

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 86

H. P. 62

House of Representatives, January 9, 1963

Referred to Committee on Legal Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mrs. Kilroy of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Regulating Location of Automobile Junk Yards.

Be it enacted by the People of the State of Maine, as follows :

Sec. 1. R. S., c. 100, § 140, amended. Section 140 of chapter 100 of the Revised Statutes is amended to read as follows :

'Sec. 140. Limitations on granting permits for initial establishment. No permit shall be granted for such automobile junk yard to be established within an unreasonable distance, and in no case less than ~~500 feet~~ $\frac{1}{4}$ mile, from any state or state aid highway now or hereafter designated as such highway by the State Highway Commission, if within view from said highway, except upon condition that the area to be occupied by said automobiles or parts thereof be kept entirely screened to ordinary view by those passing upon said highway, by natural objects or well constructed and properly maintained fences at least 6 feet high, acceptable to said municipal officers or county commissioners and so specified in said permit; nor if said area is within a radius of 300 feet of any public park, public playground, public bathing beach, school, church or cemetery, which shall have been established prior to the establishment of such yard and which is within ordinary view thereof; ~~except that the provisions of this.~~ This section and section 141 shall not be mandatory when such junk yard is located in the built-up portions of any city, town or village as defined by ~~section 113 of chapter 22, section 113;~~ ~~provided further, that the.~~ The municipal officers may in their discretion insert like or lesser restrictions, limitations and conditions in a permit to establish an automobile junk yard adjacent to any public way, road or street in the built-up portion of the city, town or village, but shall impose no more stringent restrictions, limitations or conditions.'

Sec. 2. R. S., c. 100, § 141, amended. Section 141 of chapter 100 of the Revised Statutes is amended to read as follows:

'Sec. 141. Fee. ~~Notwithstanding the provisions of section 139, no~~ No permit shall be granted for such automobile junk yard to be established ~~within 100 feet of any state or state aid highway,~~ except upon compliance with ~~the provisions of~~ section 140 and upon payment of an annual fee of \$500 to the city or town, or to the county treasurer for the use of the county in the case of unorganized territory, within which limits the automobile junk yard is to be established, operated or maintained.'

Sec. 3. R. S., c. 100, § 142, amended. Section 142 of chapter 100 of the Revised Statutes is amended by adding at the end a new sentence to read as follows: **'Such conforming to section 140 shall not become effective until September 1, 1967.'**