

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 815

S. P. 236

In Senate, February 26, 1975

Referred to the Committee on Local and County Government. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Corson of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Clarify the Laws Relating to Municipalities.

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

Sec. 1. 30 MRSA § 1914, sub-§ 1, first ¶, as repealed and replaced by PL 1973, c. 304, is amended to read:

The municipal officers may determine that amendments to the municipal charter ~~are necessary should be considered~~ and, by order, provide for notice and hearing on them in the same manner as provided in subsection 4, paragraph A. Within ~~7~~ 30 days after the hearing, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election held not less than 30 days after the order is passed; or they may order a special election to be held not less than 30 days from the date of the order for the purpose of voting on the proposed amendments.

Sec. 2. 30 MRSA § 2752, 2nd sentence, as amended by PL 1965, c. 243, § 6, is further amended to read:

At such meeting they may license under their hands as many persons of good moral character, and under such restrictions and regulations as they deem necessary, to be innkeepers, victualers and tavernkeepers in said town, until the last day ~~succeeding the first Monday~~ in May of the next year, in such house or other building as the license specifies.

Sec. 3. 30 MRSA § 2853 is repealed.

Sec. 4. 30 MRSA § 3773, sub-§ 3 is enacted to read:

3. Fire protection zones. In municipalities not providing a municipal fire department and served by more than one volunteer fire association, more than

one fire chief may be appointed if fire protection zones within the municipality are designated in regulations adopted by the municipal officers, and no more than one fire chief has authority within each zone.

Sec. 5. 30 MRSA § 4359, sub-§ 2 is amended to read:

2. **Content of order and service.** Such order shall be addressed to the owner of the premises, setting forth the date, the fact of the malfunctioning domestic sewage disposal unit and shall contain a notice to remedy the nuisance within 10 days. It shall be signed by the municipal officers and personal service shall be made by one of them or may be served ~~in the same manner as a municipal court process by a law enforcement officer.~~ The municipal officer or law enforcement officer may likewise serve a tenant or occupant in possession.

Sec. 6. 30 MRSA § 4453, as amended by PL 1971, c. 177, § 2, is further amended to read:

§ 4453. **Collection of assessments**

Except for service charges established under section 4355 which shall be collected as therein provided, all assessments and charges made under this chapter shall be certified by the municipal officers and filed with the tax collector for collection. **A municipality may by ordinance provide for the collection of such assessments and charges over a period of time not to exceed 10 years, and may implement such collection methods if the person assessed has agreed to that method in writing and notice of that fact has been recorded in the appropriate registry of deeds. The municipal officers shall annually file with the collector a list of installment payments due the municipality which shall be collected with interest at a rate determined by the municipal officers. If the person assessed within 30 days after written notice of the total amount of such assessments and charges, or annual installment payment and interest fails, neglects or refuses to pay said municipality the expense thereby incurred, a special tax in the amount of such the total unpaid assessment and charges may be assessed by the municipal assessors upon each and every lot or parcel of land so assessed and buildings upon the same, and such assessment shall be included in the next annual warrant to the tax collector for collection, and shall be collected in the same manner as state, county and municipal taxes are collected. Interest at the rate of 12% per year on the unpaid portion of assessments and charges due the municipality shall accrue from the 30th day after written notice to the person assessed, and shall be added to and become part of the special tax when committed to the tax collector.**

Sec. 7. 30 MRSA § 5101-A, as enacted by PL 1969, c. 369, § 2, is repealed.

STATEMENT OF FACT

This Act will clarify some of the statutes relating to municipalities.