

MAINE STATE LEGISLATURE

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S. P. 191

In Senate, February 5, 1959

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Stilphen of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Town Dumps.

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

R. S. c. 100, §§ 7-A and 7-B, additional. Chapter 100 of the Revised Statutes is amended by adding two new sections, 7-A and 7-B, to read as follows:

‘Sec. 7-A. Public dumping grounds; acquisition. Any municipality may by action of its legislative body direct its municipal officers to take suitable lands for public dumping grounds. When so directed, the municipal officers shall proceed in the same manner as used in laying out public ways, except that a fee simple title shall be acquired.

I. The public dumping ground is not established until it has been accepted, as laid out, by the legislative body of the municipality.

II. Any public dumping ground that ceases to be usable as such may be disposed of in the same manner as other lands owned by the municipality.

III. No municipality shall acquire dumping grounds under this section the location of which would violate an existing zoning ordinance, nor shall a public dumping ground be so located as to violate an existing zoning ordinance in a contiguous municipality.

Sec. 7-B. Public dumping ground; nuisances. Whoever personally or through the agency of another leaves or deposits any offal, filth or other noisome substance in any public dumping ground, except in the manner prescribed by the local health officer, and in such manner as may be satisfactory to such health officer, shall be guilty of committing a nuisance. Such person shall be punished

by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 3 months. Any expenses incurred by a municipality in the abatement of such nuisances may be recovered in an action of debt brought in the name of the municipality against the guilty party. If requested, and if the gravamen of the offense so indicates, the court in its discretion may award double damages in such suits.'