

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 315

House of Representatives, Feb. 16, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

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

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; on the northeasterly side by the St. John river; on the southwesterly side by the rear line of the river lots; and on the north-

11 westerly side by the southeasterly line of the homestead farm
12 of Victorie Cyr; so as to include all of the territory of the
13 river lots, so called, in Van Buren, from the line between
14 Van Buren and Hamlin on the easterly side and the south-
15 easterly line of the homestead farm of Victorie Cyr on the
16 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 such
13 terms as the trustees of the said Van Buren Water District
14 and said Van Buren Sewerage District may agree upon.

Sect. 3. Said sewerage district may construct conduits, in
2 manner aforesaid in and through the above described terri-
3 tory to and into the St. John river and its tributaries, the
4 discharge therefrom to be at such point or points in said
5 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 collect-
12 ing, holding, distributing and disposing of sewerage matter,
13 may establish regulations for the use of sewers and fix and
14 collect the prices to be paid for entering the same and also
15 the annual rentals for using thereof, and said sewerage dis-
16 trict is hereby authorized for the purposes aforesaid, having
17 first obtained the permission of the municipal officers of said
18 town, and under such restrictions and regulations as said
19 officers may prescribe, to lay down through the streets, high-
20 ways and lands of said town, and take up, replace and repair
21 all such conduits, pipes and fixtures as may be necessary
22 for the objects of its incorporation; to carry and lay con-
23 duits under any watercourse, way, public or private, or rail-
24 road in the manner prescribed by law and to cross any drain
25 or sewer or if necessary to change its direction in such man-
26 ner as not to obstruct the use thereof and to enter and dig
27 up any such street, road or way, for the purpose of laying
28 pipes beneath the surface thereof, for placing manholes or
29 other fixtures and for maintaining and repairing the same
30 and in general to do any other act or things necessary, con-
31 venient and proper to be done for 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 dam-
5 ages as aforesaid and said sewerage district shall not mutu-
6 ally agree upon the sum to be paid therefor, such person
7 may cause his damages to be ascertained in the same man-
8 ner and under the same conditions and limitations as are
9 by law prescribed in the case of damages by the location of
10 railroads.

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

6 gine, 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 con-
4 struction of the works of said sewerage district, during said
5 construction or after the same have been completed, or while
6 the same shall be under repairs or extensions are being
7 made; and said sewerage district shall also be liable to the
8 town of Van Buren for any and all cost, damage and ex-
9 pense which said town may suffer or be put to by reason
10 of the default, neglect or carelessness of said sewerage dis-
11 trict 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 mem-
3 bers, to be chosen by ballot by the legal voters within said
4 sewerage district, the first election to be at the meeting of
5 the legal voters of the said sewerage district to be called
6 to accept this act, one to serve until the annual meeting to
7 be 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 soon
16 as convenient after the board of trustees has been chosen,
17 the said trustees shall hold a meeting at the office of the
18 selectmen in the town of Van Buren, and organize by the
19 election of a chairman and clerk, adopt a corporate seal,
20 and when necessary, may choose a treasurer and all other
21 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
27 meeting may prescribe. The said sewerage district, at any
28 legal meeting thereof, called for the purpose, may adopt
29 such by-laws and provisions, not inconsistent with the laws
30 and 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 pur-
38 pose.

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 George V.
6 Hammond, Willie F. Paradis and Joseph J. Cyr, or either
7 of them, are hereby authorized to call said meeting. The
8 board of registration shall make and provide a separate
9 check list for each of the voters within said Van Buren
10 Sewerage District as are then legal voters of said town and
11 all warrants issued to said towns shall be varied accord-
12 ingly to show that only such voters therein are entitled to
13 vote thereon. Such special meeting shall be called,
14 advertised and conducted according to the law relating to
15 municipal elections, provided, however, that the board of
16 registration shall not be required to prepare or the town
17 clerk to post a new list of voters, and for this purpose said
18 board shall be in session the three secular days next pre-
19 ceding such election, the first two days thereof to be de-
20 voted to registration of voters and the last day to enable
21 the board to verify the corrections of said lists and to com-
22 plete and close up its records of said session. The town

23 clerk shall reduce the subject matter of this act to the fol-
24 lowing question: "Shall the act to incorporate the Van Bu-
25 ren Sewerage District be accepted?" and the voters shall
26 indicate by a cross placed against the words "yes" and "no"
27 their opinion of the same. The result shall be declared by
28 the selectmen of Van Buren, and due certificate thereof
29 filed by the town clerk with the secretary of state.

Sect. 12. The said Van Buren Sewerage District is hereby
2 authorized to issue bonds to the amount of one hundred
3 thousand dollars for the purpose of raising the amount re-
4 quired to accomplish the various purposes contemplated by
5 this act, to wit, the construction of a sewer system, and the
6 accomplishment of all other things necessary, useful or in-
7 cidental thereto. Said bonds may be of the date and de-
8 nomination and payable at such times and places, and bear
9 such rate of interest as the inhabitants of said Van Buren
10 Sewerage District may determine or authorize their trustees
11 to determine, by vote passed at any legal meeting of said
12 inhabitants called for said purpose and containing an article
13 in the warrant for that purpose.