

### Section 3.01– Accepting Private Ways

No town way or private way shall be accepted and allowed by the Town until all statutory provisions pertaining thereto have been fulfilled, and then only if said town or private way is laid out to a width of forty feet or more. Exceptions already accepted by the Town are: Alpine Trail, Bay Ridge Road, Forest Drive, Pine View Trail, Ravine Drive, Rockaway Road and Shore Drive, all in the area known as Woodland Park and laid out to a width of twenty feet or more; and South Terrace, laid out to a width of thirty feet or more.

### Section 3.02 – Recording

Whenever a town way is laid out or altered, a plan thereof shall be made and it shall be the duty of the Town Clerk to keep an indexed book of such plans for the sole purpose of recording the location of all highways and town ways. These plans shall be uniform in size with overall dimensions of 24 1/2" by 13 1/2" with a 2 1/2" space at the left hand side for binding purposes and a line border on the other three dimensions 1/2" from the outer edge. These plans shall be drawn to a scale of 40 feet equals one inch, and shall bear in the upper right hand corner an appropriate title as designated by the Town Clerk. The Plan which is recorded with the Town Clerk may be a copy of the original linen tracing. The linen tracing shall be recorded with the Worcester Registry of Deeds by the Planning Board.

### Section 3.03 – Excavating in Public Streets

No person, except the DPW Director in the lawful performance of his duties or those acting under his orders, shall make or cause to be made an excavation in a public street for any purpose whatever, without first having obtained written permission from the DPW Director. When excavation is made in a street for any purpose, the person or persons by or for whom such excavation has been made shall cause a rail or other sufficient fence to be placed so as to enclose such excavation and the dirt, gravel or other material thrown there from. Such fence shall be maintained during the whole time for which the excavation continues, and proper and sufficient warning light shall be provided from the beginning of twilight through the whole of every night during all the time for which such excavation or construction exists.

### Section 3.04 –Snow and Ice

#### **§ ??. Deposit on public ways and fire hydrants.**

No person shall pile, push, throw, shovel or by any other method or means cause snow to be deposited or placed on any public roadway or sidewalk or fire hydrant or other similar device in the Town so as to impede, obstruct or interrupt or otherwise adversely affect the Town during snow removal operations or the unrestricted flow of traffic, or conceal any fire hydrant or other similar device, or the safe travel of any pedestrian on such roadway or sidewalk.

No person shall allow water from sump pumps and/or drains to flow on any public roadway, sidewalk or Town owned property.

### **?? Violations and Penalties.**

Violations of this article shall be punishable by a fine to be determined by the Board of Selectmen for each violation. Each instance or new day shall constitute a separate violation.

This Bylaw shall be enforced by the Police Department or the DPW Director.

### **Private Property Plow Damage Bylaw**

The Town of Auburn is not responsible for damage to private property placed within the Town's right of way. This includes but is not limited to mailboxes, fences, landscaping, signs, irrigation sprinkler heads, etc.

If a Town or Private Plow, hired by the Town, makes physical contact with the mailbox or fence then the Town will replace and/or repair the mailbox or fence.

If the mailbox or fence is broken from the weight of the snow, ice or slush then the Town is not responsible to fund the replacement or repair.

Replacement of mailboxes is not in-kind but a standard mailbox and pole (valued at \$30.00) is provided. For those persons with newer upscale mailboxes, replacement will be via formal adjustment through the Town's insurance carrier or the Town will pay \$30.00 towards the repair.

Residents are asked to check the stability of their mailboxes, replace rotted posts or connectors, and place the mailbox as far back from the paved street as is allowable by the Post Office

### **Section 3.05 – Emergency Repair of Private Ways (12/14/87)**

A. The DPW Director is hereby authorized to make temporary repairs on private ways which have been open to public use for six years or more.

B. After vote by the Board of Selectmen, pursuant to petition by at least two-thirds of abutters thereon, that conditions exist on a private way which require temporary repairs, the DPW Director shall cause the temporary repairs to be made. Said temporary repairs shall include only the filling in of holes or depressions with sand, gravel, cinders or other suitable materials in order to make said way passable, and shall not include construction, reconstruction, or resurfacing of said ways. Drainage shall not be included. Betterment charges shall not be assessed. The Town shall have no liability in tort or nuisance for personal injuries or property damage alleged to be caused by the making of said repairs. In no event shall temporary repairs be made to any private way where the cost of said repairs shall exceed the sum of five dollars per linear foot as determined by the DPW Director.

#### 9. Title: Road Openings

Chapter: VIII, Section 3

Fine allowed: \$100 per occurrence

Enforcement Agent: DPW Director

#### Section 3.19 – Sewer System (11/19/79)

Plans and descriptions of the sanitary sewer system belonging to the Town of Auburn and within the Town limits, with a true record of the charges of making and repairing said sewer systems, and of all assessment therefore, shall be kept at the offices of the Sewer Commissioners.

#### **Sewer Regulations:**

Section 10 of Chapter 708 of the Acts of 1963 states that The Board of Sewer Commissioners may from time to time prescribe rules and regulations for the connection of estates and buildings with sewers, and for the inspection of the materials, the construction, alteration, and use of all connections entering such sewers, and any person violating any such rule or regulation shall be punished by a fine set forth within the regulations established by the Board of Sewer Commissioners