

Guilford Township Trustees

3800 Greenwich Rd.

Seville, Ohio 4273

www.guilfordtownship.us

Organized since 1819

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Understanding Road Right-of-Way and Road Maintenance for Guilford Township

All township roads are located on land that is referred to as road right-of-way. The width of the township road right-of-way can vary a great deal. However, the general rule of thumb is that the road right-of-way is 60 feet wide, approximately 30 feet on both sides of the center of the road. There are instances where the road centerline does not match the center of the road right-of-way. The road right-of-way is intended for all township road, pedestrian facility, and public utility purposes.

The Board of Guilford Township Trustees have the responsibility to maintain roads in “reasonable repair so that it is reasonably safe and convenient for public travel.”

The Guilford Township Road Supervisor is responsible for the total operation of the Road Department including the maintaining of the streets, roads, buildings, vehicles of the township. Duties are performed under the limited supervision of the Township Trustees.

Regulation, control of activities and work in the township road right-of-way is necessary to provide efficient and safe operations of the township road system. The Ohio Revised Code (ORC) forms the general statutory law which serves as the guidelines for the Guilford Township Trustees and the Guilford Township Road Supervisor.

ORC 5571.01 Road improvements.

(A) A board of township trustees may construct, reconstruct, resurface, or improve any public road or part thereof under its jurisdiction, or any county road, intercounty highway, or state highway within its township. In the case of a county road, the plans and specifications for the proposed improvement first shall be submitted to the board of county commissioners of the county and receive its approval. In the case of an intercounty or state highway, the plans and specifications first shall be submitted to the director of transportation and receive the director's approval. The board of township trustees may widen, straighten, or change the direction of any part of a road in connection with the proceedings for its improvement.

(B) The board of township trustees may construct, improve, maintain, or repair the berm of any road under its jurisdiction, in order to provide a hard surface or other improved approach to rural mail boxes located on public highways.

ORC 5571.02 Control and maintenance of township roads.

The board of township trustees shall have control of the township roads of its township and, except for those township roads the board places on non-maintained status pursuant to section 5571.20 of the Revised Code, shall keep them in good repair. The board of township trustees, with the approval of the board of county commissioners or the director of transportation, may maintain or repair a county road, or intercounty highway, or state highway within the limits of its township.

(over)

5571.14 Object bounding township road may be declared public nuisance.

(A) A board of township trustees or township highway superintendent may determine that an object bounding any township road and located wholly or in part on the land belonging to the road interferes with snow or ice removal from, the maintenance of, or the proper grading, draining, or dragging of the road, causes the drifting of snow on the road, or in any other manner obstructs or endangers the public travel of the road. The board or superintendent then may declare the object to be a public nuisance and order the owner, agent, or occupant of the land on or bordering upon which the object is maintained to remove it within thirty days. If that person refuses or neglects to comply with the order, the board or superintendent shall have the object removed. The expense incurred in that removal shall be certified to the county auditor and entered on the tax duplicate against that land, to be collected in the same manner as other taxes.

(B) (3) Objects that may be declared to be a public nuisance under this section include a fence, post, pole, athletic or recreational apparatus, rock, or berm, any vegetation, or any other object identified by the board or superintendent as interfering with or obstructing the township road under division (A) of this section.

Mailboxes that are monument mailboxes or damaged mailboxes can be declared a public nuisance if it is determined that it obstructs or endangers public travel of the road. This determination will be made by the Guilford Township Trustees or Guilford Township Road Supervisor.

Zoning Resolutions in the Guilford Township Zoning Manual address mailboxes and newspaper boxes in the road right-of-way (Section 4.20), and mailbox construction and an installation guide (Section 4.25).

Section 4.20-Road Right-of-Way.

A. There shall not be any construction, or objects of any kind in the road right-of-way. Only breakaway mailboxes and newspaper boxes may be placed in the road right-of-way.

Section 4.25-Mailbox Construction and Installation Guide

ORC 5543.14 County engineer to trim or remove vegetation along roads.

The county engineer may trim or remove any and all trees, shrubs, and other vegetation growing in or encroaching onto the right-of-way of the county roads of the engineer's county, and the board of township trustees may trim or remove any and all trees, shrubs, and other vegetation growing in or encroaching onto the right-of-way of the township roads of its township, as is necessary in the engineer's or board's judgment to facilitate the right of the public to improvement and maintenance of, and uninterrupted travel on, county and township roads. The engineer or board is not required to compensate the abutting landowner for trimming or removing such trees, shrubs, and other vegetation as is necessary to facilitate these rights. The department of agriculture or other proper department may, with the consent of the proper authorities, take charge of the care of such trees to facilitate these rights. Such department may, with the consent of the proper authorities of the township, county, or state, plant trees along the public highway and may use any funds available for the development of forestry in the state to pay the expense of the planting and care of such trees. The ownership of all trees, so planted, shall remain in the public.

By the authority of the Guilford Township Trustees given to the Guilford Township Road Supervisor.

Gene Morris

Bob Rohrer

Jerry Winkler