

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 409**

S. P. 179

In Senate, February 8, 1979

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

Presented by Senator Minkowsky of Androscoggin.

Cosponsor: Senator Cote of Androscoggin.

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Concerning the Maine Development Districts Law.**

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

**Sec. 1. 30 MRSA § 4862, sub-§ 1-A** is enacted to read:

**1-A. Amenities.** "Amenities" means those items of street furniture, signage and landscaping including, but not limited to, plantings, benches, trash receptacles, street signs, sidewalks and pedestrian malls.

**Sec. 2. 30 MRSA § 4862, sub-§ 6,** as enacted by PL 1977, c. 397, is amended to read:

**6. Maintenance and operation.** "Maintenance and operation" means all activities necessary to maintain facilities after they have been developed and all activities necessary to operate the facilities, including, but not limited to, informational, **promotional** and educational programs, and safety and surveillance activities.

**Sec. 3. 30 MRSA § 4863, sub-§ 1, 2nd sentence,** as enacted by PL 1977, c. 397, is amended to read:

Prior to designating a district, the governing body shall consult with the municipal planning agency or department and with ~~the~~ **an** advisory board, **if** established

under section 4870, and shall also hold at least one public hearing, notice of which shall be published at least 10 days prior to the hearing in a newspaper of general circulation within the municipality.

**Sec. 4. 30 MRSA § 4863, sub-§ 3, last sentence,** as enacted by PL 1977, c. 397, is amended to read:

The municipality shall have the authority to install special lighting systems ~~special street signs and street furniture and special landscaping of streets and public property and amenities.~~

**Sec. 5. 30 MRSA § 4865, sub-§ 2,** as enacted by PL 1977, c. 397, is amended by adding at the end the following new sentence:

**The cost of maintenance and operation shall be in addition to the cost of maintenance and operation already being performed by the municipality within the district at the time of the adoption of the development district.**

**Sec. 6. 30 MRSA § 4865, sub-§ 3-A** is enacted to read:

**3-A. Apportionment formula. A municipality may adopt ordinances apportioning the value of improvements within a development district according to a formula that reflects actual benefits which accrue to the various properties by reason of the development and maintenance.**

**Sec. 7. 30 MRSA § 4869,** as enacted by PL 1977, c. 397, is repealed and the following enacted in its place:

**§ 4869. Administration**

**The governing body of a municipality may create a department, designate an existing department, office, agency, municipal housing or redevelopment authority, or enter into a contractual arrangement with a private entity to administer activities authorized under this subchapter.**

**Sec. 8. 30 MRSA § 4870, first sentence,** as enacted by PL 1977, c. 397, is amended to read:

The governing body of the municipality ~~shall~~ **may** create an advisory board a majority of whose members must consist of owners or occupants of real property located in or adjacent to the development district which they serve.

**STATEMENT OF FACT**

The purpose of this bill is to further assist Maine communities undergoing revitalization of their central business district, or other district, to develop a comprehensive maintenance and management program for these districts.