

MAINE STATE LEGISLATURE

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A

(New Draft of H.P. 875, L.D. 1232)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1514

H.P. 1040

House of Representatives, May 10, 1985

Reported by Representative Ridley from the Committee on Energy and Natural Resources and printed under Joint Rule 2. Original bill sponsored by Representative McGowan of Canaan.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT Concerning Installation of Service by
Utilities.

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

Sec. 1. 12 MRSA §4815, last ¶, as repealed and replaced by PL 1983, c. 796, §5, is amended to read:

No public utility, water district, sanitary district or any utility company of any kind may install services to any new structure located in a shoreland area, as defined by section 4811, unless written authorization attesting to the validity and currency of all local permits required under this chapter has been issued by the appropriate municipal officials. Following installation of service, the company or district shall forward the written authorization to the municipal officials indicating that installation has been completed.

1 Sec. 2. 30 MRSA §4956, sub-§4, as amended by PL
2 1983, c. 796, §13, is further amended to read:

3 4. Enforcement. No person, firm, corporation or
4 other legal entity may sell, lease, develop, build
5 upon or convey for consideration, offer or agree to
6 sell, lease, develop, build upon or convey for con-
7 sideration any land in a subdivision which has not
8 been approved by the municipal reviewing authority of
9 the municipality where the subdivision is located and
10 recorded in the proper registry of deeds, nor shall
11 such person, firm, corporation or other legal entity
12 sell or convey any land in such approved subdivision
13 unless at least one permanent marker is set at one
14 lot corner of the lot sold or conveyed. The term
15 "permanent marker" includes but is not limited to the
16 following: A granite monument, a concrete monument,
17 an iron pin or a drill hole in ledge. No subdivision
18 plat or plan shall be recorded by any register of
19 deeds which has not been approved as required. Ap-
20 proval for the purpose of recording shall appear in
21 writing on the plat or plan. No public utility, water
22 district, sanitary district or any utility company of
23 any kind ~~shall~~ may install services to any lot in a
24 subdivision ~~for which a plan has not been approved,~~
25 unless written authorization attesting to the validi-
26 ty and currency of all local permits required under
27 this chapter has been issued by the appropriate mu-
28 nicipal officials. Following installation of service,
29 the company or district shall forward the written au-
30 thorization to the municipal officials indicating
31 that installation has been completed.

32 Any person, firm, corporation or other legal entity
33 who sells, leases, develops, builds upon, or conveys
34 for consideration, offers or agrees to sell, lease,
35 develop, build upon or convey for consideration any
36 land in a subdivision which has not been approved as
37 required by this section shall be penalized in ac-
38 cordance with section 4966. The Attorney General,
39 the municipality or the planning board of any munici-
40 pality may institute proceedings to enjoin the viola-
41 tions of this section.

42 All subdivision plats and plans required by this sec-
43 tion shall contain the name and address of the person
44 under whose responsibility the subdivision plat or

1 plan was prepared.

2 STATEMENT OF FACT

3 The purpose of this new draft is to make the lan-
4 guage in the shoreland zoning and the municipal sub-
5 division laws consistent as to when a utility may in-
6 stall utility service to a structure or lot and to
7 provide for notification to the municipality when
8 utility service has been installed.

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