

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-512)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 857, L.D. 1057, Bill,
"AN ACT to Provide Local Control of Winter Closing of Town Ways."

Amend the Bill by striking out everything after the
enacting clause and inserting in its place the following:

'23 MRSA §2953 is repealed and the following enacted
in its place:

§2953. Closing of roads in winter

The municipal officers may on their own initiative, or
upon petition by 7 legal voters of the municipality, at any
time between the first day of July and the first day of
December of any year, after notice and hearing, set forth
that any road or roads, or portion thereof, in the municipality
are so located with reference to population, use and travel
thereon, that it is unnecessary to keep the road or roads
maintained and open for travel during the months of November,
December, January, February, March and April or any part of these
months.

The municipal officers shall file with the municipal clerk
an order specifying the location of the road and the time for
which it is to be closed. The legislative body of the
municipality shall by vote either approve each order or
provide that orders so made by the municipal officers shall be a
final determination.

The final determination by the legislative body or the municipal officers may be appealed to the board of county commissioners of the county in which the municipality lies upon petition of 7 legal voters of the municipality within 30 days after the final determination is made.

In an appeal before a board of county commissioners, the decision of the commissioners shall be governed by the standards set forth in this section.'

Statement of Fact

The purpose of this amendment is to permit municipalities to close town roads for the winter season when very limited travel on these roads warrants closing of these ways. The municipalities, by vote of the local legislative body, could make this determination but only in accordance with standards set forth in the bill.

Any group of 7 or more people may appeal the decision of the municipality to the county board of commissioners.