

TITLE: PUBLIC ROAD RIGHT-OF-WAY ORDINANCE OF LYON COUNTY

Be it enacted by the Board of Supervisors of Lyon County, Iowa:

- Section 1 - Purpose. This ordinance prohibits burning, the removal of gravel, and the obstruction and tillage of public road rights-of-way in Lyon County in order to facilitate the care and maintenance of same and protect the public health and safety, and provides a penalty.
- Section 2 - Definitions. For use in this ordinance, certain terms or words used herein shall be interpreted or defined as follows: "Public Road Right-of-Way" shall mean the land area, the right to possession of which, is reserved or secured by the governmental authority for roadway purposes.
- Section 3 - Obstructions. No person shall erect any fence or other obstruction on any portion of a public road right-of-way in Lyon County except for those fences forming boundaries between public rights-of-way and abutting properties.
- Section 4 - Debris, Trash and Garbage. No person shall deposit any debris, trash and/or garbage on any portion of a public road right-of-way in Lyon County.
- Section 5 - Snow. No person shall deposit snow which has been removed from an adjoining property onto any portion of the public road right-of-way in Lyon County, provided, that no person shall be deemed to have violated this section unless such snow has been deposited on the traveled portion of the highway or piled in the road ditch to a level higher than two (2) feet above the level of the traveled portion or within thirty (30) feet of a sign post or mailbox support.
- Section 6 - Tillage. No person, except Lyon County road workers, contractors with Lyon County, or those granted permits, shall till or in any way disturb the soil on any portion of public road right-of-way in Lyon County.
- Section 7 - Removal of Gravel. No person shall remove gravel or any surface materials from any portion of any public road right-of-way in Lyon County unless authorized to do so by the Lyon County Board or its designees.
- Section 8 - Other Obstructions. Any obstructions on or disturbances to a public road right-of-way in Lyon County not provided for in Sections 3,4,5,6 and 7 of this ordinance are hereby prohibited.
- Section 9 - Harvesting. The provisions of this ordinance shall not apply to persons using public right-of-ways for harvesting of grasses and legumes so long as such activities do not disturb the topsoil on such public road right-of-ways, and provided no equipment or products of harvest shall be left obstructing a public road right-of-way.
- Section 10 - Burning. No person shall burn the grass or any other material in any portion of any public road right-of-way in Lyon County unless authorized to do so by the Lyon County Board of Supervisors or its designees.
- Section 11 - Penalty. Any person found in violation of this ordinance shall be guilty of a simple misdemeanor.
- Section 12 - Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- Section 13 - Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, the balance of the ordinance shall not be considered invalid or unconstitutional.
- Section 14 - Effective date. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Approved on first reading: August 3, 1987 LYON COUNTY BOARD OF SUPERVISORS

2ND reading	August 10, 1987	Russell Peters, Chairman
3RD reading	August 17, 1987	Paul Metzger
Published: with the August 3, 1987 Board Minutes on		Andrew G. Leuthold
Effective: Upon publication of the Board Minutes of final approval.		Bert Vanden Bosch
		Orin D. Huseman

Attest: Kenneth J. Baldwin

Recorded #1520

August 24, 1987

8:20 AM Book Z, Miscellaneous

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