

**§2308. Protection of utility facilities upon discontinuance of public ways**

In proceedings for the discontinuance of public ways, public ways may be discontinued in whole or in part. The discontinuance of a town way must be pursuant to Title 23, section 3026-A. Unless an order discontinuing a public way specifically provides otherwise, the public easement provided for in Title 23, section 3026-A includes an easement for public utility facilities and for the permitted facilities of entities authorized under section 2301 to construct lines. A utility or entity may continue to maintain, repair and replace its installations within the limits of the way or may construct and maintain new facilities within the limits of the discontinued way, if it is used for travel by motor vehicles, in order to provide utility or telecommunications service, upon compliance with the provisions of sections 2503, 2505, 2506, 2507 and 2508. [PL 2015, c. 464, §9 (AMD).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). PL 2011, c. 623, Pt. B, §9 (AMD). PL 2015, c. 464, §9 (AMD).

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