

# MAINE STATE LEGISLATURE

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JAMES E. TIERNEY  
ATTORNEY GENERAL



STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

February 10, 1981

The Honorable Neil Rolde  
State Representative  
State House  
Augusta, Maine 04333

Dear Representative Rolde:

This will respond to your inquiry as to whether the Town of York may amend ordinances which were in effect in the York Harbor Village Corporation prior to its abolition in 1975.

By way of background, the York Harbor Village Corporation was established in 1901 as a "body politic and corporate" within the Town of York. See P. & S. L. 1901, c. 481. In 1975, the Legislature enacted P. & S. L. 1975, c. 63, which, upon its approval by the voters of the Town of York, abolished the York Harbor Village Corporation. That legislation contained the following provision with respect to the Corporation's ordinances:

Sec. 4. Existing ordinances to remain in force. Upon the acceptance of this Act as provided in section 7 hereof, all valid ordinances then in force in the York Harbor Village Corporation, including the zoning bylaws, the building code and those relating to traffic and parking control, to the bathing beaches and to public health and safety, shall become valid and enforceable ordinances within the Town of York. . .

Turning to your specific inquiry, the Legislature has provided that the ordinances of the York Harbor Village Corporation are now ordinances within the Town of York. Accordingly, it follows that the Town may amend these ordinances to the same extent and in the same manner as it may amend ordinances originally adopted by the Town. This is the clear import of the language in chapter 63, quoted above, and we find nothing in the legislative history of that Act which suggests a contrary intent.

I hope this information is helpful.

Sincerely,  
*James E. Tierney*  
JAMES E. TIERNEY  
Attorney General