MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 318

S.P. 126

In Senate, January 31, 1995

An Act to Clarify the Laws Regarding the Extension of Municipal Sewer and Water Lines.

Reference to the Committee on Utilities and Energy suggested and ordered printed.

MAY M. ROSS Secretary of the Senate

Presented by Senator CIANCHETTE of Somerset.

_	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 38 MRSA §1163, as repealed and replaced by PL 1993,
4	c. 721, Pt. B, §3 and affected by Pt. H, §1, is amended to read:
6	§1163. Sewer construction or extension
8	A sanitary district may not construct or extend any sewer extension line or sewer service unless:
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12	1. Assurance. The sanitary district <u>first</u> acquires from any <u>the municipal officers of each</u> municipality through which the sewer extension will pass <u>line</u> or <u>service</u> passes, including the
14	municipality from which the line or service originates, written assurance that:
16	
18	A. Any development, lot or unit intended to be served by the sewer <u>line</u> extension <u>or sewer service</u> is in conformity with any adopted municipal plans and ordinances regulating
20	land use; and
22	B. The sewer <u>line</u> extension <u>or sewer service</u> is consistent with adopted municipal plans and ordinances regulating land
24	use.
26	The-trustees-of-the-district-shall-publish-notice-of-the-proposed extensioninanewspaperhavingageneraleirculationthat
28	includes - all - municipalities - through - which - the - sewer - extension will - pass - not - less - than -7 - days - prior - to - the - meeting - at - which - the
30	trustees-will-take-final-action-on-whether-or-not-to-proceed-with
32	the-extension.
34	2. Hearing. The municipal officers of each affected municipality shall hold a public hearing for the purpose of
36	receiving oral and written testimony on the issue of the conformity of the proposed sewer line extension or sewer service with subsection 1. The municipal officers must issue a written
38	decision within 7 days of the hearing.
40	For purposes of this section, "sewer service" means the utilization of any pipes, lines or conduits located on public or
42	private property through which effluent is discharged either directly or indirectly into the sanitary district's existing
44	system for treatment and "sewer line extension" means any addition to an existing sewer line.
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48	STATEMENT OF FACT
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52	This bill amends the laws governing sewer extensions to do the following.

- 2 1. It requires that a sanitary district first acquire certain assurances from the municipal officers of each 4 municipality through which a sewer line passes, including the municipality from which the line originates.
- 2. It requires the municipal officers of each affected municipality to hold a hearing on a proposed sewer line extension and issue a written decision within 7 days of the hearing.
- 3. It defines "sewer service" and "sewer line extension."

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