



**Town of New Milford**  
**Public Works Department**  
**Press Release**

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As Spring approaches and homeowners turn to the beautification and cleanup of their property, the Department of Public Works want to remind all that landscaping and driveway maintenance in the ROW is considered permit worthy.

Owners must obtain a permit from the Public Works Department before placing **anything or performing work** in the public ROW adjacent to the road so that the permit may be reviewed for safety and liability issues. Whenever the Town authorizes the use of public ROW, there is a certain amount of liability assumed by the Town, therefore, the issuance of these permits is discretionary and subject to certain rules and regulations.

***Town of New Milford Code of Ordinances §18-23 and §18-39 Definitions:***

***Street:*** shall mean and include avenues, highways, roads, alleys, lanes, bridges and approaches thereto and all other public thoroughfares in the town and shall mean all that part thereof from property line to property line of the premises abutting thereon.

***Right-of-Way(ROW):*** shall mean the land included between those street lines dedicated by deed for highway purposes.

**Possible ROW structures a homeowner may consider that require a permit include but are not limited to:**

Drainage ditches, sidewalks, walls, fences (including “invisible” fencing), sprinklers, signs, columns, drain pipe, landscaping, and other permanent and non-permanent improvements. These items MAY be allowed in the ROW after the permit is reviewed and approved. Placing any of these items on the owner’s property, behind the property line, is well within the owner’s right without a ROW permit. However, some of these structures may need a permit from another agency within the Town of New Milford and is the owner’s responsibility to obtain.

Improperly placed objects and landscaping along the roadway pose a liability for the homeowner as well as a hazard for drivers and our work crews. There are safety and potential sight distance threats that need to be addressed. The width of this defined ROW area varies from road to road. The owner is responsible for the section of land as defined by the deed to the property, while the rest is ROW as defined above.

Any questions about ROW’s, property lines and appropriate usage should be addressed to [public\\_works@newmilford.org](mailto:public_works@newmilford.org).

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