

# MAINE STATE LEGISLATURE

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# EIGHTY-THIRD LEGISLATURE

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**House Document**

**No. 232**

H. P. 877            House of Representatives, Feb. 17, 1927.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Tucker of Sanford.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN

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AN ACT Creating the Kennebunk Beach Improvement  
Corporation.

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

Section 1. *Territorial Boundaries and Corporate Name.*

2 So much of the territory of the town of Kennebunk, in the  
3 county of York, as is bounded easterly by Kennebunk River;  
4 northerly by Lake Brook, so-called, to a point where it  
5 crosses the highway leading from Kennebunkport to Wells;  
6 northwesterly by said highway; westerly by Mousam River  
7 and southeasterly by the Atlantic Ocean, together with the  
8 inhabitants therein, be and the same is hereby created by  
9 a body politic and corporate by the name of the Kennebunk  
10 Beach Improvement Corporation.

Sect. 2. *Raise Money for Fire Department, Police Protection, Streets, Street Ornamentation, Support of Library, for Salaries and Other Expenses.* Said corporation is hereby vested with the power at any legal meeting called for the purpose to raise such sum of money as may be sufficient for the procurement of fire apparatus for the extinguishment of fires, for organizing and maintaining within the limits of said territory an efficient fire department and fire station house, maintaining police force, for support of library within the limits of said corporation, for the widening, straightening, extending and improvement of streets, for the construction of sidewalks, for street ornamentations and for officers' salaries and expenses and such other current expenses as this act may call for.

Sect. 3. *May Assess Taxes.* Any money raised by said corporation for the purposes aforesaid shall be assessed upon property within the aforesaid territory by the Assessors of said corporation in the same manner as is provided by law for the assessment of county and town taxes, and said assessors may abate any tax by them so assessed.

Sect. 4. *Assessment and Collection of Taxes.* Upon a certificate being filed with the assessors of said corporation by the clerk thereof of the amount of money raised at any meeting for the purposes aforesaid, it shall be the duty of said assessors that as soon as may be to assess said amount upon the estate of persons owning property within said terri-

7 tory and the assessors shall certify and deliver to the treas-  
8 urer or collector of said corporation a list of the amounts  
9 so assessed, whose duty it shall be to collect the same in  
10 like manner as county and town taxes are by law collected.  
11 And said corporation shall have the same power to direct  
12 the mode of collecting said taxes as towns have in collect-  
13 ing town taxes. All taxes so levied shall be a lien upon the  
14 property upon which it is levied. All taxes so collected shall  
15 be in excess of the county and town tax in the town of  
16 Kennebunk.

Sect. 5. *Officers.* The officers of said corporation shall  
2 consist of a clerk, three assessors, a treasurer, a collector  
3 of taxes, and such other officers as may be provided for in  
4 the by-laws of said corporation all of whom shall be duly  
5 sworn by the clerk or a justice of the peace.

Sect. 6. *By-laws.* The said corporation may adopt such  
2 by-laws not inconsistent with the laws of this state and the  
3 United States as they may deem expedient, necessary and  
4 proper for the good government, order and protection of  
5 persons and property and for the preservation of public  
6 health, safety and prosperity of the municipality and its  
7 inhabitants, and particularly by-laws which shall restrict  
8 buildings or camping grounds to be used for particular in-  
9 dustries, trades or commercial purposes to specified parts  
10 or zones of the village corporation or may exclude them  
11 from specified parts or zones of the village corporation, or  
12 providing that such buildings if situated in certain parts

13 or zones of the village corporation shall be subject to special  
14 regulations as to their construction or use. Also by-laws  
15 which shall provide that certain kinds of dwelling houses  
16 and tenement houses and camping grounds conducted for  
17 private gain shall be restricted to specified parts or zones  
18 of such village corporation or shall be excluded from speci-  
19 fied parts or zones of such village corporation, or that  
20 dwelling houses or tenement houses or such camping ground  
21 situated in specified parts of such village corporation shall  
22 conform to certain regulations in respect to their construc-  
23 tion or use which shall not apply to other buildings or  
24 grounds in other parts of such village corporation.

For the above purposes, the village corporation may be  
2 divided into zones and erection and use of buildings and  
3 such camping grounds in each zone regulated as above  
4 provided.

The above mentioned by-laws affecting buildings or camp-  
2 ing grounds within said corporation shall be prescribed ac-  
3 cording to the provisions of chapter two hundred and nine  
4 of the public laws of nineteen hundred and twenty-five.  
5 Such by-laws shall not be in force and effect until accepted  
6 by a majority of the electors of said village corporation at a  
7 meeting, regular or special, called for that purpose.

Sect. 7. *Notice of Meeting.* All of the meeting of said  
2 corporation after the first shall be notified by warrant of  
3 the assessors. Notice of which shall be posted in two public  
4 places within its limits, seven days prior to the meeting stat-

5 ing the time, place and purposes of the meeting and a meet-  
6 ing shall at any time be called upon the written application  
7 of ten residents, summer or permanent, to said assessors,  
8 stating the time, place and purposes for which said meeting  
9 is requested.

Sect. 8. *Charter Must Be Accepted by Inhabitants of the*  
2 *Territory. How Meetings for Acceptance Shall be Called.*  
3 This charter may be accepted at any time within two years  
4 from the date of its enactment by a majority of the inhab-  
5 itants within said territorial limits. George J. Wentworth,  
6 Arthur E. Calder or Warren Wentworth, or any of them,  
7 may call a meeting of the inhabitants of said territory previ-  
8 ous to the acceptance of this charter by posting a notice  
9 stating the time, place and object of said meeting at least  
10 in two public and conspicuous places in said territory at  
11 least seven days prior to the time of holding said meeting  
12 and all subsequent meetings shall be called and notified by  
13 the assessors of said corporation as town meetings are called  
14 and notified unless said corporation shall otherwise define  
15 the manner of calling and notifying its meetings in its by-  
16 laws.

Sect. 9. *Qualification of Voters.* Any persons residing  
2 within the limits of said territory and more than twenty-one  
3 years of age shall be a legal voter at any meeting of said cor-  
4 poration or at any meeting of the adoption of this charter.

Sect. 10. *Procedure at Meeting Before Charter Is Ac-*  
2 *cepted.* At any meeting prescribed in section eight of this

3 act, the voters shall elect a moderator and clerk, both of  
4 whom shall be sworn by some justice of the peace for the  
5 faithful discharge of their respective duties and thereupon  
6 said meeting shall proceed by ballot to vote on question of  
7 accepting this charter and if a majority of all the voters  
8 present and voting at said meeting shall vote in favor of its  
9 acceptance then it shall take effect and said corporation may  
10 immediately after said vote is declared proceed to the adop-  
11 tion of by-laws and the election of officers as provided in  
12 sections five and six of this act.