

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1285

S. P. 542

In Senate, April 13, 1951.

Reported by Senator Christensen of Washington from the Committee on Highways and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Location of Public Utility Structures.

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

Sec. 1. R. S., c. 46, § 17, amended. Section 17 of chapter 46 of the revised statutes is hereby amended to read as follows:

'Sec. 17. Certain corporations authorized to place wires, pipes, cables, etc. under surface of streets, subject to permit from municipal officers. Telegraph, telephone, gas, water, pipe line, electric light, heat or power companies chartered by special act of legislature or organized under the general laws of the state, and all such companies, wherever chartered or organized, engaged in the business of transmitting intelligence, heat, light or power by electricity, or of transporting or distributing water as a public utility, or of transporting oil, gas, gasoline, petroleum or any other liquids or gases as a common carrier for hire, or of furnishing gas for light, heat or power, may, in any city or town, place their pipes, **hydrants and appurtenances**, wires, and cables and all conduits and other structures for conducting and maintaining such pipes, wires and cables under the surface of those streets and highways in which such companies are empowered to obtain locations for their pipes, **hydrants and appurtenances**, poles and wires; subject, however, to the written permit therefor of the

municipal officers of such city or town, and subject also to such rules and regulations as to location and construction as such municipal officers may designate in their permit. Proceedings for obtaining such permit shall be had in accordance with the provisions of sections 30 to 37, inclusive. Permits to open streets and highways for the purpose of relaying or repairing such pipes, hydrants and appurtenances, wires, cables, conduits and other structures may be granted without notice.'

Sec. 2. R. S., c. 46, § 17-A, additional. Chapter 46 of the revised statutes is hereby amended by adding thereto a new section to be numbered 17-A, to read as follows:

'Sec. 17-A. Validity clause. The location of all pipes, hydrants, wires and cables and all conduits and other structures for the conducting and maintaining of such pipes, hydrants, wires and cables under the surface and in these streets and highways in which the above such companies are empowered to obtain locations for their pipes, wires, hydrants and cables which have been heretofore located under the surface and in the streets and highways, and which shall be hereafter so located in accordance with the provisions of the preceding section, are hereby valid and declared legal and the same shall henceforth be legal structures in said streets and highways until the location thereof shall have been changed in any manner required or authorized by law.'