

Discontinued and Abandoned Road Policy

The Town of Freedom has many miles of roads that have been either discontinued or abandoned over the years.

There are many roads that have been discontinued by a public vote. All of the discontinuances as voted by the townspeople at the time stated that the town would no longer maintain the roads. Until 1954, roads that were discontinued by a vote of the town did not retain a public right of access. Since 1954, when voting upon a discontinuance of a formerly town maintained road, the citizens of the town voted to retain a public access. Roads discontinued but with the retention of public access must be addressed under 3026-A.

Many other roads in town are of an unknown status, which with the application of the appropriate statute and a public hearing by the Select Board can lead to a determination that the road was abandoned. Roads that have been abandoned with no action by the town must be addressed under 3028-A.

Public access to a handful of roads in town has been removed in previous years, either by the Select Board or by the citizens of Freedom, utilizing the statutes that were in force at the time. The status of the majority of roads that would fit in one category or the other have not been determined.

When deciding upon the status of a road therefore, the statutes that are in force at the time must be used. Today, the Maine State Statutes that have to be applied to any request to remove the public rights to access are the following:

- Title 23. Transportation. Part 3: Local Highway Law. 3026-A: Discontinuance of Town Ways
- Title 23. Transportation. Part 3: Local Highway Law. 3028-A: Abandonment of Town Ways.

It is the policy of the Select Board of Freedom that we will respect and follow the Maine statutes that apply to Discontinued and Abandoned roads.