

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1594

H. P. 1313

House of Representatives, April 2, 1975

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Ault of Wayne.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Provide that Failure of a Municipal Reviewing Authority to Take Action within 30 Days of Receipt of an Application to Subdivide shall Constitute Approval.

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

Sec. 1. 30 MRSA § 4956, sub-§ 2, as last repealed and replaced by PL 1973, c. 465, § 1, is amended by adding at the end a new paragraph to read:

The failure of the municipal reviewing authority to undertake formal consideration of the application within 30 days of receiving a completed application shall constitute approval of the proposed subdivision.

Sec. 2. 30 MRSA § 4956, sub-§ 4, 3rd sentence, as last repealed and replaced by PL 1971, c. 454, is amended to read:

Approval for the purpose of recording shall appear in writing on the plat or plan or, in the case of failure of the municipal reviewing authority to undertake formal consideration of a completed application shall be attested to by the applicant by an attached affidavit.

STATEMENT OF FACT

The purpose of this Act is to force planning boards to take action within 30 days of receiving an application for a subdivision and their failure to do so will constitute approval.