

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 39

S. P. 37

In Senate, January 15, 1957.

Referred to the Committee on Legal Affairs, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Willey of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Regulating Traffic by Council of Town of Bar Harbor.

Emergency preamble. Whereas, crowded streets, congested intersections and heavy motor vehicle traffic in the Town of Bar Harbor have produced a condition highly dangerous to the safety and the prosperity of the citizens of this town; and

Whereas, motor vehicle traffic should be controlled and regulated in a prompt and efficient manner; and

Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature; and

Whereas, the said 90-day period will not terminate until after the next annual town meeting of the town of Bar Harbor; and

Whereas, it is vitally essential that the legal voters of the town of Bar Harbor be given an opportunity to accept this act at their annual town meeting in March, 1957; 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:

P. & S. L., 1949, c. 111, § 5-A, additional. Chapter 111 of the private and special laws of 1949, as amended by chapter 52 of the private and special laws

of 1951, is hereby further amended by adding thereto a new section, to be numbered 5-A, to read as follows:

'Sec. 5-A. Ordinances for traffic control. The council may make ordinances, not inconsistent with law, and enforce them by suitable penalties for the purpose of regulating the use and manner of use of motor vehicles in the streets.

Every such ordinance shall be introduced in writing and after passage on first reading shall be published in a local newspaper at least once, together with a notice of the time and place when and where it shall be given a public hearing and be considered for final passage. The first such publication shall be at least one week prior to the time advertised for hearing. At the time and place so advertised, all persons interested shall be given an opportunity to be heard. After such hearing, the council may finally pass such ordinance with or without amendment. The second passage of such ordinance shall be final and no further passage shall be required, and such ordinance shall become effective on final passage.'

Emergency clause; effective date; referendum. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the town of Bar Harbor at any regular or special meeting called and held for the purpose not later than 8 months after the approval of this act. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration of said town of Bar Harbor shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to the registration of voters, and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions. The town clerk shall reduce the subject matter of this act to the following question: "Shall the Act Regulating Traffic by Council of Town of Bar Harbor, passed by the 98th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided that the total number of votes cast for and against the acceptance of this act equals or exceeds 20% of the total vote for all candidates for governor cast in said town at the next preceding gubernatorial election. The result of the vote shall be declared by the municipal officers of the town of Bar Harbor and due certificate thereof filed by the clerk of said town with the Secretary of State.