

Traffic Control Device: **Roadside Safety**

Division:

Subject: **Plantings on Right-of-Way**

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## **Purpose**

The Department supports the planting of flowers and similar ornamental plants on the right-of-way to improve the aesthetics and appearance of the highway.

## **Policy**

The Department will normally allow the local jurisdiction by permit to plant flowers on highway right-of-way, according to the following standards.

## **Standard**

- Plantings must normally be located outside the far ditch line.
- Plantings must not create a hazard to errant vehicles or off-road vehicles (ORV).
- Plants must be selected and located such that they do not comprise an unnecessary distraction to the motorist. This will require consideration of the proximity to intersections or interchanges, off ramps, traffic signals, etc.
- Raised or built-up planters or rock borders will not normally be allowed on the right-of-way unless located outside the highway "clear zone" (see definition on page 2).
- Plantings must not obscure sight lines for oncoming traffic or traffic entering the highway.
- Plantings must be located so they do not interfere with highway drainage in the area, i.e. not normally along the bottom of ditches.
- Installation and maintenance of plantings shall be at 100% the responsibility of the applicant. The Department assumes no responsibility for the care of plantings, including watering, weeding, etc.
- Plantings or flower beds which fall into disuse will be allowed by the Department to return to normal (grassed) right-of-way condition, without any discussion with the local jurisdiction.
- Planting locations should consider that the Department's use of winter anti-icing and de-icing chemicals may inhibit healthy plant growth, especially for locations in the vicinity of intersections in urban areas.
- Permits for plantings in the right-of-way may be obtained from the local Director of Regional Operations, who may assign Department contacts for specific site approval, traffic control (safety) advice, etc.

RECOMMENDED: "ORIGINAL SIGNED BY"  
Director, Traffic Engineering

APPROVED: "ORIGINAL SIGNED BY"  
Executive Director  
Highway Engineering

- Applicants are encouraged to mow grass in the area of plantings to expedite Department mowing operations and limit any damage to plantings
- Permits will require that the local jurisdiction provide evidence of ongoing \$5M insurance coverage, with the Department named as co-insured, and completion of the attached Indemnity Letter.
- Plantings which become a safety concern will be removed by the Department.
- Plantings in the way of highway improvements, underground or overhead utility installations or repair works may be removed by the Department, with no compensation for any damage or loss.

**Note: This policy and standard considers low flowering and ornamental plantings of a height not exceeding 500 mm (18 inches) only. Shrubs (flowering or ornamental) will not normally be allowed. For the placement of trees in the right-of-way refer to Policy 600-A-2.**