

# MAINE STATE LEGISLATURE

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NEW DRAFT.

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SEVENTY-SIXTH LEGISLATURE

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HOUSE

NO. 482

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*House of Representatives, March 12, 1913.*

*Reported by Mr. Sanborn from Cumberland County Delegation, and ordered printed under joint rules.*

*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 additional to Chapter ninety-four of the Private and Special Laws of nineteen hundred and three, entitled "An Act to Prevent the Pollution of the Waters of Sebago Lake."

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

Section 1. All persons are forbidden trespassing on the  
2 lands purchased, taken or otherwise acquired by the Port-  
3 land Water District for the purpose of protecting the purity  
4 of the waters of Sebago lake. Notices that the lands are so  
5 taken and held, shall be posted in conspicuous places on  
6 said lands and along the shore of said lake abutting there-

7 on and any person trespassing on said lands shall be liable  
8 to a fine, payable to the state, of not more than twenty dol-  
9 lars for each offense.

Sect. 2. No person shall bathe in the waters of Sebago  
2 lake within two miles of the intake of the Portland Water  
3 District, nor shall any person wash linen or other articles  
4 of personal apparel in the waters of said lake. Any person  
5 violating the provisions of this section shall be liable to a  
6 fine, payable to the state, of not more than twenty dollars  
7 for each offense.

Sect. 3. No person shall hereafter construct or place any  
2 cottage, stable or other structure to be occupied by man or  
3 beast within two hundred feet of high water mark of the  
4 shores of Sebago lake without first giving reasonable notice  
5 in writing to the trustees of the Portland Water District or  
6 to the sanitary inspector or health officer, appointed by said  
7 trustees to represent them for that purpose, which notice  
8 shall describe the proposed location of said structure and  
9 the manner in which the drainage and waste therefrom is  
10 intended to be disposed of, whereupon said trustees shall  
11 examine or cause to be examined the location of the pro-  
12 posed structure, and if they are not satisfied that the pro-  
13 posed plan for disposing of such drainage and waste will  
14 adequately protect the waters of Sebago lake and said trus-  
15 tees are unable to agree with the interested party or parties  
16 as to a suitable plan therefor, either party may refer the  
17 matter to the State Board of Health, which board, after in-

18 vestigation, shall prescribe such plan for the disposal of  
19 the drainage and waste from such proposed structure as in  
20 its judgment will adequately protect the waters of Sebago  
21 lake with the least expense and inconvenience and issue the  
22 order of said board accordingly.

Sect. 4. The State Board of Health shall have authority  
2 to make reasonable orders, rules and regulations to prevent  
3 the pollution and to secure the sanitary protection of the  
4 waters of Sebago lake or any of its direct tributaries. Any  
5 general order, rule or regulation made by said board under  
6 the provisions of this section shall be published at the ex-  
7 pense of the Portland Water District in a daily newspaper  
8 published in the city of Portland and copies of said order,  
9 rule or regulation shall be posted in at least three public  
10 and conspicuous places in each town in which said order,  
11 rule or regulation is to take effect, and an affidavit of such  
12 publication and of the posting of said notices, filed in the  
13 office of the trustees of the Portland Water District shall  
14 be sufficient evidence of the time at which and the place and  
15 manner in which the notices are given. Any special order  
16 applying to a particular case or circumstance shall be given  
17 in writing to the person affected thereby and in case of his  
18 absence it may be left with the person in charge of the  
19 premises. Any order, rule or regulation of said Board of  
20 Health, requiring a change in any structure which was in  
21 existence on January 1, 1913, the sanitary conditions of  
22 which on that date were in conformity to the law as then

23 existing, shall provide for such change to be made by or  
24 at the expense of the Portland Water District. Whoever  
25 violates any rule, regulation or order made by said Board  
26 of Health under the provisions of this section shall be pun-  
27 ished for each offense by a fine of not more than five hun-  
28 dred dollars to the state or by imprisonment for not more  
29 than one year or by both such fine and imprisonment.

Sect. 5. Any person aggrieved by any order, rule or reg-  
2 ulation passed by the State Board of Health under the au-  
3 thority of this act may appeal therefrom to the supreme  
4 judicial court, which court shall also have jurisdiction in  
5 equity upon the application of the State Board of Health  
6 or the trustees of the Portland Water District to enforce  
7 all orders, rules and regulations made by the State Board  
8 of Health under the provisions of this act and to enjoin,  
9 prevent, or restrain any violation of the provisions of this  
10 act.

Sect. 6. The members of the State Board of Health shall  
2 be allowed the sum of five dollars per day and travelling  
3 expenses, while engaged in carrying out the provisions of  
4 this act, and said board may, whenever it shall deem the  
5 same necessary, employ at the expense of said Portland  
6 Water District, a competent sanitary engineer to assist and  
7 advise said board in carrying out the provisions hereof.  
8 The travelling expenses and per diem compensation of the  
9 members of the State Board of Health and expense of the  
10 employment of said sanitary engineer, shall be audited by

11 the trustees of the Portland Water District and paid by  
12 said district.