

CHAPTER 164

TOWN ROADS

164.06 Establish, alter, or vacate by resolution.
 164.08 Cartways.
 164.152 Barricaded roads; liability.

164.06 ESTABLISH, ALTER, OR VACATE BY RESOLUTION.

A town board, when authorized by a vote of the electors at the annual meeting, or at a special meeting called for that purpose, may establish or vacate a town road by resolution, and may acquire the right-of-way as may be necessary for the road by gift, purchase or as provided in section 164.07. A town board may alter a town road by resolution.

History: 1985 c 169 s 5; 1Sp1985 c 16 art 2 s 10

164.08 CARTWAYS.

[For text of subds 1 and 2, see M.S.1984]

Subd. 3. **Maintenance costs.** When a cartway is not maintained by the town, one or more of the private property owners who own land adjacent to a cartway or one or more of the private property owners who has no access to his or her land except by way of the cartway may maintain the cartway. The cost of maintenance shall be equitably divided among all of the private property owners who own land adjacent to the cartway and all of the private property owners who have no access to their land except by way of the cartway. The following factors may be taken into consideration when determining an equitable share of maintenance expenses: the frequency of use, the type and weight of the vehicles or equipment, and the distance traveled on the cartway to the individual's property. The town board may determine the maintenance costs to be apportioned to each private property owner if the private property owners cannot agree on the division of the costs. The town board's decision may be appealed within 30 days to the county court of the county in which the cartway is located. Private property owners who pay the cost of maintenance shall have a civil cause of action against any of the private property owners who refuse to pay their share of the maintenance cost.

History: 1985 c 163 s 1

164.152 BARRICADED ROADS; LIABILITY.

When a town board, by resolution, closes and barricades a road under its jurisdiction to motor vehicle use, for seasonal recreation use or other purposes, the town board and its officers and employees are exempt from liability for any claim for injury to person or property arising from any use, whether recreational or otherwise, of the barricaded road.

History: 1985 c 307 s 18