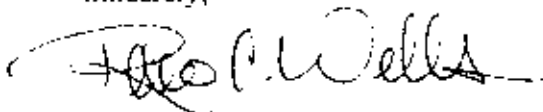
- (5) dig any holes in any highway, except to locate markers placed to identify sectional corner positions and private boundary corners;
- (6) remove any earth, gravel, or rock from any highway.
- (7) obstruct any ditch draining any highway or drain any noisome materials into any ditch;
- (8) place or maintain any building or structure within the limits of any highway.
- (9) place or maintain any advertisement within the limits of any highway, except as provided in section 160.27, subdivision 7;
- (10) paint, print, place, or affix any advertisement or any object within the limits of any highway, except as provided in section 160.27, subdivision 7;
- (11) deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains, or any other highway appurtenance on or along any highway;
- (12) remove, injure, displace, or destroy right-of-way markers, or reference or witness monuments, or markers placed to preserve section or quarter-section corners;
- (13) improperly place or fail to place warning signs and detour signs as provided by law;
- (14) drive over, through, or around any barricade, fence, or obstruction erected for the purpose of preventing traffic from passing over a portion of a highway closed to public travel or to remove, deface, or damage any such barricade, fence, or obstruction.

Additionally, under Minnesota Statutes, section 609.74 it is a misdemeanor offense and a public nuisance to interfere with, obstruct, or render dangerous for passage, any public highway or right-of-way. Misdemeanor offenses carry a potential penalty of up to a \$1,000 fine, up to 90 days in jail, or both.

The vast majority of residents and owners know to avoid these activities in a right-of-way, but the Town Board wanted to emphasize the particular importance of avoiding any activity that alters a right-of-way, creates a risk to public safety, or that interferes with maintenance. Such activities pose a risk to the public and exposes the person who does, or orders, the activity to personal liability. If you have any concerns about a town road, please contact a Town Supervisor or attend a Town Board meeting to discuss it with the full Town Board.

Thank you.

Sincerely,



Reno C. Wells
Town Board Chair