

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 941

H. P. 738

House of Representatives, February 15, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mrs. Boudreau of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Authorizing City of Portland to Levy Local Assessments for Snow
Removal on Sidewalks.**

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

P. & S. L., 1961, c. 194, Article I, § 3, additional. Article I of chapter 194 of the private and special laws of 1961, as amended by chapter 185 of the private and special laws of 1969, is amended by adding a new section 3 to read as follows:

Sec. 3. Authority to levy local assessments for snow removal on sidewalks. Without in any way limiting the powers granted to the city herein, the said city council is specifically authorized to adopt, and amend from time to time, an ordinance providing for special local assessments for snow removal by the city on sidewalks in such areas of the city as said council shall designate, and establishing a system of collecting the fair cost thereof proportionately from owners of abutting properties, including provisions for the creation and enforcement of liens to insure the payment of said assessments.

STATEMENT OF FACT

It would promote the safety of pedestrians in the City of Portland and result in a uniform and efficient method of snow removal in the central and other business districts if the City of Portland removed snow in such areas and were authorized to adopt an ordinance allowing it to recover the fair cost of such snow removal. There is doubt as to whether a municipality could adopt such a program under the so-called Home Rule Law because said local assessments and the lien to enforce them might be construed as local taxes. Municipalities may not levy taxes unless expressly authorized by the Legislature.