

ROAD RIGHT-OF-WAY

What is it?

All public roads are located within land, which is referred to as road right-of-way. Within a typical road right-of-way, the following public facilities can be found: the driving surface, roadside shoulders and ditch, public utilities, sidewalks, and traffic signs to name a few. Road right-of-way width is established by deed, statute, or through the platting process. Regardless, lands within the road right-of-way are reserved for use of the traveling public and maintenance of the county road system.

Public roadways within Ingham County, other than limited access freeways (US-127, I-96, I-496, and I-69), State trunklines (M-27, M-43, and M-99), and roads within the incorporated boundaries of villages and cities, are the jurisdiction of the Ingham County Road Commission. As the agency with jurisdiction over the county road system, the Ingham County Road Commission has a duty to ensure the health, safety, and welfare of the public using county roads.

When do I need a permit?

Other than for highway travel purposes, any installation, activity within, or use of the right-of-way along roads under the jurisdiction of the Ingham County Road Commission is subject to a review and permitting process. This review and permit process has been established to help ensure safe travel on roads in Ingham County by discouraging those activities or installations that may create a hazard. The process also controls those activities that may interfere with road maintenance, snow removal, drainage, or future road improvement projects.

Permits will not usually be issued where a reasonable alternative exists outside of the right-of-way. The Road Commission reserves the right to remove, at the owner's expense, non-permitted items placed or constructed within the road right of way.

Permitted activities include, but are not limited to: New driveway installations, modifications to existing driveways, driveway resurfacing, private road connections, utility installations, tree/brush removal, seismographic exploration, banner installations, parades, and overweight and/or oversize trucks.

What cannot be done within the road right-of-way?

Due to our duty to look after the health, safety, and welfare of the public using county roads, the Ingham County Road Commission will not permit certain activities. In general, any activity that creates an unsafe condition for those using the roadways will not be permitted.

Activities not permitted include, but are not limited to: The placement of signs, fences, retaining walls, landscaping rocks, berms, filling of roadside ditches, trees, shrubs, bushes, lighting, structures, septic tanks, drainfields, wells, or any other item the Road Commission considers hazardous or a maintenance problem. Planting of canopy trees and installation of masonry mailboxes in properly designed subdivision roads (posted speed limit 25 mph) may be permitted within the right-of-way. The Road Commission will consider permit applications for such installations on a case-by-case basis.

Mailboxes are allowed within the right-of-way without a permit, but must be installed in a manner to minimize any traffic hazard. Property owners should consult their local post office for postal standards for installation regarding height and distance from the road. It is suggested, however, that the actual structure be a single mailbox installed on a single, "break away" post. To minimize the possibility of liability should an errant vehicle strike the structure, mailbox owners must resist the urge to reinforce or strengthen the post.

The road right-of-way is generally 66 feet wide (33 feet on each side of the "centerline" of the road), but could be narrower or wider in certain locations. Before proceeding with any activity along an Ingham County roadway, please contact the Ingham County Road Commission road to verify the right-of-way width and whether a permit is needed. Also to prevent serious injury or damage, before you dig, contact MISS DIG at 800-482-7171 to locate and mark any buried facilities such as gas, electric, and communication lines that may be in the right-of-way.

Your cooperation will help keep our roadsides free of obstacles and hazards and ensure safer travel and more efficient maintenance on the roads in Ingham County. Please contact the Ingham County Road Commission at 301 Bush Street, P.O. Box 38, Mason, Michigan 48854, by phone at 517-676-9722, or by e-mail at roads@inghamcrc.org