



**THE TOWN OF LIMINGTON**  
— 425 Sokokis Ave, Limington, Maine —



**Ordinance: Road Commissioner Ordinance**

**ARTICLE I INTRODUCTION**

**Section 1 Authority**

This ordinance is adopted pursuant to the authority granted in 30A M.R.S.A. §3001 and §3002 and that granted in 23 M.R.S.A. §2701 thru §2705.

**Section 2 Purpose**

The purpose of this ordinance is to provide clarity about the position of Road Commissioner for the Town of Limington, Maine. It shall define the election, term, responsibilities and compensation for that position.

**Section 3 Definitions**

- 1 ) **Emergency** -an emergency is defined as any incident which could immediately endanger life and/or property (23 MRSA §3201).

**ARTICLE II GENERAL PROVISIONS**

**Section 1 Election and Term of Office**

The position of Road Commissioner shall be filed by public election at the annual Municipal Election. The term of office shall be for a period of three (3) years.

**Section 2 Job Responsibilities**

- 1 ) The Road Commissioner will be in charge of the repair of all highways and bridges within the Town under the direction of a majority of the Selectmen (23 MRSA §2701).
- 2 ) The Road Commissioner shall be bonded to the satisfaction of the Selectmen.
- 3 ) The Road Commissioner shall be responsible to the Selectmen for the expenditure of money and the discharge of their duties generally.
- 4 ) The Road Commissioner, under the direction of a majority of the Selectmen, has the authority to employ the necessary personnel and equipment and purchase material for the repair of highways and bridges.

- 5 ) The Road Commissioner must plan ahead and discuss all repairs, maintenance and other projects with the Selectmen. This includes developing a work schedule detailing the work to be done, a cost estimate for the work, and the location of the work projects. This schedule will be adhered to except in emergency situations such as snow storms or other unpredictable occurrences.
- 6 ) In case of sudden injury to ways or bridges the Road Commissioner must, without delay, repair them. In these emergency cases prior approval from the Selectmen is not required. However, the Road Commissioner must file a detailed report the next business day after the emergency repair is completed.
- 7 ) The Road Commissioner shall inspect all town ways each year and report to the Selectmen the status of the town ways and needed repairs as of November 1st.
- 8 ) All projects, including but not limited to winter sand, tarring, road repairs and construction will be done only after the Road Commissioner submits a detailed budget of the project to the Selectmen. The Selectmen will approve or disapprove all projects. All project material shall be purchased in accordance with the Limington Purchasing Ordinance.
- 9 ) When any ways are blocked or encumbered with snow or ice, the Road Commissioner or a Director appointed by the Selectmen, will remove the snow (or ice) in a manner directed by the Selectmen (23 MRSA §3201). The Road Commissioner will also direct removal of brush and loose obstructions from town ways that impede travel.
- 10 ) The Road Commissioner shall draft complete specifications for any equipment that may be required and submit them to the Selectmen for review and approval. All equipment shall be purchased in accordance with the Limington Purchasing Ordinance.
- 11 ) The Road Commissioner will be responsible to the Selectmen for the expenditure of monies spent on roads bridges, culverts, sand, salt, and snow and ice removal, showing in detail all monies paid out, to whom, and for what purpose (23 MRSA §2703). All purchases are to be done with the Town's purchase orders in accordance with the Limington Purchasing Policy.
- 12 ) The Road Commissioner shall participate in the budget process for determining appropriations for the coming year. The Road Commissioner shall also submit an Annual Report to be included in the annual report
- 13 ) The Road Commissioner shall maintain a complete and detailed maintenance log on all Town vehicles and equipment used for road maintenance, and will submit these to the Selectmen for monthly review.
- 14 ) The Road Commissioner shall document and approve all bills and specify to what project or equipment accounts these bills are charged.
- 15 ) The Road Commissioner and all employees of their department, both full and part time, shall maintain and sign weekly time cards for all hours worked for the town. The Road Commissioner and employees shall work only those hours necessary to maintain town ways and equipment as required by these guidelines.
- 16 ) When the amount appropriated is not sufficient to repair or maintain the roads, the Road Commissioner, with the written consent of the Selectmen, may perform the necessary work to an amount not exceeding 15% of the amount so appropriated in addition to the amount appropriated. (23 MRSA §2705).

- 17 ) The use of Town vehicles or equipment on statutory private ways (public easements) is prohibited, except with approval of a majority of the Selectmen. The use of Town equipment for private purposes is prohibited.
- 18 ) If a majority of the Selectmen determine that a condition exists which creates a hazard and renders a way unsafe for motor vehicle traffic, they will give the Road Commissioner written notice of the condition and order the Road Commissioner to remedy the situation within 24 hours. If the Road Commissioner fails to act as directed, a majority of the Selectmen may take steps necessary to eliminate the safety hazard.
- 19 ) The Road Commissioner and all employees of their department, both full and part time, shall comply with all provisions of the Limington Personnel Policy and the Limington Personnel Files Policy.

### **Section 3 Compensation**

- 1 ) The Road Commissioner does not receive a salary or stipend as compensation for the position.
- 2 ) A fixed portion of the annual Snow & Ice budget shall be designated by the Selectmen to compensate the Road Commissioner for time spent on administrative paperwork such as purchase orders, timesheets, vehicle maintenance records and bid specifications. Such time shall be documented on time sheets and approved by the Selectmen.
- 3 ) The Road Commissioner will be compensated with an hourly wage of \$20 for all labor performed in the repair and maintenance of roads, only when done in compliance with Article II, Section 2, Paragraph 5 above.
- 4 ) All hourly wages and equipment rental costs shall not exceed the rates published by Maine DOT as the "*Labor Reimbursement and Private Equipment Rates*" schedule, except with the approval of a majority of the Selectmen or for those identified in a project awarded by public bid.

## **ARTICLE III LEGAL STATUS**

### **Section 1 Effective Date**

This ordinance and amendments thereto shall take effect immediately upon enactment at the time a majority of those present and voting cast an affirmative vote at an annual or special town meeting.

### **Section 2 Severability**

In the event any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

### **Section 3 Interpretation**

Interpretations of words, phrases, or specific provisions of this ordinance shall be the responsibility of the Selectmen.