

Click here to add lead-in text.

- *Click here and start typing....*

Private Roads with Winter Maintenance

The information on this webpage is to assist our residents and Road Associations or Home Owners Associations (HOA's) in creating a solution to the long practice of the Town providing winter maintenance on Private Roads. There are a series of links below with summaries describing the information for each link.

We recommend you start with the Town Q and A, then look at the appropriate summaries and links for your needs.

The short summary of this problem is that the Town entered in agreements to plow certain private roads many years ago. Those agreements over the years have not been renewed and are now expired. The Town under Maine law cannot provide public assistance on a private road. To correct this past practice and in fairness to the residents and Town, a solution is needed. The Town needs a mechanism which balances the solution and involves a private and special law allowing public vehicles on a certain private road and a local ordinance to regulate the oversight. The Town sought this special and private legislation to accomplish this task on these certain roads.

- **Letter to Property Owners on Town-Plowed Private Roads**
 - A letter from the Town Manager summarizing the issue, state legislation requirements and next steps.
- **The Town Q and A**
 - Provides a broad overview of the history, problem, data on the number of streets, affected parcels, challenges of solution and what the timeline needs to be.
- **Private and Special Law for Windham**
 - Provides the language presented to the Maine Legislature requesting a Private and Special bill to enable Windham to develop a solution that

conforms to Maine Law. The Town Council requested assistance from our legislative delegation to have this Private and Special Law.

- **Proposed local ordinance for designated Private Roads**
 - The proposed ordinance is in the process of being discussed/developed by the Council. This will be over the coming fall with an anticipated completion time of being around early November.
- **Maps of Private Roads**
 - Listing of streets with abutters and addresses
 - Self-explanatory

This is an excellent quick summary

- **Road Associations – Maine Department of Environmental Protection (MDEP)**
 1. The MDEP provides an excellent summary why a Road Association and a **“Guide to forming Road Associations”**. This is one of the better sites to become educated on Road Associations or HOA’s with what they offer and several “How To” resources.
 2. The **Online Appendices** to the Guide also contains sample association agreements, meeting notices, warranties, etc.
- **Related Maine Statutes** – These links are mentioned in the above website link.
 1. **Private Way Law**
 2. **Maine Nonprofit Corporation Act – Maine Secretary of State**
 3. **Forming a Corporation – Maine Secretary of State**
 4. **Non-Profit Corporations – Maine Secretary of State**
 5. **Non-Profit Corporation Resources – Maine Secretary of State**