

# MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

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House Document

No. 247

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H. P. 920                      House of Representatives, Feb. 22, 1927.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. McIntire of Norway.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN

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AN ACT for the Erection of Snow Guards or Snow Fences  
Along Highways.

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

Section 1. The state highway commission, the county  
2 commissioners, or the municipal officers of any city or town,  
3 may provide snow guards or snow fences along any state  
4 or county highway, or town ways, for the prevention of  
5 snow from encumbering such highways or town ways.

Sect. 2. Said officials likewise shall have authority also  
2 to erect such snow guards or fences upon private property  
3 adjacent to such highways or town ways; if they do not  
4 agree with the owner of such property with relation to  
5 the location of such guards or fences, the compensation

6 to be paid such owner, or the time the same shall be main-  
7 tained, thence such officials, before erecting such snow  
8 guards or snow fences upon such private property, shall  
9 give written notice of their intentions to be posted for  
10 seven days in two public places in the city or town and in  
11 the vicinity of the location proposed for the erection of the  
12 same, describing such location and the time intended for the  
13 maintenance of such snow guards or fences, with such  
14 definiteness that such location may be understood readily.

Sect. 3. Within five days after a hearing thereon, such  
2 officials shall make a written return of their proceedings  
3 and findings to the registry of deeds in the county in which  
4 such location is situated, provided they have therein decreed  
5 that such snow guards or snow fences shall be maintained  
6 thereon permanently, or to the clerk of such city or town  
7 in which such location is situated, provided they have there-  
8 in decreed that such snow guards or snow fences shall be  
9 maintained during the winter season only for which they  
10 purpose to erect the same; in said return they shall state  
11 the amount of damages awarded such owner and the same  
12 shall be paid within thirty days after such return, by the  
13 state, city or town whose officials have authorized the con-  
14 struction or erection of such guards or fences.

Sect. 4. In case the owner of such property is aggrieved  
2 with the award of damages so made, or with any part of  
3 such decrees, within twenty days after the filing of said  
4 return, he may take an appeal therefrom by filing in the

5 supreme judicial court in the county where such guard or  
6 fence is located a petition requesting a new award or as-  
7 sessment of damages, and the court, after ordering such  
8 notice as it sees fit, shall thereupon determine the amount  
9 of damages sustained by said owner; and make any other  
10 change in the decrees deemed proper; an appeal to the su-  
11 preme judicial court vacates the original award.

Sect. 5. If said officials determine that such fences are  
2 to remain for the winter season only, and not permanently,  
3 then the same shall be erected not before the fifteenth day  
4 of November nor remain occupying such private property  
5 later than April first next following; particular regard shall  
6 be exercised in the location of said fences so that the own-  
7 ers of private property shall be incommoded as to view and  
8 otherwise to as small degree as possible.