

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

REVISED STATUTES

OF THE

STATE OF MAINE

1954

1955 SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

VOLUME 3

**Place in Pocket of Corresponding
Volume of Main Set**

THE MICHIE COMPANY
CHARLOTTESVILLE, VIRGINIA
1955

panied by a representative of the commissioner, who shall be paid mileage by the person to whom the license is issued at the rate allowed to fire inspectors by the state for the use of his car. This condition is not applicable to loads of 4,000 pounds or less. Explosives referred to herein shall not include petroleum products. (1955, c. 201.)

Sec. 48-A. Construction permit, when required.—No person, firm or corporation shall construct a public building, schoolhouse, hospital, convalescent home, nursing home, theater or other place of public assembly to which admission is to be charged or any building to be state owned or operated, without first obtaining from the insurance commissioner a permit therefor; and if any such building be damaged by fire or otherwise to the extent of 50% or more, no person, firm or corporation shall repair or reconstruct such building without first obtaining from the insurance commissioner a permit therefor. A request for a permit shall be accompanied by a true copy of the plans and specifications for such construction or reconstruction. The commissioner shall issue a permit only if the plans comply with statutes and lawful regulations promulgated to reduce fire hazards. (1955, c. 358.)

Sec. 48-B. Penalty for violation of section 48-A.—Whoever shall construct or reconstruct a public building, schoolhouse, hospital, convalescent home, nursing home, theater or other place of public assembly to which admission is to be charged or any building to be owned or operated by the state, without first obtaining the permit required by the preceding section, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$100. (1955, c. 358.)

Chapter 98.

Harbor Masters. Wharves and Fish Weirs.

Wharves and Fish Weirs.

Sec. 7. Application for license to build or extend wharves and fish weirs.—Any person intending to build or extend any wharf, fish weir or trap in tidewaters, within the limits of any city or town, may apply in writing to the municipal officers thereof, stating the location, limits and boundaries, as nearly as may be, of such intended erection or extension, and asking license therefor. Upon receiving such application, said officers shall give at least 3 days' public notice thereof in a newspaper, published in the town, or, if there be no newspaper published in the town, in a newspaper published within the county, and shall therein designate a day and time on which they will meet on or near the premises described, to examine the same and hear all parties interested. If, upon such examination and hearing of all parties interested, said officers decide that such erection or extension would not be an obstruction to navigation or injury to the rights of others, and determine to allow the same, they shall issue a license under their hands to the applicant, authorizing him to make such an erection or extension, and to maintain the same within the limits mentioned in such license; the applicant for license to build or extend a fish weir or trap as aforesaid shall first give bond to the town, with sureties, in the sum of \$500, conditioned that upon the termination of such license he shall remove all stakes and brush from the location therein described. Said municipal officers shall, within 10 days after the date of hearing, give written notice by registered mail of their decision to all parties interested. Any person aggrieved by the decision of the municipal officers, in either granting or refusing to grant a license as hereinbefore provided, may appeal to any justice of the superior court within 10 days after the mailing of such written notice. On receiving such an appeal, said justice in term time or in

vacation shall set a time and place for hearing and give notice thereof in the same manner as hereinbefore provided for a hearing, before the municipal officers. The decision of said justice shall be communicated within 10 days after the date of hearing to the appellant and to the municipal officers of the town in which the proposed wharf, weir or trap is to be located; and this decision shall be binding in said municipal officers, who shall issue a license, if so directed by the decision of said justice, within 3 days after said decision has been communicated to them. If said appeal is sustained by said justice in whole or in part, the appellant shall have his costs against the appellee. If the appeal is not so sustained, the appellee shall have his costs against the appellant. If any owner to whom a license has been issued, or his heirs or assigns, fails to remove all stakes and brush within a period of 1 year after the termination of the license, as provided in the following section, any person can remove the same without charge against said owner, his heirs or assigns.

In the case of islands not within the jurisdiction of any town all powers of municipal officers to issue licenses to build weirs are conferred upon the owner or owners of such islands. If said owner or owners are unable to agree as to the issuance of a license they shall submit the question of such issuance to the commissioner of sea and shore fisheries, who shall, after a hearing at which all parties may be represented, decide as to the issuance of such license. (R. S. c. 86, § 7. 1955, c. 227.)

Effect of amendment.—The 1955 amendment substituted in the third sentence the words “with sureties, in the sum of \$500” for the words “without sureties, in the sum of \$100.”

Chapter 100.

Miscellaneous Provisions Relating to Towns.

Section 71-A. Drive-In Theaters.
 Sections 79-A to 79-D. Closing-Out Sale.

Dogs.

Sec. 9. Lists of all dogs; returns.

If any city or town fails to remit to the treasurer of state on or before October 15 of each year a sum of money equal to the licenses required by sections 9 to 28, inclusive, on all dogs living on the 15th day of June preceding, such deficiency shall be collected in the manner provided by section 13 of chapter 18. (R. S. c. 88, § 8. 1955, c. 135.)

Effect of amendment.—The 1955 amendment substituted in the last paragraph of the section the words “collected in the manner provided by section 13 of chapter 18” for the words “added to the state tax of such delinquent city or town for the following year.” As the rest of the section was not changed by the amendment, only the last paragraph is set out.

Sec. 10. Dog licenses; fee; suitable tag; duties of animal husbandry expert; kennels.—On or before the 1st day of April of each year, the owner or keeper of any dog 6 months old or over shall apply to the city or town clerk either orally or in writing for a license for each such dog owned or kept by him. Such application shall state the breed, sex, color and markings of such dogs and the name and address of the last previous owner.

A fee of \$1.15 shall be paid the city or town clerk for each license issued on male dogs, and a fee of \$5.15 shall be paid for all female dogs capable of bearing young. All female dogs shall be considered capable of producing young unless a certificate issued by the commissioner of agriculture and signed by a licensed veterinarian, or previous license record, is presented from a licensed veterinarian