

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1377

H. P. 946

House of Representatives, March 7, 1967

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Enable City of Portland to Establish Sewer Service Charges.

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

Sec. 1. P. & S. L., 1891, c. 184, §§ 8-12, additional. Chapter 184 of the private and special laws of 1891, as amended, is further amended by adding 5 new sections, 8 to 12, to read as follows :

Sec. 8. Sewer service charge. The said municipal officers, in addition to the assessment provided in section 2, may by ordinance establish and levy upon persons, firms or corporations owning lots or parcels of land abutting on or served by drains and sewers heretofore or hereafter constructed under this chapter a service charge for the use of and for the services furnished by or available to such lots or parcels of land, whether connected thereto or not, or whether or not such lots or parcels of land are improved. Persons, firms or corporations shall be construed to include those which are public, quasi-municipal or otherwise tax exempt.

Sec. 9. Charges. Such charges shall be uniform wherever the cost to the city of the service is substantially uniform, but nothing contained herein shall preclude the city from establishing a higher charge in special types of cases where for any reason the cost to the city of the service exceeds the average, but such higher charge shall be uniform in such special types of cases.

Sec. 10. Purposes. Such charges shall be used for the following purposes:

1. **Current expenses.** To pay the current expenses for operating and maintaining such drain or sewer system;
2. **Sinking fund.** To establish a sinking fund to provide for the payment of interest and principal on any outstanding or future indebtedness of the city for

construction of drains and sewers under this chapter. The money deposited in said fund shall be devoted entirely to said purposes and may be invested in such securities as savings banks in this State are allowed to hold.

Sec. 11. Computation. The charges so established may be based or computed either upon the quantity of water used; or upon the number and size of drain or sewer connections; or upon the number and kind of plumbing fixtures in use in the premises connected with the drain or sewer; or upon the number or average number of persons residing or working in or otherwise connected with such premises; or upon the type or character of such premises; or upon any other factor affecting the use of the facilities furnished; or upon any combination of the foregoing. Such charges covering services to manufacturing and industrial plants, obtaining all or a part of their water supply from sources other than the water system of the city may be determined by gauging or metering or in any other manner approved by the municipal officers. In cases where the character of the sewage from any manufacturing or industrial plant, building or premises is such that it imposes an unreasonable burden upon the drain or sewer or upon the treatment facilities, an additional charge may be made therefor, or the municipal officers may, if they deem it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as shall be specified by the municipal officers before discharging such sewage into any drain or sewer owned or maintained by the city.

In the event it is determined to compute such charges on the basis of the quantity of water used, the Portland Water District shall provide to the city any and all information or data requested of it by the city for such purpose. The Portland Water District shall have no liability to any person, firm or corporation for releasing to the city any information or data requested of it by the city.

Sec. 12. Lien. Such charges shall create a lien upon each and every lot or parcel of land on which they are imposed and shall be levied and collected as provided in sections 5, 6 and 7.

Sec. 2. P. & S. L., 1891, c. 184, §§ 8 and 9, renumbered. Sections 8 and 9 of chapter 184 of the private and special laws of 1891 are renumbered to be sections 13 and 14 respectively.