

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 57

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT to amend the Charter of the City of South Portland.

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

Section 1. The city council of the city of South Portland
2 shall, on the second Monday of March, A. D. 1909, or as soon
3 thereafter as may be, elect a commissioner of public works,
4 who shall be a Civil Engineer, and who shall hold office for
5 three years, and until his successor is qualified, and each
6 succeeding election thereafter shall be for a term of three
7 years. He shall receive such salary as the city council may
8 determine. In case any vacancy should occur, it may be
9 filled in the same manner for the unexpired term. He may
10 be removed for cause by the city council.

Sect. 2. The commissioner of public works shall not be
2 interested, either directly or indirectly, in any contract en-
3 tered into by him in his official capacity or in behalf of the
4 city of South Portland, and contracts made in violation
5 thereof, shall be void.

Sect. 3. The said commissioner shall be vested with all
2 the authority now exercised by and shall perform all duties
3 now incumbent upon the street commissioner of said City
4 of South Portland, which office is hereby abolished, and shall
5 have charge of the maintenance and repair according to law
6 of all streets and public ways in said City of South Portland,
7 including sidewalks and bridges, and of all public sewers and
8 drains, and of the construction, maintenance and repair of
9 all culverts and catch basins belonging to the city; shall have
10 charge of the construction of new streets and bridges when
11 laid out and ordered to be constructed by order of the city
12 council; shall have charge of the construction of new sewers
13 when the same are laid out according to law; shall take gen-
14 eral care of all property belonging to the city which pertains
15 to the duties of said commissioner of public works. Said
16 commissioner shall be authorized to purchase everything
17 necessary and convenient to conduct the business of his de-
18 partment; shall employ all assistants, foremen, and laborers,
19 and make all contracts for the supply of material necessary
20 to carry on the works in charge of the said commissioner.

Sect. 4. The city council shall annually appropriate such
2 sums of money as they may deem necessary and sufficient to

3 carry on the work of said commissioner. Such appropriation
4 shall be drawn from the city treasury in such manner as the
5 city council may from time to time by ordinance direct.

Sect. 5. Annually at the organization of the city council
2 of said city, or as soon thereafter as may be, the mayor shall
3 appoint two members of the board of aldermen, both of
4 whom shall not be of the same political party if more than
5 one party is represented in said board, who shall, with the
6 mayor, ex officio, who shall be chairman of said committee,
7 constitute a committee to be called the committee on public
8 works. Said committee shall monthly audit all accounts of
9 said commissioner and their approval shall be necessary to
10 the payment of any and all bills contracted by the commis-
11 sioner of public works in the discharge of his duties.

Sect. 6. The commissioner shall keep full record of all
2 his doings, which record shall at all times be open to the
3 inspection of the city council, or any member thereof, and
4 shall make report to the said city council whenever so direct-
5 ed, of the work completed or in process of completion, and
6 said city council shall have power to inquire into the action
7 of said commissioner at all times and to require of him a
8 full explanation of his doings.

Sect. 7. The city council may, from time to time, subject
2 to the provisions of this act, and in accordance with the gen-
3 eral laws, delegate to said commissioner such additional ad-
4 ministrative powers and duties as the city council may by
5 ordinance determine.

Sect. 8. All the provisions of law pertaining to the street
2 commissioner of said City of South Portland not inconsistent
3 with the provisions of this act shall apply to the commis-
4 sioner of public works herein authorized.

Sect. 9. Before assuming the duties of his office the com-
2 missioner shall give bond to the city in the sum of one thou-
3 sand dollars, with such sureties as the city council shall ap-
4 prove for the faithful performance of his duties.

Sect. 10. All acts and parts of acts inconsistent herewith
2 are hereby repealed, and all provisions of the charter and all
3 ordinances of said City of South Portland inconsistent here-
4 with, are hereby repealed and declared inoperative and with-
5 out effect.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, Feb. 1, 1909.

Reported by Mr. HALL, from Committee on Legal Affairs
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk*.