

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1154

S. P. 435

In Senate, March 1, 1967

Taken from table on motion by Senator Berry of Cumberland, and on further motion by Senator Berry, referred to Committee on Public Utilities. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Berry of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Protecting Source of Public Water Supply.

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

Sec. 1. R. S., T. 22, § 2436, amended. The first 2 paragraphs of section 2436 of Title 22 of the Revised Statutes are repealed and the following enacted in place thereof:

Any water utility or municipality supplying water to the public is authorized to take reasonable methods to protect its source of public water supply from pollution. It may enter upon land within 1,000 feet of the high water mark of any lake or pond used as a source of public water supply, a well used as a source of public water supply, a spring used as a source of public water supply, the intake structure in a river, brook or stream used as a public water supply, and upon land used for commercial or industrial purposes located anywhere on the watershed of a source of public water supply, and inspect the system of drainage and sewage of any building or structure thereon. Any local or state health inspector or officer may order the owner of any building or structure thereon having a system of drainage and sewage flowing, seeping or suspected of seeping into said source of public water supply to remedy the situation. Such order shall be in writing and state a time within which the order must be complied with.

Before any new building or structure is constructed upon land, as outlined, or any existing building or structure thereon is remodeled, or any change in the drainage or sewage disposal facilities is made, each water utility or municipality supplying water to the public from the water source affected shall approve in writing the plans as to drainage and sewage.

Sec. 2. R. S., T. 22, § 2436, amended. The last paragraph of section 2436 of Title 22 of the Revised Statutes is amended to read as follows:

The water utility or municipality supplying water to the public may petition the Superior Court upon failure of the owner of a building or structure to comply with any order made by it **or upon failure of said owner to secure said requisite approval of plans.** The court, after hearing, may make such order as may be appropriate. **Nothing in this section shall be construed to limit in any way any private and special law granting a water utility or municipality greater controls for protecting its source of public water supply than those set forth in this section.**