

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 198

H.P. 156

House of Representatives, January 16, 1997

An Act to Amend the Permitting Laws for Septic Waste Disposal Sites.

Reference to the Committee on Natural Resources suggested and ordered printed.

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

JOSEPH W. MAYO, Clerk

Presented by Representative CLUKEY of Houlton.
Cosponsored by Representatives: BELANGER of Wallagrass, BELANGER of Caribou,
DESMOND of Mapleton, JOY of Crystal, SIROIS of Caribou, WHEELER of Bridgewater,
Senators: KIEFFER of Aroostook, PARADIS of Aroostook.

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

Sec. 1. 38 MRSA §1305, sub-§6, as amended by PL 1991, c. 499, §21, is further amended to read:

6. Municipal septage sites. Each municipality shall provide for the disposal of all refuse, effluent, sludge and any other materials from all septic tanks and cesspools located within the municipality. In addition, any person may provide a site for disposal of septage. Before making application to the Department of Environmental Protection for approval of any site, that person shall first have written approval for the site location from the municipality in which it is located. The municipal officers shall approve, after hearing, any such private site if it finds that the site complies with municipal ordinances and with local zoning and land use controls. If a municipality, including a plantation, has provided for the disposal of all material from septic tanks and cesspools within the municipality and the municipality has not enacted ordinances or local zoning and land use controls governing the disposal of septic waste, the municipality may refuse to approve a private site, after a public hearing, if the municipality finds that the site constitutes a hazard to the health or safety of its residents or would have an adverse effect on property values within the municipality.

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SUMMARY

This bill provides that a municipality, including a plantation, that has provided for disposal of all materials from septic tanks and cesspools within the municipality may deny approval for a site for the disposal of septage if the municipality finds that the site constitutes a health or safety hazard or would have an adverse effect on property values.