

# 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)

---

---

# ONE HUNDRED AND THIRD LEGISLATURE

---

---

**Legislative Document**

**No. 867**

S. P. 333

In Senate, February 15, 1967

Referred to Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Ferguson of Oxford.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

---

### AN ACT Relating to Eating, Lodging and Related Places.

---

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

**Sec. 1. R. S., T. 22, c. 561, repealed and replaced.** Chapter 561 of Title 22 of the Revised Statutes, as amended by chapter 221 of the public laws of 1965, is repealed and the following enacted in place thereof:

#### CHAPTER 561

#### EATING, LODGING AND RELATED PLACES

##### § 2481. License required

No individual, corporation, firm or partnership shall conduct, control, manage or operate for compensation, directly or indirectly, any eating place, place serving alcoholic beverages, catering establishment, establishment where food or drink is prepared for vending machines dispensing food or drink other than in original sealed packages, and such vending machines, lodging place, recreational camp, mobile home park or recreational camping area, unless the same and each such establishment shall be licensed by the department.

##### § 2482. Terms and fees

The department is empowered to license eating establishments, places serving alcoholic beverages, catering establishments, establishments where food or drink is prepared for vending machines dispensing food or drink other than in original sealed packages, and such vending machines, lodging places, recreational camping areas, recreational camps and mobile home parks. Such licenses shall be issued by the department under such terms and conditions as it deems advis-

able and subject to such rules and regulations as may be adopted by the department for regulating the conduct and sanitation of such establishments, and fees for licenses not exceeding \$50 may be charged. The fees thus received shall constitute a permanent fund to carry out this chapter. One license shall be sufficient for each combined eating place and lodging place where both are conducted on the same premises and under the same management.

§ 2483. —Duration; not transferable

Each license shall expire on the December 31st following the date of the issuance and shall not be transferable from person to person or place to place.

§ 2484. —Suspension or revocation; appeals

When the department believes a license should be suspended or revoked it shall file a statement or complaint with the Administrative Hearing Commissioner as provided in Title 5, chapters 301 to 307. A person aggrieved by the refusal of the department to issue a license may file a statement of complaint with the Administrative Hearing Commissioner.

§ 2485. Exceptions

Private homes shall not be deemed or considered lodging places and subject to a license where not more than 2 rooms are let to other than transient guests, unless they hold themselves in any way as ready to accept or do accept transient guests. Lodging license shall not be required from dormitories of charitable, educational or philanthropic institutions, nor from private homes used in emergencies for the accommodation of persons attending conventions, fairs or similar public gatherings, nor from construction camps conducted in connection with wood cutting and logging operations, nor from any boarding homes for the aged, blind or other persons over 16 years of age which are licensed under section 5, nor institutions licensed under section 1811, nor from any homes boarding children or day care facilities and which are licensed under section 3797.

Stores or other establishments, where bottled soft drinks or ice cream are sold for consumption from the original containers only, and where no tables, chairs, glasses or other utensils are provided in connection with such sale, shall not be considered eating places within the meaning of this section. At such establishments straws or spoons may be provided to aid in the consumption of such bottled soft drinks or ice cream, provided they shall be supplied in original individual single service sterile packages.

Such establishments and all places subject to license under this Title shall be subject to such inspections as may be deemed necessary by the department to insure compliance with the rules and regulations of the department relating to sanitation and the prevention of communicable diseases.

§ 2487. Penalties

Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than \$20 nor more than \$100 for each offense.

Sec. 2. Effective date. This Act shall take effect January 1, 1968.