



Department of Public Works
Town of North Attleborough

POTHOLE POLICY

Potholes usually occur when excess water beneath the pavement freezes and thaws, weakening the subsurface material and leaving voids beneath the pavement. A sudden thaw, especially when accompanied by heavy rain, can very quickly wash out roadway base material and create numerous potholes in multiple locations throughout Town.

Pursuant to the Mass General Laws (see below), the Town is not liable to reimburse costs for damage to vehicles, people, or property damaged by an unreported road defect until such time that the defect has been reported to the Department and an the Department has an opportunity to respond to the roadway hazard (typically within 48 business hours). An insurance claim may be filed with the Town if the reported pothole is not addressed within 48 business hours barring unforeseen circumstances

The Highway Department repairs all potholes as quickly as possible after receiving a report of a pothole. The best repair for potholes is to use hot mix asphalt. However, in the winter, hot asphalt material is not readily available which necessitates using a temporary "cold patch" material, which does not adhere as well to the surrounding base material. For this reason, some potholes may need to be patched several times over the winter months, until the warmer weather allows for a permanent repair to be made. The Highway Department makes every effort to find these road defects before they cause damage, but potholes other road defects often develop quickly.

Please call the office during business hours at 508-695-9621 to report any road defect. If a pothole is an immediate hazard to vehicles, this number can be used to reach our on-call phone service 24 hours a day.

The General Laws of Massachusetts

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 84. REPAIR OF WAYS AND BRIDGES

DAMAGES FOR DEFECTS IN WAYS

Chapter 84: Section 15. Personal injuries or property damage from defective ways

Section 15. If a person sustains bodily injury or damage in his property by reason of a defect or a want of repair or a want of a sufficient railing in or upon a way, and such injury or damage might have been prevented, or such defect or want of repair or want of railing might have been

remedied by reasonable care and diligence on the part of the county, city, town or person by law obliged to repair the same, he may, if such county, city, town or person had or, by tire exercise of proper care and diligence, might have had reasonable notice of the defect or want of repair or want of a sufficient railing, recover damages therefor from such county, city, town or person.