

RESOLUTION 1-2020

OWNER OBLIGATION TO MAINTAIN TOWN ROAD DITCHES

WHEREAS, Minnesota Statute 366.015 creates an opportunity for town electors to vote to make owners or occupants of land adjacent to town roads responsible for certain road maintenance activities;

WHEREAS, at the annual town meeting held on the 10th day of March, 2020, the question described in Minnesota Statute 366.015 subd.1 was submitted to the electors and was passed by a majority of those voting on the question;

WHEREAS, regular and consistent destruction of weeds, grass and other plants up to three inches in diameter and the removal of rocks larger than five inches in diameter is important to maintaining proper sight distances, reducing safety hazards, controlling noxious weeds, promoting proper drainage and addressing other safety and maintenance concerns on town roads;

NOW, THEREFORE, BE IT RESOLVED, that the town board of Long Lake Township, Crow Wing County Minnesota shall administer the road maintenance obligation created by the electors under Minnesota Statute 366.015. in the following manner:

1. The town board shall publish in a local newspaper of general circulation in the township, an annual notice describing the ditch maintenance obligation of owners and occupants created under Minnesota Statute 366.015. Failure of the board to publish the annual notice does not relieve an owner or occupant from the necessity to fully comply with the maintenance obligation or in any way prevent the town board from enforcing the obligation.
2. On or before August 31st of each year the owners or occupants of real estate in the township shall be required to cut destroy or remove all weeds, grass and other plants up to three inches in diameter that grow upon the town road adjacent to their land, and within five feet of their mailboxes located off of their property.
3. Owners or occupants of real estate in the township shall be required to remove rocks larger than five inches in diameter from the town road adjacent to their


land, and within five feet of their mailboxes located off of their property when so notified by the town board.

4. If a person fails to comply with the maintenance obligation by the date stated above, the town board may send a notice to the owner of the parcel as stated in records of the county auditor, stating the maintenance obligation and providing a date by which the work must be completed.
5. If the person does not comply with the notice by the date stated in the notice, or within fourteen days after the notice is sent, whichever is later, the town board may have the work performed. The expenses incurred shall be a lien on the real estate.
6. The town board shall certify an itemized statement of the amount of the expenses paid by the town to the county auditor. The amount is a tax upon the land and will be collected in the same manner as other real estate taxes.
7. The town board will exempt property owners from the above obligation if the rocks over five inches in diameter have been deposited within the road right of way by nature and were not placed by any person.

Adopted this 19 day of March, 2020.



Town Board Chair

Attest: 

Town Clerk