

MAINE STATE LEGISLATURE

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

Legislative Document

No. 860

H. P. 1529

House of Representatives, February 17, 1949.

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mrs. Fay of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Street Openings by Public Utility Corporations.

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

Sec. 1. R. S., c. 46, § 18-B, amended. Section 18-B of chapter 46 of the revised statutes, as enacted by section 2 of chapter 252 of the public laws of 1947, is hereby amended by adding at the end thereof the following:

'In cities of 40,000 inhabitants or more, the city council may by ordinance establish a schedule of fees for excavation permits applicable to said city, and may by ordinance also provide that public utility corporations may perform all of the work under such rules and regulations as may be prescribed in such ordinance.'

Sec. 2. R. S., c. 46, § 18-C, amended. Section 18-C of chapter 46 of the revised statutes, as enacted by section 2 of chapter 252 of the public laws of 1947, is hereby amended to read as follows:

'Sec. 18-C. Unlawful to leave trench or excavation open; penalty; pavement to be protected on either side of opening. Any such corporation opening a street, road or highway pursuant to such permit shall fully and completely fill up such opening in the surface of the street, road or highway. Unless the material in which the excavation is made is of gravel or sand the entire excavated material shall be removed and the trench completely filled

with suitable bank run gravel from the bottom of the trench to the surface of the street. Such filling shall be puddled or rammed ~~as the nature of the soil may require~~ in 6 inch layers and no bulldozing or other method of back filling which does not permit the ramming of the back fill as indicated shall be permitted, and shall be done and completed within the time designated in the permit allowing said opening. Any such corporation failing to comply with the requirements of this section may be punished by a fine of \$50 for each offense. Such corporations shall protect the paving on either side of the opening by the use of sheet piling or such other means as will prevent the escape of sand from underneath it. In determining the number of square yards of paving disturbed, there shall be included such area of paving adjoining the trench actually opened as will, in the opinion of the commissioner of public works or such officer as the municipal officers may appoint, be required to be taken up and relaid by reason of such failure to properly protect the same.'