

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

**Legislative Document**

**No. 1300**

S. P. 454

In Senate, March 16, 1981

Filed pursuant to P&SL 1979, chapter 43 of the 109th Legislature and approved for introduction by a majority of the Legislative Council under Joint Rule 18.

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

MAY M. ROSS, Secretary of the Senate

Presented by Senator McBreairty of Aroostook.

Cosponsor: Representative Hall of Sangerville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Improve Enforcement of the Plumbing Code.**

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

**Sec. 1.** 22 MRSA § 42, sub-§ 3, 2nd ¶, first sentence, as repealed and replaced by PL 1973, c. 521, § 1, is amended to read:

Any person who violates the rules and regulations adopted under this subsection, or who violates a municipal ordinance adopted pursuant to Title 30, section 3221 ~~shall be punished by a fine of not less than \$100 nor more than \$500 for each offense~~ or uses a subsurface sewage disposal system not in compliance with applicable rules commits a civil violation for which a forfeiture of not less than \$100 nor more than \$1,000 may be adjudged.

**Sec. 2.** 30 MRSA § 3223, sub-§ 1-A is enacted to read:

**1-A. Penalties.** Any person who installs or orders the installation of any subsurface sewage disposal system without the permit required under this section commits a civil violation for which a forfeiture of not less than \$100 nor more than \$1,000 may be adjudged.

## STATEMENT OF FACT

This bill is one of the recommendations of the Ground Water Protection Commission. Plumbing code violations are a serious threat to ground water supplies and public health.

In some areas of the State, municipalities are not adequately enforcing the plumbing code. In some cases where towns have tried to enforce the code, trivial penalties have been levied, usually against the contractor rather than the owner of the system.

This bill makes it clear that it is illegal to use an improper septic system or to order the installation of such a system without the required permits. It also increases the maximum fines from \$500 to \$1,000.