

MAINE STATE LEGISLATURE

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

Legislative Document

No. 871

H. P. 611

House of Representatives, February 19, 1959

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

HARVEY R. PEASE, Clerk

Presented by Mrs. Smith of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Extension of Water Service in Town of Falmouth.

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

Extension of water service in Town of Falmouth. When at least $\frac{4}{5}$ of the owners of property abutting on an accepted public way in the Town of Falmouth, not presently served by the Portland Water District, petition the selectmen of the Town of Falmouth to include an appropriate article in the warrant for a town meeting, the Town of Falmouth is hereby empowered and authorized to enact the following ordinance:

“The selectmen are hereby authorized and empowered to contract with the Portland Water District for the construction of a water main or pipe approximately feet in length along , an accepted public way in the Town of Falmouth, and to raise and appropriate \$ to pay the annual charge therefor.”

Upon completion of the construction and ascertainment of the cost by the Portland Water District, if it is determined by the tax assessors that the tax income from real estate abutting on said way and capable of being directly served by said water main or pipe is less than the yearly charge to be made to the Town of Falmouth by the Portland Water District, the municipal officers shall determine the benefit resulting to each lot or parcel of land and shall annually assess a sum against the owner of every lot or parcel of land receiving such benefit. Each annual assessment shall be based on the amount of the annual charges resulting from the extension referred to herein paid by the Town of Falmouth to the Portland Water District for the preceding year.

The legislative body of the Town of Falmouth shall, by appropriate article in the warrant, determine what percentage of the amount of the benefit shall be charged back to the owner of every lot or parcel of land so benefited, but in no event shall the total amount assessed against the persons benefited exceed 70% of the amount of the Portland Water District charge.

When it has been determined by the tax assessors that the tax income from all of the real estate abutting on said way reaches an amount of at least 4 times the annual charge of the Portland Water District, the annual assessments provided herein shall terminate.

The municipal officers shall file with the town clerk each year the location of the section of water main, a statement of the amount of the charge made to it in the previous year and paid by the Town of Falmouth as a result of the construction, the amount of assessments made on each parcel of land and real estate so assessed and the name of the owner or person against whom said assessments are to be made. The clerk of the town shall record the same in a book for this specific purpose, and after 10 days from the filing of such notice, each person so assessed shall be notified of such assessment.

Each section of new water main, accepted by the Town of Falmouth in meeting as hereinabove described, shall have separate consideration. No statement in this act shall be construed to allow for individual sections being combined in either expense or income for the purposes of this act.