

Section 53. Maintenance and Repair of Private Ways 14-53

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(a) Permitted Maintenance and Repairs. When public necessity and the interest of public safety require it, the following types of maintenance and repairs may be performed on approved private ways at a time and in a manner determined by the Superintendent of the Department of Public Works, or their designee:

(1) Grading, including the furnishing of gravel, fill or other materials as required to properly repair the roadway surface.

(2) Maintenance, repair or replacement of drainage systems, including piping, culverts, catch basins and other drainage structures.

(3) Patching of potholes and heaved areas.

(4) Crack sealing as required to preserve the integrity of the roadway surface. 14-53
Inserted under article 44, ATM April 28, 1999. 75

Such maintenance and repairs may be undertaken on the initiative of the Superintendent of the Department of Public Works. Such maintenance and repairs may be undertaken upon receipt by the Department of Public Works of a petition signed by the owners of not less than fifty-one percent (51 %) of the frontage abutting the private way.

(b) Annual Expenditure of Town Funds; Cash Deposit; Liability. The annual expenditure of Town funds on any individual private way for the above-listed maintenance and repairs shall not exceed five hundred dollars (\$500.) per mile or portion thereof for labor and materials. In the event that maintenance and repairs in excess of this amount shall be required, betterment charges shall be assessed to all abutters.

A cash deposit shall not be required prior to undertaking these maintenance and repairs.

Neither the Town nor its officers or employees shall be liable on account of any damages resulting from such maintenance and repairs.

(c) List of Approved Private Ways. A complete list of all private ways to which this section applies shall be kept by the Town Clerk. The Superintendent of the Department of Public Works shall, annually, submit a list of additions or deletions to said list to be approved by the Select Board at least ninety (90) calendar days before the start of the

fiscal year. All of the approved private ways shall be posted with an appropriate sign stating "Private Way" at the points where they enter upon or unite with an existing public way.

Independent reference excerpt. Consult the official town PDF for authoritative formatting and subsequent amendments.

Source: <https://www.town.canton.ma.us/DocumentCenter/View/13507/GENERAL-BY-LAWS-2025#page=75>