

June 21, 2016 - From the Chairman:

As I was reading through the June 4, 2016 edition of the Iowa Farmer Today I found this very interesting article titled "Farming the roads in Iowa has rules, written by Gene Lucht, who was interviewing Paul Assman, Crawford County Engineer. There have been times when the Supervisors are asked about or have noticed some individuals who for whatever reason feel they need to extend their farming into the road right of way. There are reasons why this practice is not good and is illegal.

The first and most serious is the safety issue. When the crops are grown right up to the intersection it presents a sight issue as most rural gravel roads do not have stop signs posted. Vehicles traveling down gravel roads are sometimes not watching for other vehicles and for whatever reason assume that the intersection is not going to be a problem.

Farming the road right of way will also lead to problem with the road itself including drainage problems, frost boils and erosion issues. Undermining the substructure can lead to the failure of the road by causing the road to lose its support on the sides.

Under Iowa Law, Code Chapter 318, the County has the authority to destroy any and all crops that are planted in the road right of way. The Code goes farther through, allowing the County to put the liability onto the responsible landowner or farmer and to assess the cost of removal back to them. However, it would be better for all if there were no crops planted in the road right of way to begin with. Considering the cost of seed, fertilizer, herbicides one will have some dollars invested, so really who wants to throw that all away when the crops are destroyed because they are planted in the road right of way?

When you stand in the center of the road, measure thirty-three feet from the center and that is the normal, minimum road right of way on both sides of the road for a total of sixty-six feet from one side to the other. However, there may be places that the County for some reason or another has bought extra right of way along some roads. So it may be best to have a current map of the property you are farming and have the road right of way area clearly marked.

Sometimes the argument is - well I own to the center of the road and yes that is true, however you are not paying taxes for that property. There is a "rollback" so you are not paying tax on that part of your property. The County is the one that has jurisdiction of that piece of property.

Thanks to Joel Fantz, Fayette County Engineer, for his help with this article.

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On a personal note: Thanks to Lois for the article on the Courthouse Dome. As I am writing this article the workers are installing the newly refurbished stain glass dome. I'm very excited to see the finished work and I invite you to stop by and look at it also. Have a very Happy Fourth of July.