

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 125

H.P. 90

House of Representatives, January 17, 1995

**An Act to Require the Registry of Deeds to Maintain a Separate Volume
for the Recording of Subdivision Ordinances.**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JOY of Crystal.
Cosponsored by Representatives: BIRNEY of Paris, TRUE of Fryeburg, TUFTS of Stockton
Springs.

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

4 **Sec. 1. 30-A MRSA §4401, sub-§4, ¶H,** as enacted by PL 1989, c.
104, Pt. A, §45 and Pt. C, §10, is amended to read:

6 H. Nothing in this subchapter may be construed to prevent a
7 municipality from enacting an ordinance under its home rule
8 authority ~~which~~ that expands the definition of subdivision
9 to include the division of a structure for commercial or
10 industrial use or ~~which~~ that otherwise regulates land use
11 activities. The clerk of any municipality shall cause to be
12 recorded in the registry of deeds within that county a
13 certified copy of any subdivision ordinance enacted by that
14 municipality along with the minutes of the legislative body
15 approving the subdivision ordinance. The fee for recording
16 the subdivision ordinance is the same as the fee for
17 recording deeds.

18 **Sec. 2. 33 MRSA §671** is enacted to read:

20 **§671. Subdivision ordinances; separate volume**

22 Registers shall receive and record all subdivision
23 ordinances submitted by a municipality. The subdivision
24 ordinances must be indexed in a separate volume.

26
28 **STATEMENT OF FACT**

30 This bill requires the clerk of a municipality to file a
31 certified copy of any subdivision ordinances with the registry of
32 deeds. The bill also allows the register of deeds to charge a
33 fee for the recording of the subdivision ordinances. The
34 ordinances must be recorded in a separate volume specifically for
subdivision ordinances.