

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fifth Legislature

**1931**

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## Chapter 231.

### AN ACT Relating to the Removal of Snow from Highways.

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

**Sec. 1.** R. S., c. 28, sec. 52, amended. Section fifty-two of chapter twenty-eight of the revised statutes is hereby amended by adding after the word "highway" in the third line the words 'or town way', also adding after the word "highways" in the fourth line the words 'or town ways,' and by striking out from the sixth and seventh lines the words "leaving a blanket of snow not less than three inches in depth," so that said section shall read as follows:

'**Sec. 52.** State highway commission may on petition lay out winter routes to be cleared of snow. The commission, on petition of the municipal officers of two or more towns through which extends a continuous state or state aid highway or town way, may from year to year lay out winter routes over such state or state aid highways or town ways as in their judgment seem advisable for the clearance of snow therefrom for the reasonable use of motor vehicles, sleighs, and sleds during such season. The commission may take similar action upon petition of the municipal officers of any town with respect to any other highways or town ways. All snow removal petitions are to be received in the office of the commission on or before November first, previous to the season's work.'

**Sec. 2.** R. S., c. 28, sec. 55, amended. Section fifty-five of chapter twenty-eight is hereby amended by striking out all of the first paragraph and inserting in place thereof two new paragraphs so that said section as amended shall read as follows:

'**Sec. 55.** Towns to be reimbursed to extent of fifty per cent; may erect snow fences; aggrieved persons may appeal. Towns which clear said highways and town ways to the satisfaction of said commission and when necessary use sand, gravel, or other materials on hills and curves or other sections of road to a width of not less than seven feet through the center of road within a reasonable length of time after surface of the road becomes coated with ice shall be reimbursed for the cost thereof to the extent of fifty per cent of said cost, but not exceeding fifty dollars per mile of the highways or town ways designated as provided in section fifty-two.

Organized plantations and unincorporated townships, which clear winter routes upon state or state aid highways or town ways designated in accordance with section fifty-two hereof, to the satisfaction of the commission, shall bear, not exceeding thirty-five dollars per mile of the cost there-

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of, including supervision, of such winter routes and shall be reimbursed to this amount. Any and all amounts in excess of said thirty-five dollars per mile, shall be borne by the state.

The state or the town shall not be liable for accidents while the road surface is covered with snow or ice.

All pay-rolls for the season's snow removal are to be received at the office of the commissioner on or before May first, following the winter in which this work is done.

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

Said officials likewise shall have authority also to erect such snow guards or fences upon private property adjacent to such highways or town ways; if they do not agree with the owner of such property with relation to the location of such guards or fences, the compensation to be paid such owner, or the time the same shall be maintained, then such officials, before erecting such snow guards or snow fences upon such private property, shall give written notice of their intentions to be posted for seven days in two public places in the city or town and in the vicinity of the location proposed for the erection of the same, describing such location and the time intended for the maintenance of such snow guards or fences, with such definiteness that such location may be understood readily.

Within five days after a hearing thereon, such officials shall make a written return of their proceedings and findings to the registry of deeds in the county in which such location is situated, provided they have therein decreed that such snow guards or snow fences shall be maintained thereon permanently, or to the clerk of such city or town in which such location is situated, provided they have therein decreed that such snow guards or snow fences shall be maintained during the winter season only for which they propose to erect the same; in said return they shall state the amount of damages awarded such owner and the same shall be paid within thirty days after such return, by the state, city or town whose officials have authorized the construction or erection of such guards or fences.

In case the owner of such property is aggrieved with the award of damages so made, or with any part of such decrees, within twenty days after the filing of said return, he may take an appeal therefrom by filing in the superior court in the county where such guard or fence is located a petition requesting a new award or assessment of damages, and the court, after ordering such notice as it sees fit, shall thereupon determine the amount of damages sustained by said owner; and make any other change in the decrees deemed proper; an appeal to the superior court vacates the original award.

If said officials determine that such fences are to remain for the winter season only, and not permanently, then the same shall be erected not before the fifteenth day of November nor remain occupying such private property later than April first next following; particular regard shall be exercised in the location of said fences so that the owners of private property shall be incommoded as to view and otherwise to as small a degree as possible.'

**Sec. 3. R. S., c. 28, sec. 61, amended.** Section sixty-one of chapter twenty-eight is hereby amended by adding after the word "thereof" in the fifth line, the words 'which shall not be less than fourteen feet,' so that said section shall read as follows:

'**Sec. 61. Ways acceptable for snow removal.** All improved ways acceptable for snow removal shall have a width of not less than sixteen feet or may be extended to the width of the metal surface if in the judgment of the commission this is required. All unimproved ways shall have a width of the wrought portion thereof which shall not be less than fourteen feet. This width shall be the measurements between the edges of the two shoulders of the road.'

Approved April 3, 1931.

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## Chapter 232.

### AN ACT Relating to Closed Time on Deer.

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

**R. S., c. 38, sec. 61; relating to closed time on deer, amended.** Section sixty-one of chapter thirty-eight of the revised statutes is hereby amended by striking out all of the first paragraph of said section and inserting in place thereof the following:

'**Sec. 61. Closed time on deer in certain counties.** There shall be an annual closed season on deer in the county of Aroostook from December first of each year to October fifteenth of the following year, both days inclusive; and in the counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, and York, from the first day of December of each year to the thirty-first day of October of the following year, both days inclusive, and in the counties of Washington, Hancock, Penobscot, Somerset, Piscataquis, Franklin and Oxford, from December sixteenth of each year to October thirty-first of the following year, both days inclusive, except in game sanctuaries as established by law, where closed season is perpetual, during which said closed seasons, except as hereinafter pro-