

What is a Right of Way?

Definition: *Right of way* is the legal right, established by grant from a landowner or long usage, to pass along a specific route through property belonging to another. A similar right of access also exists on land held by a government, lands that are typically called public land or state land.

Often, a right of way is associated with the road/street and sidewalk that provides ingress and egress to citizens home or business. This is the most common use of a right of way. Roads and sidewalks are typically owned and maintained by a city, county, state etc., but not always. In some instances, roads and sidewalks are “private” and owned by a Property Owners Association, or a business. In newer developments a utility easement is behind the right of way to provide access for utility installations. This includes water, sewer, storm, gas, electricity and of course telecommunication (internet). This area is typically owned by a private party but is there to provide access by the listed utilities for all the things that make our businesses and household run smoothly.

Right of way can also be used as a reference for allowing another vehicle, pedestrian, or bicyclist to enter an intersection before you. This helps distinguish who should yield to who when it comes to traffic flow. Common instances would be at a multi stop intersection, or a roundabout. Fairhope has embraced roundabouts as they keep the flow of traffic moving and prevent accidents.

