

## MUD ON ROADWAY POLICY

This policy refers to instances where farm or commercial activities from an owner, renter or contractor of land or property adjacent or near a county roadway that is maintained with public funds, deposits mud or other debris upon the roadway.

The objective is to minimize or remove deposits from the roadway that may constitute a road safety hazard for roadway users. In particular, mud is considered to be a danger to users of the roadway because it may lead to accidents. This can be accelerated in adverse weather conditions.

Owners, renters or contractors are responsible for the following:

1. Do everything possible to prevent mud or other debris from being deposited on the roadway.
2. Use "Mud On Roadway" or Slippery Road" signs when necessary to inform the public of the hazard. Make sure signs are positioned to give maximum visibility and warning to other road users.
3. Clean the road as necessary during the day and at the end of the working day.
4. When asked by any law enforcement agency or by any highway department official to clean the roadway, the roadway shall be cleaned within two hours of being notified.
5. Labor, equipment and material costs associated with the replacing any gravel in order to ensure the safety of all county residents and to restore the roadway to pre-harvest conditions. This will be done at the discretion of the Cavalier County Highway Department and billed to the owner, renter, or contractor.

If the owner, renter, or contractor fails to follow this policy as set by the Cavalier County Board of Commissioners, the Cavalier County Highway Department may cause the mud or other debris to be removed and the cost of removing the mud or other debris, and/or the replacement of any gravel or other material, if necessary, shall be billed to the landowner, renter, or contractor. If the bill remains unpaid for two consecutive months, the bill will be certified to the County Auditor, and all of the expenses shall be charged against the land and shall become a part of the taxes to be levied against the land for the ensuing year and shall be collected in the same manner as other real estate taxes are collected.

**This policy is in accordance with North Dakota Century Code**

**24-06-28 and 24-06-29**

**which was enacted August 1, 2011.**