

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1456

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H. P. 1190

House of Representatives, March 19, 1973

Reported by Mr. MacLeod from the Committee on Natural Resources.  
Printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Relating to Removal of Dilapidated Wharves or Piers.

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

**Sec. 1. R. S., T. 17, § 2851, amended.** The first paragraph of section 2851 of Title 17 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 401 of the public laws of 1967, is amended to read as follows:

Whenever the municipal officers shall find a building or structure or any portion thereof or any wharf, pier, pilings, or any portion thereof which is or was located on or extending from land within the boundaries of the municipality, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property, they may after notice and hearing on this matter, adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal shall be made thereof.

**Sec. 2. R. S., T. 17, § 2853, amended.** Section 2853 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 284 of the public laws of 1965, and as amended, is further amended by adding at the end a new sentence to read as follows:

In the case of any claim for expenses incurred in the abatement or removal of any wharf, pier, pilings or any portion thereof which extends beyond the low water mark, the special tax authorized by this section shall apply to the land from which such wharf, pier or pilings extended or to which they were adjacent, provided the owner of the land is also the owner of the said wharf, pier, pilings or portion thereof.