

MAINE STATE LEGISLATURE

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March 23, 1928

To Dr. W. H. Kelly
Re: Plumbing Regulations

. . . The rules and regulations of the State Department of Health in relation to plumbing, or any other matter within their jurisdiction, can be enforced whenever the same are reasonable.

The question always is, Is the particular regulation a reasonable one, and this in the final instance is always a matter for the court.

A plumbing inspector must be appointed in a town whenever the same is "necessary". I refer you to Section 109, Chapter 19 of the Revised Statutes. The question of necessity, therefore, may be a final question for the court. Inspectors are appointed to hold office for one year. The health officer is appointed for a term of three years.

I am sorry that I cannot give you any more definite opinion. It would seem that you should consult some local attorney before whom you can place all the facts and follow his advice. As you can readily see, the facts and circumstances of each particular case are what control.

Raymond Fellows
Attorney General