

### 3k. What is an Encroachment

Any non-LPA use or occupancy of the area above, below or on the **existing** Right-of-Way that has **not** been permitted in writing by the LPA.

#### **EXAMPLES**

- |                   |                          |
|-------------------|--------------------------|
| ▪ Fences          | Decorative Items         |
| ▪ Signs           | Rocks                    |
| ▪ Wells           | Septic Laterals          |
| ▪ Retaining Walls | Non-Break Away Mailboxes |
| ▪ Awnings         | Canopies                 |

#### **WHEN TO START**

- The Plan-in-Hand is an ideal time to review existing ROW for encroachments.
- Once all encroachments have been identified, efforts to remove them should begin as soon as possible.

#### **CLEARANCE OF ENCROACHMENTS**

- The LPA shall have all encroachments cleared **before** requesting a Right-of-Way Certificate.
- The cost of removing encroachments is the responsibility of the LPA.
- However, the LPA may charge the owner of the encroachment for the removal.
- Removal of encroachments is **not** a reimbursable item.