

RIGHT OF ENTRY (ROE)

Frequently Asked Questions

March, 2016

As the Larimer County community continues recovery efforts from the natural disasters of the last few years, private landowners are being asked to sign numerous documents. The documentation needs are driven by the nature and location of the project as well as the funding source. One of the most common documents is a Right Of Entry (ROE).

Why is an ROE needed?

Gaining legal access to private property is an important aspect of a construction project from start to finish. Multiple facets of a project require access to a property even before the actual construction begins. A few examples of this are access for environmental reviews that may be conducted in order to provide the clearance needed to move forward or surveying information being collected to be able to provide detailed designs.

In many cases, you may be requested to grant access to your property even though the actual construction project area will not affect your property. An ROE may be needed to grant access through the private easement that exists on your road and property to get to a project site. Right of entries are often requested at the beginning of the project to prevent future delays later on.

Do I have to sign it?

A right of entry is a completely voluntary document. Your land is private and therefore it is your decision to waive the right to grant access. However, an ROE may be a requirement for the project to proceed. Failure to agree and sign an ROE may jeopardize the implementation of a project that could benefit you and/or your community. In some cases the conditions of the agreement can be negotiated or edited to alleviate concerns and fit individual needs.

I have already signed one. Do I need to sign more?

The information provided on an ROE is private and is not shared outside of the parties privy to it. In many cases projects overlap government entities and agencies. For your privacy and safety this information is secure with the person(s) you are granting access for each particular right of entry and not shared from entity to entity. Therefore you may have to grant permission and sign multiple right of entries for similar projects in the same area.

Does agreeing to an ROE mean I am agreeing to the whole project?

In most cases, no. Signing the ROE does not mean you are agreeing to having the project implemented. Typically, this is an additional document you have the option of signing. Though the right of entry will be utilized during the construction period, agreeing to allow access to your property will assist in gathering enough information in the early stages of the project like surveys, designs and environmental clearances. In many cases, landowners will be involved in the detailed design creation. In some cases the project will not progress past the design phases due to homeowners not wanting the project to go forward, the project not meeting certain criteria or other factors.

Still have questions?

On every ROE there should be a contact person and/or number. If you have any questions or concerns about a right of entry, it is recommend that you utilize this resource. This contact should be able to address any questions or concerns you may have.