

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-THIRD LEGISLATURE

Senate Document

No. 322

S. P. 562

In Senate, Mar. 31, 1927.

Reported by Senator Oakes from Committee on Judiciary
and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

STATE OF MAINE

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

AN ACT to Amend Chapter Two Hundred and Nine of the
Public Laws of Nineteen Hundred and Twenty-five, Relative
to Zoning Ordinances.

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

Section 1. Section one of chapter two hundred and nine
2 of the public laws of nineteen hundred and twenty-five is
3 hereby amended by striking out all of said section and in-
4 serting in place thereof the following:

'Sect. 1. Cities, towns and village corporations may, by
2 ordinance or by-law, restrict buildings, premises and camp-
3 ing grounds, to be used for particular industries, trades,
4 manufacturing, commercial or other purposes, to specified
5 parts or zones of the city, town or village corporation or

6 may exclude them from specified parts or zones of the city,
7 town or village corporation or provide that such buildings,
8 premises and camping grounds, if situated in certain parts
9 or zones of the city, town or village corporation, shall be
10 subject to special regulation as to their construction or use.
11 A city, town or village corporation may also, by ordinance
12 or by-law, provide that certain kinds of dwelling houses,
13 tenement houses and camping grounds, conducted for priv-
14 ate gain, shall be restricted to specified parts or zones of such
15 city, town or village corporation or shall be excluded from
16 specified parts or zones of such city, town or village corpora-
17 tion or that dwelling houses or tenement houses or such
18 camping grounds situated in specified parts or zones of such
19 cities, towns or village corporations shall conform to certain
20 regulations in respect to their construction or use which
21 shall not apply to other buildings, premises or camping
22 grounds in other parts or zones of such city, town or vil-
23 lage corporation. For the above purposes, the city, town
24 or village corporation may be divided into zones and the
25 construction and use of buildings and the use of premises
26 and such camping grounds may be regulated, as above pro-
27 vided.'

Sect. 2. Section two of said chapter two hundred and
2 nine is hereby amended by inserting after the word "such"
3 in the fourth line thereof, the words 'premises or,' so that
4 said section, as amended, shall read as follows:

'Sect. 2. The provisions of this act shall be carried out

2 in such manner as will best promote the health, safety,
3 morals and general welfare of the community, and any
4 building erected, altered or repaired and such premises or
5 camping grounds maintained contrary to the provision of an
6 ordinance or by-law passed hereunder is a nuisance.'

Sect. 3. Section three of said chapter two hundred and
2 nine is hereby amended by inserting after the word "city"
3 in the fourth line thereof the word 'town,' and inserting
4 after the word "city" in the last line thereof the word 'town,'
5 so that said section, as amended, shall read as follows:

'Sect. 3. No ordinance or by-law shall be enacted here-
2 under until after a public hearing thereon, notice of which
3 hearing shall be published at least thirty days before the
4 hearing in a newspaper published in the city, town or vil-
5 lage corporation concerned, or in a newspaper published
6 in the county wherein said city, town or village corporation
7 is located.'

Sect. 4. Section four of said chapter two hundred and
2 nine is hereby amended by inserting after the word "such"
3 in the third line thereof the words 'premises or,' so that
4 said section, as amended, shall read as follows:

'Sect. 4. It shall be the duty of the inspector of buildings
2 to withhold permit for the construction or alteration of any
3 building, or the maintenance of any such premises or camp-
4 ing ground in violation of an ordinance or by-law enacted
5 hereunder. Appeal shall lie from decision of the inspector
6 of buildings to the municipal officers and from said munic-

7 ipal officers to the supreme judicial court according to the
8 provisions of section twenty of chapter twenty-four of the
9 revised statutes and acts additional thereto and amendatory
10 thereof.'

Sect. 5. Section seven of said chapter two hundred and
2 nine is hereby amended by striking out all of said section
3 and inserting in place thereof the following:

'Sect. 7. No ordinance or by-law enacted under the pow-
2 ers hereby conferred shall be in force and effect until ac-
3 cepted by a majority of the electors of the city, town or
4 village corporation voting at a regular election for the elec-
5 tion of municipal officers of such city, town or village cor-
6 poration or for the election of one or more members of any
7 city council or at a special election duly warned, called and
8 conducted in the same manner as required for such regular
9 election. At the time of the submission to the voters, the
10 question shall be submitted in this form: "Shall the Zoning
11 Ordinances be Accepted?" Those favoring the acceptance
12 shall vote "Yes," those opposed shall vote "No."'