

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 679**

S. P. 257

In Senate, February 12, 1953.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Notice of Defects in Buildings.**

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

**Sec. 1. R. S., c. 85, § 48, repealed and replaced.** Section 48 of chapter 85 of the revised statutes is hereby repealed and the following enacted in place thereof :

‘Sec. 48. Notice as to sufficiency of safeguards. The insurance commissioner, municipal officers or other inspector, authorized to act under the provisions of the preceding section, shall give written notice to the occupant of such building, also to the owner thereof, if known, of their determination as to the sufficiency of said precautions and safeguards, specifying in said notice any alteration, addition or repair which is required. Sixty days may be allowed for compliance with such notice and order; except, however, that in any case in which the inspecting officer shall determine that the condition of the building is such that the danger to persons or property is imminent and manifest, he shall order the alteration, addition or repair to be made forthwith. He may further order the building to be closed or vacated until the order is fully complied with.’

**Sec. 2. R. S., c. 85, § 49, repealed and replaced.** Section 49 of chapter 85 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

**'Sec. 49. Penalties. Any owner or occupant who fails to make alterations, additions or repairs within the time specified in an order issued under the provisions of the 3 preceding sections forfeits \$50, besides \$5 for each day's continuance of such neglect; and when a building is occupied or used in violation of such order, the owner or occupant shall forfeit not less than \$20, nor more than \$50, for each offense. And when a building or part of a building is occupied, let or used in violation of any such order, the building or part of the building so occupied, let or used shall be deemed a nuisance without any further evidence than proof of its use; and the keeper may be punished accordingly.'**