

# 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)



# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1997

---

Legislative Document

No. 1957

S.P. 709

In Senate, December 29, 1997

---

### An Act to Amend the Charter of the Sanford Sewerage District.

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 29, 1997. Referred to the Committee on Utilities and Energy and ordered printed pursuant to Joint Rule 308.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MacKINNON of York.

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

2  
4       **Sec. 1. P&SL 1947, c. 169, §6**, as amended by P&SL 1977, c. 90,  
§9, is repealed.

6       **Sec. 2. P&SL 1947, c. 169, §§6-A and 6-B** are enacted to read:

8       **Sec. 6-A. Establishment of rules and regulations.** The trustees may  
10 establish reasonable rules, regulations and bylaws for the  
construction, use, repair and maintenance of sewers and fix and  
12 collect the fees to be paid for entering the same, and also the  
quarterly rentals for the use thereof. The trustees also shall  
14 prepare, publish and make available for any interested  
inhabitants of the district an annual report and financial  
16 statement of the affairs of the district for the calendar year  
just preceding such report and statement to be prepared,  
18 published and made available as soon as practicable after the  
close of the calendar year.

20       **Sec. 6-B. Adoption of ordinances.** The trustees may adopt such  
22 one or more ordinances as may be appropriate or lawfully required  
to enable the district as a publicly owned treatment works to  
24 comply with all state and federal laws, including the Clean Water  
Act, 33 United States Code, Section 1251 and the General  
26 Pretreatment Regulations, 40 Code of Federal Regulations, Part  
403, controlling the use and operation of districts and  
28 facilities, as such, including:

30       1. The prevention of the introduction of pollutants into  
the publicly owned treatment works that will interfere with its  
32 operation;

34       2. The prevention of the introduction of pollutants into  
the publicly owned treatment works that will pass through the  
36 publicly owned treatment works inadequately treated into  
receiving waters or otherwise be incompatible with the publicly  
38 owned treatment works;

40       3. The protection of both publicly owned treatment works  
personnel who may be affected by wastewater and sludge in the  
42 course of their employment and the general public;

44       4. The provision of fees for the equitable distribution of  
the cost of operation, maintenance and improvement of the  
46 publicly owned treatment works; and

48       5. The district's obligation to comply with its National  
Pollutant Discharge Elimination System permit conditions, sludge  
50 use and disposal requirements and any other federal or state laws  
to which the publicly owned treatment works is subject.

2        Any such ordinance applies to all users of the publicly  
4        owned treatment works. The ordinance may authorize the issuance  
6        of wastewater discharge permits, provide for monitoring,  
8        compliance and enforcement activities, establish administrative  
10       review procedures, require user reporting and provide for the  
12       setting of fees for the equitable distribution of costs resulting  
14       from the program established.

16       Any such ordinance may provide for enforcement action  
18       against anyone violating the provisions of said ordinance and may  
20       authorize injunctive relief. Any such enforcement action may  
22       impose both civil and criminal penalties consistent with state  
24       and federal laws, including civil fines of up to \$1,000 per  
26       violation per day and criminal fines for individuals of up to  
28       \$2,000 per day or imprisonment for not more than one year or  
30       both, and criminal fines for organizations of up to \$10,000 per  
32       violation per day or imprisonment for not more than one year or  
34       both; and in the event of the knowingly making of any false  
36       statements, representations or certifications in any application,  
38       record, report, plan or other documentation filed or required to  
40       be maintained or the falsifying, tampering with or knowingly  
42       rendering inaccurate any monitoring device or method required by  
44       any such ordinance, upon conviction, punishment by a fine of not  
46       more than \$5,000 if an individual, and \$40,000 if an organization  
48       per violation per day or imprisonment for not more than 5 years  
50       or both, and in the event of a 2nd conviction, a fine of not more  
      than \$20,000 if an individual, and \$100,000 if an organization  
      per violation per day or imprisonment for not more than 10 years  
      or both.

All such ordinances must be adopted by the trustees pursuant  
      to the district's rule-making authority and applicable laws.

**Sec. 3. P&SL 1947, c. 169, §10, first ¶, first sentence, as amended by**  
      **P&SL 1977, c. 90, §13, is further amended to read:**

      To procure funds for the purposes of this Act and for such  
other expenses as may be necessary for the carrying out of said  
the purposes, said the district, without a district vote, but by  
action of its board of trustees, is authorized to issue its notes  
and bonds in one series, or in separate series from time to time,  
to an amount not exceeding the sum of \$2,000,000 \$4,000,000.

**Sec. 4. P&SL 1947, c. 169, §10, first ¶, 5th sentence, as amended by**  
      **P&SL 1977, c. 90, §14, is further amended to read:**

      Each loan may be payable in approximately equal annual serial  
installments, or made to run for such term as said trustees shall  
determine, but ~~no~~ a series shall may not run for a longer period

2 than 40 years from its date; and bonds and notes may be issued as  
3 aforesaid for the purpose of paying or refunding bonds or notes  
4 theretofore issued, ~~provided that~~ as long as the total amount of  
5 bonds and notes at any one time outstanding shall does not exceed  
6 the aforesaid sum of \$~~2,000,000~~ \$4,000,000.

6

8

### SUMMARY

10

11 This bill amends the charter of the Sanford Sewerage  
12 District to allow the district to establish bylaws and to limit  
13 the indebtedness of the district to \$4,000,000. The voters of  
14 the Town of Sanford have already accepted the change to the  
Sanford Sewerage District at the annual town meeting held on May  
27, 1997.