

MAINE STATE LEGISLATURE

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(EMERGENCY)
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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1191

H. P. 968

House of Representatives, February 16, 1965

Reported by Mrs. Wheeler from the Committee on Legal Affairs. Printed under Joint Rules No. 10.

JEROME G. PLANTE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Granting Licenses by Municipalities for Certain Businesses and Purposes.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, no adequate provision now exists for the granting of licenses for certain businesses and purposes by municipalities; and

Whereas, authority to grant such licenses is urgent for the regulation and control of such businesses and purposes; and

Whereas, such authority is necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the several municipalities of the State; and

Whereas, in the judgment of the Legislature these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 30, § 2151-A, additional. Title 30 of the Revised Statutes is amended by adding a new section 2151-A, to read as follows:

§ 2151-A. Regulating businesses

A municipality may enact ordinances to grant licenses for the following businesses and purposes at a fee not in excess of \$75. A business engaging in any of the categories listed may be listed for that category even though engaging in other categories not included.

1. Businesses and purposes. The following businesses and purposes:

Auctioneer;

Dog kennels (3 dogs or more);

The maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline and other volatile inflammable liquid for fuel or power;

Billiard tables and pool tables;

Bowling alleys;

Junk yards;

Automobile junk yards;

Junk dealers;

Hawkers and peddlers (except persons raising their own merchandise);

Popcorn machines or wagons;

Merchandise demonstration booths;

Employment agencies;

Taxicabs;

Outside amusements, exhibitions, vaudeville acts, stunts or public performances, at which an admission is charged;

Boxing and wrestling shows;

Victualers (food);

Victualers (food and malt beverages);

Victualers (food and vinous liquors);

Victualers (food, malt beverages and vinous liquors);

Innholders, lodging houses and hotels (5 lodging rooms or more);

Overnight cabins;

Motels;

Tenting grounds and trailer parks;

Public shooting galleries;

Public dance halls;

Circuses;

Organ grinders;

Erection and maintenance of signs, banners, awnings, marquees and other temporary or permanent structures, excepting the temporary and permanent structures of public utilities corporations, over the sidewalks, roads, ways and streets of said town;

Stands or booths for sale of merchandise;

Amusement casinos;

Go-thru shows;

Merry-go-rounds;

Roller skating rinks;

Go-thru rides;

Pony rides;

Riding stables;

Animal drawn vehicles;

Miniature golf courses, indoors or outdoors;

Amusement rides (occupying less than 400 square feet);

Amusement rides (occupying 400 feet or more);

Games of skill;

Animal farms, animal fairs, animal forests or like designations;

Gift shops;

Bric-a-brac, linen stores;

Beauty parlors and barber shops;

Jewelry stores;

Radio and television sales;

Radio, television and appliance rentals;

Novelty stores;

Booths devoted to personal services, including but not limited to the following: Art, sketches, astrology, handwriting analysis and personality reading;

Rental of bicycles;

Parking lots;

Used car lots;

Vending machines;

Automatic laundries;

Photographers.

2. **Licensing authority.** The municipal officers are the licensing authority of a municipality, unless otherwise provided by the legislative body or by statute.

3. **Violation and penalties.** The municipality shall provide a penalty of not more than \$100 plus costs for the violation of any ordinance authorized by this section. All fines shall be recovered on complaint to the use of the municipality. The municipality may provide by ordinance that the license issued may be suspended or revoked, and in the event of an appeal from conviction, the license may be suspended until such time as a final decision has been rendered by the court.'

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.