

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 749

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## STATE OF MAINE.

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

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AN ACT authorizing the City of Bangor to levy Assessments  
for Street Improvements.

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

Section 1. Whenever the city council of the city of Bangor shall have determined that a permanent improvement should be made, by the construction, repair, alteration, renewal, or reconstruction of any sidewalks or street gutter, and shall have caused the same to be made, it shall be the duty of the municipal officers of said city to proceed to cause a part of the cost of such improvement not exceeding one-half of the whole cost, after reasonable notice and hearing, to be apportioned and assessed upon abutting, adjacent,

10 or other property or estates specially benefitted thereby, and  
11 the amount of the assessment upon each estate or other prop-  
12 erty shall be determined by the board of street engineers, and  
13 as soon as may be thereafter, said municipal officers shall  
14 cause a list of the assessments so made and submitted to them  
15 to be revised or amended after notice and hearing, if they  
16 see fit, and accepted, adopted and certified to the board of  
17 assessors.

Sect. 2. The assessors shall include such assessments in  
2 the tax list and warrant committed by them to the collector  
3 of taxes for that municipal year, and it shall be included in  
4 the annual tax bill, or if the estate is otherwise exempt from  
5 taxation, it shall be rendered as a special tax bill. Such as-  
6 sessment shall become payable in the same manner as, and  
7 shall be a part of the tax for that year on such estate (except  
8 as otherwise herein provided); but the assessors shall make  
9 no abatement thereof except upon the recommendation of the  
10 municipal officers; and provided, that if a list of assessments  
11 cannot be certified to said assessors in season for commit-  
12 ment with the regular annual tax list, said assessors shall  
13 commit the same to said collector by a supplementary list and  
14 warrant.

Sect. 3. If said assessments are not paid, then the said  
2 city may sue for and maintain an action against the party as-  
3 sessed, as for money paid out and expended, or by an ac-  
4 tion of assumpsit, brought to enforce the above assessments,  
5 in any court of competent jurisdiction, and may recover the

6 same with twelve per cent. interest from date of assessment  
7 and costs.

Sect. 4. Whenever the owner or proprietor of an estate  
2 abutting upon a public street or square, shall have construct-  
3 ed at his own expense any permanent improvement in a side-  
4 walk, street gutter, wall or abutment, the city of Bangor  
5 shall, upon approval by the board of street engineers and  
6 acceptance by the city council, pay to said owner or pro-  
7 prietor not exceeding one-half the cost thereof. Provided,  
8 however, that before beginning the construction of any such  
9 improvements, such owner or proprietor shall first notify  
10 such board of street engineers in writing and obtain its ap-  
11 proval thereof and acceptance by the city council.

Sect. 5. Any person, firm or corporation aggrieved by any  
2 assessment for benefits made under this act shall have the  
3 right to proceed in the manner set forth in section thirty-five  
4 of chapter twenty-three of the revised statutes of Maine, or  
5 amendments thereof.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 22, 1909.

Reported by Mr. PETERS from Committee on Judiciary and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*