

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 38

House of Representatives, Jan. 26, 1917.

Referred to Committee on Public Utilities and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Hammond of Van Buren.

STATE OF MAINE

HUNDRED AND SEVENTEEN

IN THE YEAR OF OUR LORD ONE THOUSAND NINE

AN ACT to Create the Van Buren Sewerage District.

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

Section 1. The following described territory and the people within the same shall constitute a body politic and corporate under the name of the Van Buren Sewerage District, for the purpose of providing a system of sewers and drainage for the comfort, convenience and health of the people of Van Buren, to wit: All of the territory in the town of Van Buren which is bounded on the southeasterly side by the town line between said Van Buren and Hamlin;

9 on the northeasterly side by the St. John river; on the south-
10 westerly side by the rear line of the river lots; and on the
11 northwesterly side by the southeasterly line of the home-
12 stead farm of Victorie Cyr; so as to include all of the terri-
13 tory of the river lots, so called, in Van Buren, from the
14 line between Van Buren and Hamlin on the easterly side
15 and the southeasterly line of the homestead farm of Vic-
16 torie Cyr on the westerly side.

Sect. 2. Said sewerage district is hereby authorized to
2 take and hold by purchase or otherwise any land or real
3 estate or easement therein necessary for forming basins,
4 reservoirs and outlets, for erecting buildings for pumping
5 works, and for laying and maintaining conduits for carry-
6 ing and collecting, discharging and disposing of sewerage
7 matter and waters and for any other object necessary, con-
8 venient and proper for the purposes of this act. And the
9 said sewerage district is hereby authorized to contract with
10 the Van Buren Water District for such supply of water as
11 may be necessary to flush and clean out the sewers and
12 drains laid out and constructed by virtue of this act, on
13 such terms as the trustees of the said Van Buren Water
14 District and said Van Buren Sewerage District may agree
15 upon.

Sect. 3. Said sewerage district may construct conduits,
2 in manner aforesaid in and through the above described
3 territory to and into the Saint John river and its tributaries,
4 the discharge therefrom to be at such point or points in

5 said river and tributaries as is most convenient, and convey
6 through the same sewerage, surface water and the natural
7 flowage of existing water courses and secure and maintain
8 basins, reservoirs and outlets; may construct and maintain
9 flush tanks, manholes, lampholes and all usual appliances,
10 public and private; may build and maintain pumping sta-
11 tions and buildings, constructions and appliances for col-
12 lecting, holding, distributing and disposing of sewerage mat-
13 ter, may establish regulations for the use of sewers and fix
14 and collect the prices to be paid for entering the same and
15 also the annual rentals for using thereof, and said sewerage
16 district is hereby authorized for the purposes aforesaid,
17 having first obtained the permission of the municipal offi-
18 cers of said town, and under such restrictions and regula-
19 tions as said officers may prescribe, to lay down through
20 the streets, highways and lands of said town, and take up,
21 replace and repair all such conduits, pipes and fixtures as
22 may be necessary for the objects of its incorporation; to
23 carry and lay conduits under any watercourse, way, public
24 or private, or railroad in the manner prescribed by law,
25 and to cross any drain or sewer or if necessary to change
26 its direction in such manner as not to obstruct the use there-
27 of, and to enter and dig up any such street, road or way,
28 for the purpose of laying pipes beneath the surface thereof,
29 for placing manholes or other fixtures and for maintaining
30 and repairing the same and in general to do any other act
31 or things necessary, convenient and proper to be done for
32 the purpose of this act.

Sect. 4. Said sewerage district shall file in the registry
2 of deeds for the northern district of Aroostook county, a
3 certificate containing a description of the land taken, or on
4 which an easement may be taken under the provisions of
5 this act and a statement of the purposes for which it is
6 taken, to be recorded by the register, and such land or ease-
7 ment shall be deemed to be taken upon the filing of such
8 certificate.

Sect. 5. Such sewerage district shall be liable to pay all
2 damages that shall be sustained by any person in his prop-
3 erty by the taking of any land or easement therein, under
4 the provisions of this act; and if any person sustaining
5 damages as aforesaid and said sewerage district shall not
6 mutually agree upon the sum to be paid therefor, such per-
7 son may cause his damages to be ascertained in the same
8 manner and under the same conditions and limitations as
9 are by law prescribed in the case of damages by the location
10 of railroads.

Sect. 6. Said sewerage district, at all times, after it shall
2 commence receiving pay for the facilities supplied by it,
3 shall be bound to permit the owners of all premises abut-
4 ting upon its lines of pipes and conduits, to enter the same
5 with all proper sewerage upon conformity to the rules and
6 regulations of said sewerage district, and payment of the
7 prices and rentals established therefor.

Sect. 7. Any person who shall place or leave any offensive
2 or injurious matter or materials on the conduits, catch basins

3 or receptacles of said sewerage district, contrary to its reg-
4 ulations, or shall wilfully injure any conduit, pipe, reser-
5 voir, flush tank, catch basin, manhole, lamp hole, outlet,
6 engine, pump or other property held, owned or used by said
7 sewerage district for the purposes of this act, shall pay
8 twice the amount of damages to said sewerage district to
9 be recovered in any proper action; and every such person,
10 on conviction of either of said acts of wilful injury afore-
11 said, shall be punished by fine not exceeding two hundred
12 dollars and by imprisonment not exceeding one year.

Sect. 8. Said sewerage district shall be liable to any per-
2 son injured by any fault of said sewerage district or its
3 agents, or any defect in the highways occasioned by the
4 construction of the works of said sewerage district, during
5 said construction or after the same have been completed,
6 or while the same shall be under repairs or extensions are
7 being made; and said sewerage district shall also be liable
8 to the town of Van Buren for any and all cost, damage and
9 expense which said town may suffer or be put to by reason
10 of the default, neglect, negligence or carelessness of said
11 sewerage district or of any of its officers, servants or agents.

Sect. 9. All the affairs of said sewerage district shall be
2 managed by a board of trustees composed of three members,
3 to be chosen by ballot by the legal voters within said sewer-
4 age district, the first election to be at the meeting of the
5 legal voters of the said sewerage district to be called to
6 accept this act, one to serve until the annual meeting to be

7 held in nineteen hundred and eighteen, one to serve until
8 the annual meeting to be held in nineteen hundred and nine-
9 teen, and one to serve until the annual meeting to be held
10 in nineteen hundred and twenty. Whenever the term of
11 office of a trustee shall expire the legal voters of the said
12 sewerage district shall elect a successor to serve for a full
13 term of three years, and if any other vacancy occur it may
14 be filled in like manner for the unexpired term. The annual
15 election of officers shall be in the month of March. As
16 soon as convenient after the board of trustees has been
17 chosen, the said trustees shall hold a meeting at the office
18 of the selectmen in the town of Van Buren, and organize
19 by the election of a chairman and clerk, adopt a corporate
20 seal, and when necessary, may choose a treasurer and all
21 other needful officers and agents for the proper management
22 of the affairs of said sewerage district. Said trustees may
23 procure an office and incur such expenses as may be neces-
24 sary. Each member shall receive in full compensation for
25 his services an allowance of fifty dollars per year, or such
26 other less sum as the said sewerage district at any legal meet-
27 ing may prescribe. The said sewerage district, at any legal
28 meeting thereof, called for the purpose, may adopt such
29 by-laws and provisions, not inconsistent with the laws and
30 constitution of this state and the United States, as they
31 may deem expedient and necessary for the better govern-
32 ment and regulation of its affairs within said sewerage dis-
33 trict, in which case said by-laws and provisions so adopted,

34 shall extend to said sewerage district as fully, to all intents
35 and purposes, as the other provisions of this act, subject
36 only to alterations or additions by a two-thirds vote, at a
37 legal meeting of said sewerage district called for the purpose.

Sect. 10. All the incidental powers, rights and privileges
2 necessary to the accomplishment of the main object herein
3 set forth are granted to the district hereby created.

Sect. 11. This act shall take effect when accepted by a
2 majority vote of the legal voters within said Van Buren
3 Sewerage District, voting at a meeting to be specially called
4 and held for the purpose on or before the first day of Sep-
5 tember, nineteen hundred and seventeen, and

6 or either of them, are hereby authorized to call said meet-
7 ing. The board of registration shall make and provide a
8 separate check list for such of the voters within said Van
9 Buren Sewerage District as are then legal voters of said
10 town, and all warrants issued to said town shall be varied
11 accordingly to show that only such voters therein are en-
12 titled to vote thereon. Such special meeting shall be called,
13 advertised and conducted according to the law relating to
14 municipal elections, provided, however, that the board of
15 registration shall not be required to prepare or the town
16 clerk to post a new list of voters, and for this purpose said
17 board shall be in session the three secular days next pre-
18 ceding such election, the first two days thereof to be devoted
19 to registration of voters and the last day to enable the board

20 to verify the corrections of said lists and to complete and
21 close up its records of said session. The town clerk shall
22 reduce the subject matter of this act to the following ques-
23 tion: "Shall the act to incorporate the Van Buren Sewerage
24 District be accepted?" and the voters shall indicate by a
25 cross placed against the words "yes" and "no" their opinion
26 of the same. The result shall be declared by the selectmen
27 of Van Buren, and due certificate thereof filed by the town
28 clerk with the secretary of state.

Sect. 12. The said Van Buren Sewerage District is hereby
2 authorized to issue its bonds for the purpose of raising the
3 amount required to accomplish the various purposes con-
4 templated by this act, to wit, the construction of a sewer
5 system, and the accomplishment of all other things neces-
6 sary, useful or incidental thereto. Said bonds may be of
7 the date and denomination and payable at such times and
8 places, and bear such rate of interest as the inhabitants of
9 said Van Buren Sewerage District may determine or au-
10 thorize their trustees to determine, by vote passed at any
11 legal meeting of said inhabitants called for said purpose and
12 containing an article in the warrant for that purpose.