

# MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 79

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*House of Representatives, Jan. 29, 1913.*

*Tabled pending reference to a committee, by Mr. Farnham  
of Bath, and ordered printed.*

*W. R. ROIX, Clerk.*

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STATE OF MAINE

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

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AN ACT authorizing the City of Bath 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 board of highways and sewers  
2 of the city of Bath shall have determined that a permanent  
3 improvement should be made, by the construction, repair,  
4 alterations, renewals, or reconstruction of any sidewalks,  
5 or street gutter, and shall have caused the same to be made,  
6 it shall then be the duty of said board to proceed to cause  
7 a part of the cost of such improvement not exceeding one-  
8 half of the whole cost to be apportioned and assessed upon  
9 abutting, adjacent, other property or estates specially bene-

10 fited thereby, and the amount of the assessment upon such  
11 estate or other property shall be determined by the city en-  
12 gineer for said city and at once submit the same to the  
13 municipal officers of said city who shall cause a list of the  
14 assessments so made and submitted to them to be revised  
15 or amended after notice and hearing if they see fit, and  
16 accepted, adopted and certified to the board of 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  
6 assessment shall remain payable in the same manner as,  
7 and shall be a part of the tax for that year on such estate,  
8 except as otherwise herein provided; but the assessors shall  
9 make no abatement thereof except upon the recommenda-  
10 tion of the municipal officers; and provided, that if a list  
11 of the assessments cannot be certified to said assessors in  
12 season for commitment with the regular annual tax list,  
13 said assessors shall commit the same to said collector by a  
14 supplementary list and warrant.

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

6 cover the same with twelve per cent interest from date of  
7 assessment 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 board of high-  
5 ways and sewers shall, upon approval by the city engineer  
6 for said city and acceptance by the municipal officers, pay  
7 to said owner or proprietor not exceeding one-half the cost  
8 thereof.

Provided, however, that before beginning the construction  
10 of any such improvements such owner or proprietor shall  
11 first notify said city engineer in writing and obtain his ap-  
12 proval thereof and acceptance by the municipal officers.

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