

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

SEVENTY-EIGHTH LEGISLATURE

---

---

HOUSE

NO. 230

*House of Representatives, Feb. 9, 1917.*

*Referred to Portland Delegation and five hundred copies ordered printed. Sent up for concurrence.*

*W. R. ROIX, Clerk.*

*Presented by Mr. Rounds of Portland.*

---

---

STATE OF MAINE

---

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

---

AN ACT relating to the paving of streets in the City of  
Portland.

---

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

The City of Portland, on petition, or at its option and after  
2 notice by publication, as hereinafter provided, and under  
3 such ordinances as it shall ordain, not inconsistent there-  
4 with, may cause the streets and public ways of the City of  
5 Portland to be paved with brick, stone, concrete, asphalt  
6 or other materials, city to do grading and engineering and  
7 two-thirds part of the cost of paving the roadway from

8 curb to curb, excluding railroad location, to be assessed on  
9 the adjacent lot; provided, however, that no owner of such  
10 adjacent lot shall be assessed for any crosswalk or for  
11 paving at the intersection of streets or ways. If the City  
12 Council of said city determine that streets or certain streets  
13 or portions of streets shall be paved under the provisions  
14 of the foregoing section, such expense for paving for the  
15 municipal year and the proportion thereof to be borne by  
16 abutters shall be determined by the municipal officers, who,  
17 after such notice as they may order, shall view the abutting  
18 estate, and after hearing, determine the amount to be as-  
19 sessed on estates abutting on such streets in proportion to  
20 the benefits secured to such abutting estate by such paving.  
21 Provided, however, that if railroads or street railroads are  
22 operated upon such streets or portions thereof as said city  
23 may determine to pave at the expense of the abutters, said  
24 railroad shall pay the cost of paving of such streets between  
25 the rails and eighteen inches outside of said rails for such  
26 distance as such railroads operate on said street or portion  
27 thereon to be paved at the same proportionate rate as said  
28 space bears to the amount assessed in the whole space in-  
29 cluded within said limits of said public ways; and all as-  
30 sessments so made shall constitute a lien on the real estate  
31 so assessed for twelve years after the same are laid, and  
32 shall be payable in annual installments of one-tenth part of  
33 the assessment, together with interest at a rate to be de-  
34 termined by the municipal officers, but not to exceed the

35 rate of five per cent per annum, interest to begin from the  
 36 date of the assessment, and said assessment shall be included  
 37 in the annual tax bill. Said assessment shall be certified by  
 38 the Mayor and Aldermen under their hand to the Treasurer  
 39 and Collector of said city and his successors, with directions  
 40 to collect the same, together with interest and all incidental  
 41 expenses according to law, and in the same manner as  
 42 state, county and city taxes are collected; and the Treasurer  
 43 and Collector shall, if any installment is not paid within  
 44 three months after the same is due and payable, and after  
 45 written demand of payment is made on the owner of such  
 46 assessed abutting real estate, or upon any person occupying  
 47 such real estate, levy on said real estate by sale thereof, such  
 48 sale to be conducted in like manner as sale for non-payment  
 49 of taxes on land of resident owners and with a similar right  
 50 of redemption.

Any person who may deem himself aggrieved by any such  
 2 assessment, may appeal to the Supreme Judicial Court in  
 3 the same manner as is provided by the city charter of the  
 4 City of Portland for appeals for damages for laying out of  
 5 streets.

The City of Portland in each year after this Act goes into  
 2 effect appropriate a sum not less than .....  
 3 ..... dollars for the purpose of paving  
 4 streets under the provisions of this Act.

All receipts from assessments as herein provided shall be  
 2 placed to the credit of the sinking fund of said city.