

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninetieth and Ninety-first
Legislatures
OF THE
STATE OF MAINE
From April 26, 1941 to April 9, 1943
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-first Legislature

1943

Chapter 60

AN ACT to Amend the Charter of the Town of Old Orchard Beach.

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

Sec. 1. P. & S. L., 1883, c. 248, § 4, repealed. Section 4 of chapter 248 of the private and special laws of 1883, is hereby repealed.

Sec. 2. P. & S. L., 1883, c. 248, § 5, amended. The 1st sentence of section 5 of chapter 248 of the private and special laws of 1883, is hereby amended to read as follows:

'Whenever public drains or sewers shall be constructed within the limits ~~named in section four of this act~~ of said town, it shall be the duty of the assessors, after notice to the abutters thereof, and hearing, as provided by law in case of laying out of town-ways, to determine whether it is reasonable and proper, that any such abutter upon whose land any building shall have been erected, shall enter such drain or sewer, and if, in their judgment it shall be reasonable and proper for such abutter to enter his waste pipes or drains into such public drain or sewer, they shall determine the amount to be paid for the right so to do.'

Sec. 3. P. & S. L., 1883, c. 315, repealed. Chapter 315 of the private and special laws of 1883 is hereby repealed.

Effective July 9, 1943

Chapter 61

AN ACT Amending An Act to Incorporate the Brunswick Village Corporation.

Emergency preamble. Whereas, the Brunswick Village Corporation is within a recognized defense area in which the density of the population is rapidly increasing; and

Whereas, the continued health and comfort of the residents within the Brunswick Village Corporation necessitate the continued public collection of rubbish and garbage; and

Whereas, it is an unfair and unjust burden upon the rural taxpayers to charge such costs against the general town tax levy; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires the following legislation as immediately neces-

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sary 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:

Sec. 1. P. & S. L., 1887, c. 172, § 2, amended. Section 2 of chapter 172 of the private and special laws of 1887 is hereby amended to read as follows:

Sec. 2. Shall have all the rights and powers of towns. Said corporation, within its territorial limits, shall have all the rights, powers and privileges which towns have, under the first 25 sections of chapter 25 of the revised statutes of 1930; and shall be subject to all the obligations, responsibilities and penalties which the same sections impose upon towns. All powers and privileges granted by the same sections to the municipal officers of towns, are hereby granted to the assessors of said corporation. All duties and penalties imposed by the same sections upon other persons for the benefit and protection of towns, and of their drains and sewers, shall be upon such persons for the benefit of said corporation and its drains and sewers.

Said corporation by vote of the legal voters at the annual or special village corporation meeting may pass ordinances governing the collection and disposition of garbage and/or rubbish, may choose one or the other of the following methods of raising the money for defraying the cost of said rubbish and garbage collection: (a) by taxation in the manner provided by section 3 of chapter 172 of the private and special laws of 1887; or (b) by service charges assessed against the inhabitants for whom the services are rendered.'

Sec. 2. **Effective date; referendum.** This act shall take effect immediately upon its passage by the legislature only for the purpose of permitting its submission to the legal voters of the Brunswick Village Corporation at its annual meeting held in April, 1943. The corporation clerk shall prepare the required ballots, upon which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Amending an Act to Incorporate the Brunswick Village Corporation' be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes of this act immediately upon the acceptance of this act by a majority of the votes cast at said meeting. The result of the vote shall be declared by the corporation clerk and a certificate thereof filed by the said clerk with the secretary of state.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 2, 1943