

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 98

House of Representatives, Feb. 2, 1917.

Referred to Committee on Public Utilities and one thousand copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Barnes of Houlton.

STATE OF MAINE

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

AN ACT to prevent the sources of domestic water supply from
becoming polluted.

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

Section 1. The State Board of Health shall consult with
2 and advise the authorities of cities and towns and persons
3 and corporations having, or about to have, systems of water
4 supply, drainage or sewage as to the most appropriate source
5 of water supply and the best method of assuring its purity
6 or as to the best method of disposing of their drainage or
7 sewage with reference to the existing and future needs of
8 other cities, towns or persons or corporations which may be

9 affected thereby. It shall also consult with and advise per-
10 sons or corporations engaged or intending to engage in any
11 manufacturing or other business whose drainage or sewage
12 may tend to pollute any inland water, as to the best method
13 of preventing such pollution, and it may conduct experi-
14 ments to determine the best method of the purification or
15 disposal of drainage or sewage. No person shall be required
16 to bear the expense of such consultation, advice or experi-
17 ment. Cities, towns, persons and corporations shall submit
18 to said Board for its advice their proposed system of water
19 supply or of the disposal of drainage or sewage and all peti-
20 tions to the Legislature for authority to introduce a system
21 of water supply, drainage or sewage shall be accompanied
22 by a copy of the recommendation and advice of said Board
23 thereon. In this section the term "drainage" means rain-
24 fall, surface and sub-soil water only, and "sewage" means
25 domestic and manufacturing filth and refuse.

Sect. 2. Upon petition to said Board by the mayor of a
2 city or the selectmen of a town, the managing Board or offi-
3 cer of any public institution, or by a Board of Water Com-
4 missioners, or the president of a water or ice company, stat-
5 ing that manure, excrement, garbage, sewage or any other
6 matter pollutes or tends to pollute the waters of any stream,
7 pond, spring or water course of water supply, the Board
8 shall appoint a time and place within the county where the
9 nuisance or pollution is alleged to exist for a hearing, and
10 after notice thereof to parties interested and a hearing, if

11 in its judgment the public health so requires, shall, by an
12 order served upon the party causing or permitting such pol-
13 lution, prohibit the deposit, keeping or discharge of any such
14 cause of pollution, and shall order him to desist therefrom
15 and to remove any such cause of pollution; but the Board
16 shall not prohibit the cultivation and use of the soil in the
17 ordinary methods of agriculture if no human excrement is
18 used thereon.

Sect. 3. Whoever is aggrieved by an order passed under
2 the provisions of the preceding section may appeal there-
3 from to the Supreme Judicial Court sitting in the county
4 where appellant resides; but such notice of the pendency of
5 the appeal as the court shall order shall also be given to the
6 Board of Water Commissioners and the mayor of the city
7 or chairman of the selectmen of the town or president or
8 other officer of the water or ice company interested in such
9 order. While the appeal is pending, the order of the Board
10 shall be complied with unless otherwise authorized by the
11 Board.

Sect. 4. The Supreme Judicial Court shall have jurisdic-
2 tion in equity, upon the application of the State Board of
3 Health or of any party interested, to enforce its orders, or
4 the orders, rules and regulations of said Board of Health,
5 and to restrain the use or occupation of the premises or such
6 portion thereof as said Board may specify, on which said
7 material is deposited or kept, or such other cause of pollu-
8 tion exists, until the orders, rules and regulations of said
9 Board have been complied with.

Sect. 5. The agents and servants of said Board may enter any building, structure, or premises for the purpose of ascertaining whether sources of pollution or danger to the water supply there exists, and whether the rules, regulations and orders aforesaid are obeyed.

Sect. 6. No sewage, drainage, refuse or polluting matter of such kind and amount as either by itself or in connection with other matter will corrupt or impair the quality of the water of any pond or stream used as a source of ice or water supply by a city, town, public institution or water company for domestic use, or renders it injurious to health, and no human excrement shall be discharged into any such pond or stream or upon the banks thereof if any filtering basin so used is there situated, or any feeders of such pond or stream within twenty miles above the point where such supply is taken.

Sect. 7. Whoever violates any rule, regulation or order made under the provisions of any section hereof shall be punished for each offense by a fine of not more than \$500.00 to the use of the state or by imprisonment for not more than one year or by both such fine and imprisonment.