

MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D L E G I S L A T U R E

Legislative Document

No. 1160

S. P. 412

In Senate, February 26, 1947.

Transmitted by revisor of statutes pursuant to joint order

Referred to Committee on Towns. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Boutin of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Assessment of Costs for Construction of Drains.

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

R. S., c. 84, § 136, amended. Section 136 of chapter 84 of the revised statutes is hereby amended to read as follows:

'Sec. 136. Expense of construction of drains, etc., how estimated and assessed. When any town has constructed and completed a public drain or common sewer, the municipal officers shall determine what lots or parcels of land are benefited by such drain or sewer, and shall estimate and assess upon such lots and parcels of land, and against the owner thereof, or person in possession, or against whom the taxes thereon shall be assessed, whether said person to whom the assessment is so made shall be the owner, tenant, lessee, or agent, and whether the same is occupied or not, such sum not exceeding such benefit as they may deem just and equitable towards defraying the expenses of constructing and completing such drain or sewer, **together with such sewage disposal units and appurtenances as may be necessary**, the whole of such assessments not to exceed $\frac{1}{2}$ the cost of such drain or sewer **and sewage disposal units**, and such drain or sewer shall forever thereafter be maintained and kept in repair by such town. The

municipal officers shall file with the clerk of the town the location of such drain or sewer **and sewage disposal unit**, with a profile description of the same, and a statement of the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of such lots or parcels of land or person against whom said assessment shall be made, and the clerk of such town shall record the same in a book kept for that purpose, and within 10 days after filing such notice, each person so assessed shall be notified of such assessment by having an authentic copy of said assessment, with an order of notice signed by the clerk of said town, stating the time and place for a hearing upon the subject matter of said assessments, given to each person so assessed or left at his usual place of abode in said town; if he has no place of abode in said town, then such notice shall be given or left at the abode of his tenant or lessee if he has one in said town; if he has no such tenant or lessee in said town, then by posting the same notice in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least 30 days before said hearing, or such notice may be given by publishing the same 3 weeks successively in any newspaper published in said town, the 1st publication to be at least 30 days before said hearing; a return made upon a copy of such notice by any constable in said town or the production of the paper containing such notice shall be conclusive evidence that said notice has been given, and upon such hearing the municipal officers shall have power to revise, increase, or diminish any of such assessments, and all such revisions, increase, or diminution shall be in writing and recorded by such clerk.'