

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 95**

H. P. 164

House of Representatives, January 18, 1951

Referred to the Committee on Public Utilities, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Lacharite of Brunswick.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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**AN ACT to Amend the Charter of the Brunswick Sewer District.**

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**Emergency preamble.** Whereas, the problem of catch basins and the drainage of public ways in the territory in the town of Brunswick included in the limits of the Brunswick Sewer District is acute; and

Whereas, the overflow from certain catch basins and public drains now empties into the sanitary sewer system of the Brunswick Sewer District which sanitary sewer system is inadequate to carry both storm water and sanitary sewage, so that backing up of the sanitary sewers is frequent, causing property loss to the users of the sanitary sewer system; and

Whereas, both the system of catch basins and drainage of public ways and the system of sanitary sewers are inadequate; and

Whereas, a survey of the present sanitary sewer system and proposed extensions thereto has been made for the Brunswick Sewer District, which indicates that an adequate system of sanitary sewers is impracticable until catch basins and drainage of public ways have been disconnected therefrom; and

Whereas, the municipal officers of the town of Brunswick are willing to take steps for separating catch basins and the drainage of public ways from the sanitary sewer system if assured that the construction and main-

tenance of such catch basins and drainage are the function of the town and not of the sewer district; and

Whereas, immediate action is necessary for assuring adequate systems of sanitary sewers and of catch basins and drainage of public ways to prevent further damage to property; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. P. & S. L., 1947, c. 77, § 1, amended.** Section 1 of chapter 77 of the private and special laws of 1947 is hereby amended to read as follows:

**'Sec. 1. The Brunswick Sewer District created.** The territory in the town of Brunswick within a radius of  $1\frac{1}{4}$  miles from the present town hall, with the inhabitants thereon, is hereby created a body politic and corporate by the name of Brunswick Sewer District, hereinafter called the district, for the purpose of providing and maintaining within the district a sewer system and suitable sewers, drains and sewage disposal plants, and with all the rights, privileges and immunities incident to similar corporations, or necessary for the accomplishment of these purposes; **provided, however, that nothing contained in this act shall be construed so as to vest the district with any duty of providing or maintaining catch basins or drainage of public ways.'**

**Sec. 2. Title to catch basins to be conveyed to town.** The Brunswick Sewer District is hereby directed to convey to the town of Brunswick whatever right, title and interest the Brunswick Sewer District has in and to any catch basins in the town of Brunswick.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.