

## CHAPTER 44

### MAINTENANCE OF CERTAIN PUBLIC EASEMENTS

1. Owners of property abutting the following private roads for which the City has in the past provided limited winter and/or summer maintenance have one (1) year from the date of the adoption to provide the City with a deeded public easement with a minimum width of 33 feet.

FR#	COMMON ROAD NAME	LENGTH	SERVICE
502	Graham Way	2,400'	Winter
420	Northeast Cove Road	6,300'	Summer
331	Scott's Neck Road	12,000'	Summer
304	Green Lake Road	7,400'	Summer
307	Cove Road	4,224'	Summer
		3,000'	Winter
303	Dan Force Road	1,500'	Summer/Winter
303B	Phillips Road	8,000'	Summer
		3,500'	Winter
303C	Orchard Road	4,480'	Summer
		2,640'	Winter
219B	Branchview Dr/Right	8,450'	Summer/Winter
219C	Branchview Dr/Left	4,200'	Summer/Winter
312	Walls Road	2,650'	Summer
311	Sargent Drive	7,000'	Summer/Winter
303D	Hogan Road	2,650'	Summer
303DD	Whitcomb Road	1,300'	Summer

2. All City maintenance will cease on those roads for which a deeded public easement is not given to the City within one year of the date of the adoption of this ordinance. Should a deeded public easement be provided within five (5) years of the date of the adoption of this ordinance, the City Council will reinstate city road maintenance services.

3. For those roads for which a deeded public easement is provided, the City shall continue to provide the following maintenance:

Summer: Provide labor and equipment for grading and ditching to allow for positive drainage.

Winter: Plow snow. Sanding may be provided on request of the road owners association representative at a cost to be set annually by the City Council.

4. The road owners association for each road for which a deeded public easement is provided is to maintain the road with gravel, culverts and brush cutting.

5 In the event that abutting owners grant a deeded public easement allowing public access to land or waters in conjunction with, and located at or near the far end of any public easement granted in accordance with Section 1 above, the City shall also provide, at the City's expense, gravel for maintenance purposes, replacement culverts, and brush cutting within the public easement.

6 No later than April 1 of each year, the City shall be notified in writing of the person responsible for road maintenance of each public easement for which limited road maintenance has been approved pursuant to this ordinance. It shall be the responsibility of this person to serve as a liaison with the City.

The person responsible for road maintenance shall be the clerk or other designee of a road owners association duly formed pursuant to title 23 M. R. S. A.. Sections 3101-3104.

7. The City Road Commissioner and road owners association representatives shall annually inspect each road for which the City provides maintenance. The Road Commissioner shall send a report by June 1 to the clerk or designee of the respective road owners association, detailing any deficiencies in the road that need correction. City road maintenance shall be discontinued for all roads on which the identified deficiencies have not been corrected by September 1 of that year. Maintenance will be reinstated upon correction of the deficiencies to the satisfaction of the Road Commissioner. A written appeal to the City Council of a Road Commissioner's decision under Section 7 of this ordinance may be made by the road owners association representative within thirty (30) calendar days of that decision.

8. Acceptance of public easements and providing limited maintenance pursuant to this ordinance shall not constitute acceptance of any road as a public way or City street. The provisions of this ordinance shall not modify any City road or street ordinance.

Adopted September 19, 1994