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**TOWN OF NEWTOWN**

**Newtown Town Road Flow Chart**

Assumption: All roads will conform and be built to Town Road Ordinance

- |  |                |   |  |
|--|----------------|---|--|
| <p>ROW</p> <ol style="list-style-type: none"> <li>1. road is unpaved but conforms to ROW standards<br/>       - <i>Have road to Town Road Ord. standards (unless Scenic Road Ord designation or privately owned permission and payment is secured – part of Ord?)</i></li> <li>2. road is unpaved but does not conform to ROW standards<br/>       - <i>Acquire road ROW standards then #1.</i></li> <li>3. road is paved but does not conform to road standards<br/>       - <i>Acquire road ROW standards</i></li> </ol> | <p>PRIVATE</p> | <ol style="list-style-type: none"> <li>4. road is unpaved but is privately owned<br/>       - <i>Acquire road ROW standards then #1.</i></li> <li>5. road is paved but is privately owned<br/>       - <i>Acquire road ROW standards then #1</i></li> </ol> | <p>TOWN-OWNED but not ROW</p> <ol style="list-style-type: none"> <li>6. road is unpaved but is town-owned land<br/>       - <i>Then #1.</i></li> <li>7. road is paved but is town-owned land<br/>       - <i>Then #1.</i></li> </ol> |
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Robert Sibley  
 Deputy Director of Land Use &  
 Emergency Management

Ad Hoc Committee for Policy and Planning for Roads

Suggested Legal Questions

- I. State Constitutional/Statutory Issues
  - A. Is the town under any Constitutional/Statutory impetus or restraints?
  - B. Are there Equal Protection implications in regard to a town's decision to pave a town-owned road or leave it unpaved?
  - C. Are there any duties a town owes to residents in regard to private roads?
  - D. Are there any legal issues raised when a town uses tax monies to plow/repair/pave private roads?
- II. Charter
  - A. Does the Town Charter properly and fully empower the town to act in regard to town-owned and private roads, including point I above?
  - B. Does the Town Charter currently limit the powers of the town to address issues regarding town-owned and private roads?
  - C. In short, are the pertinent Charter sections operative or simply enabling?
- III. Ordinances
  - A. Do the Town's current Ordinances properly and fully empower the town to act in regard to town-owned and private roads, including point I above?
  - B. Do the Town's current Ordinances limit the powers of the town to address issues regarding town-owned and private roads?
  - C. Is there value in consolidating road related Ordinances? (See attached Glastonbury example.)