

177.106 Highway encroachment permit -- Removal.

- (1) Before any person shall proceed to cause or continue or allow to remain in existence any encroachment under, on or over any part of the right-of-way of a state highway he shall first obtain from the Department of Highways a permit so to do. Any encroachment heretofore or hereafter placed or allowed to continue or remain under, on or over any road which is found by the Department of Highways to be interfering in any way with the safe, convenient and continuous use and maintenance of such road shall upon thirty (30) days notice to the person or to his chief agent by the Department of Highways be removed or relocated by such person at his own expense.
- (2) Whenever an order of the Department of Highways requires such removal or change in location of any encroachment from the right-of-way of a road and the person causing such encroachment or allowing same to continue or remain fails to remove or change location of same at his own expense to conform to the order within the time stated in the notice, the Department of Highways shall proceed to cause the encroachment to be removed; the expense thereby incurred shall be paid out of any money available therefor, and shall be charged against the person and levied and collected and paid into the State Treasury as provided by law.

History: Created 1962 Ky. Acts ch. 202, sec. 2.