



## **Department of Public Works**

### **LIABILITY FOR INTERFERENCE WITH MUNICIPAL DITCHES, DRAINS AND CULVERTS**

Under 23 M.R.S.A. § 3252, no person shall cultivate plants, operate farm machinery or deposit fill within the municipal ditches, drains and culverts. A willful violation of § 3252 results in a fine of \$50 and costs (\$100 and costs for each subsequent offense), plus double the amount of actual damages suffered by the municipality.

30-A M.R.S.A. § 3401-3409 also pertain to public drainage systems, including but not limited to road drainage. Section 3403 imposes on the municipality a duty to maintain and repair public drains which it has constructed. Section 3407 allows the municipality to recover double damages from persons who willfully or negligently obstruct or damage a public drain, or any street or culvert leading to it.