

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 754

H.P. 556 House of Representatives, March 13, 1987
Reference to the Committee on Transportation suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative ROLDE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Create a Municipal Designation
of Scenic Roads.

Be it enacted by the People of the State of Maine as
follows:

23 MRSA c. 308 is enacted to read:

CHAPTER 308

SCENIC ROADS

§3461. Designation

Any state aid highway or town way within a munic-
ipality may be designated as a scenic road in the
following manner.

1 1. Petition. Upon petition of 10 persons who are
2 either registered voters of the municipality or who
3 own land which abuts a road mentioned in the peti-
4 tion, the voters of the municipality at any annual or
5 special town meeting or city election may designate
6 that road as a scenic road.

7 2. List of property owners. The petitioners
8 shall, at the time of filing any petition under this
9 section, provide the municipal clerk with a list of
10 known property owners whose land abuts any of the
11 roads mentioned in the petition.

12 3. Notification to abutters. The municipal clerk
13 shall notify by regular mail, within 10 days of the
14 filing of a petition, all abutters along the road
15 that lies within the municipality that a scenic road
16 petition has been filed and that an article to desig-
17 minate the road as a scenic road will be submitted at
18 the next town meeting or city election.

19 4. Rescission of approval. Approval of a road
20 may be rescinded in the same manner as the original
21 approval. Notice to abutters shall be given as pro-
22 vided by subsection 3.

23 §3462. Effect of designation as scenic road

24 1. Definition. As used in this chapter, "tree"
25 means any woody plant which has a circumference of 15
26 inches or more at a point 4 feet from the ground.

27 2. Repair, maintenance or reconstruction. If a
28 road has been designated as a scenic road pursuant to
29 section 3461, any repair, maintenance, reconstruction
30 or paving work done on that road shall not involve or
31 include the cutting or removal of any trees or the
32 tearing down or destruction of stone walls or por-
33 tions of stone walls, except with the prior written
34 consent of the planning board or any other official
35 municipal body designated by the municipality to im-
36 plement this chapter. The written consent shall be
37 given only after a public hearing. Notice of the
38 time, date, place and purpose of the hearing shall be
39 advertised at least twice in a newspaper of general
40 circulation in the municipality, the last publication
41 to occur at least 7 days prior to the hearing.

