

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1456

H.P. 1045

House of Representatives, May 3, 1989

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative STROUT of Windham.

Cosponsored by Senator DILLENBACK of Cumberland and Representative BUTLAND of Cumberland.

STATE OF MAINE

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

**An Act to Permit the Town of Windham to Maintain and Repair
Private Roads to Town Road Specifications.**



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

3 **Maintenance and repair of privately owned roads in the Town of**
4 **Windham.** The Town of Windham may maintain and repair privately
5 owned roads located within the town and expend public funds for
6 this purpose upon approval by at least 3/4 of the landowners on
7 the privately owned road at a meeting called for this purpose.
8 The privately owned roads must be maintained and repaired in
9 compliance with town road specifications. After the privately
10 owned roads have been brought to town road specifications, a
11 special assessment shall be levied against all property abutting
12 each privately owned road maintained and repaired under this Act,
13 including property which has a right-of-way to the road, in order
14 to repay to the town the cost of maintenance or repair of the
15 privately owned road. This cost shall be recovered by the town
16 over a 20-year period, in a method to be determined by the town.

17
18 The Maine Tort Claims Act, Maine Revised Statutes, Title 14,
19 chapter 741, applies to the Town of Windham, and any officer,
20 official, employee or agent of the town, who performs repairs or
21 maintenance under this Act.

23

24 **STATEMENT OF FACT**

25

26 This bill will allow the Town of Windham to repair and
27 maintain privately owned roads to town specifications. The
28 purpose of this bill is to ensure the safety of the residents of
29 Windham by providing safe access on all roads for emergency
vehicles, school buses, etc.