

6105.0190 PUBLIC ROAD PERMITS.

Subpart 1. **Requirement.** A permit as established in Minnesota Statutes, section 103G.245, is required for the construction or reconstruction, removal, or abandonment of any road or railroad crossing, of a public water.

In reviewing permit applications required for road or railroad crossings, primary consideration shall be given to crossings located with or adjacent to existing facilities, such as roads and utilities.

Subp. 2. **Conditional use permit.** A conditional use permit from the local authority shall be required for any construction of new public roads, or the reconstruction of any existing public roads within wild, scenic, or recreational river land use districts. Public roads include township, county, and municipal roads and highways which serve or are designed to serve flows of traffic between communities or other traffic generating areas. Public roads also include public streets and roads which serve as feeders or traffic-ways between minor public streets and major roads. A conditional use permit is not required for minor public streets which are streets intended to serve primarily as an access to abutting properties.

Statutory Authority: *MS s 104.34; 103F.321*

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