



Right-of-Way Mowing, Brush Control & Spraying Policy

POLICY NO: 2022-02

WHEREAS, the Board of County Road Commissioners of the County of Van Buren (“VBCRC”) has a duty under MCL 224.21(2) to keep roads under its jurisdiction in reasonable repair; and,

WHEREAS, the VBCRC believes that controlling the growth of vegetation within highway right-of-ways through mowing, mechanical brush control and spraying benefits the public and helps to keep those highways in reasonable repair; and,

WHEREAS, MCL 247.665b(5) creates standards for right-of-way mowing, mechanical brush control and spraying that are intended to minimize the disruption of prime habitat for pheasants; and,

WHEREAS, the VBCRC desires to publish and implement a written policy for mowing, mechanical brush control and spraying that complies with the standards created in MCL 247.665b; and,

WHEREAS, this policy shall not apply to those areas within the limits of a city or village or those rights-of way within designated federal aid urban boundaries;

NOW, THEREFORE, the Board of County Road Commissioners of Van Buren County hereby adopts this Right-of-Way Mowing, Mechanical Brush Control and Spraying Policy:

- 1) Notwithstanding any standard contained herein or in MCL 247.665b, the VBCRC will mow any right-of-way as necessary to maintain public health and safety;
- 2) Subject to Paragraph 1, the VBCRC will adhere to the following standards:
 - a) Mowing shall be 12 feet from the shoulder edge or to the leading edge of the ditch, whichever is less, to any height at any time;
 - b) The area between the ditch bottom and the back slopes of the rights-of-way shall not be mowed between September 1 and the following July 15. Spraying of this area shall be limited to the control of noxious weeds and brush;
 - c) From July 16 through August 31, mowing may occur through the entire right-of-way, including through the ditch bottom, while maintaining not less than 12 inches of grass height from the back of the ditch to the back of the right-of-way and within the median;
 - d) Between July 16 and the following March 1, mechanical brush and woody stem control can be completed to whatever height is needed to provide control and safety;

- e) Medians (strips of land between lanes of opposing traffic on a divided highway) 50 feet wide or more shall be maintained as brush-free as possible and with a grass height of at least 12 inches.
- 3) Subject to Paragraph 1, up to fifty percent (50 %) of the County Highway System shall be annually designated for brush control and may include herbicide treatment during the next growing season;
- 4) Subject to Paragraph 1, twenty-five percent (25%) of the medians (as defined in 2e)) within the County Highway System shall be annually designated for brush control;
- 5) Subject to Paragraph 1, mowing of the ditch back slope and areas beyond the 12-foot width from the shoulder edge shall be performed so that a minimum of 12 inches of grass remains by September 1 of each year, except in those zones designated for brush control pursuant to Paragraphs 3 and 4;
- 6) Areas of brush within the right-of-way shall be mowed back to prevent brush from becoming established within the right-of-way;
- 7) Brush or tree stumps shall be spot treated with herbicide, as needed, for long-term control.

Policy Adopted: 10-20-22