

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1961

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Chapter 176

AN ACT Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the Town of Old Orchard Beach and the Town of Bar Harbor.

Emergency preamble. Whereas, no adequate provision now exists for the granting of licenses for certain businesses and purposes by the municipal officers of the Town of Old Orchard Beach and the Town of Bar Harbor; and

Whereas, authority to grant such licenses is urgent for the regulation and control of such businesses and purposes; and

Whereas, such authority is necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the Town of Old Orchard Beach and the Town of Bar Harbor; 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:

Sec. 1. Municipal officers authorized to grant certain licenses. The municipal officers of the Town of Old Orchard Beach and the Town of Bar Harbor are authorized to grant licenses in their respective towns for the following businesses and purposes, in accordance with such rules and regulations not inconsistent with law, as the Town of Old Orchard Beach may make, vote and establish by ordinance, and as the municipal officers of the Town of Bar Harbor may make, vote and establish by ordinance, not in excess of the sum of \$75. Such licenses shall expire on the first day of May of each year, unless otherwise provided, and no pro rate shall be allowed for any part-time license. A business engaging in any of the categories listed in section 3 may be listed for that category even though engaging in other categories not included in section 3.

Sec. 2. Purpose. The purpose of this act is to provide the municipal officers of the Town of Old Orchard Beach and the Town of Bar Harbor a reasonable medium for regulation of certain businesses and purposes.

Sec. 3. Schedule.

Auctioneer.

Dog kennels (3 dogs or more).

The maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline and other volatile inflammable liquid for fuel or power.

Billiard tables and pool tables.

Bowling alleys.

Junk yards.

Automobile junk yards.

Junk dealers.

Hawkers and peddlers (except persons raising their own merchandise).

Popcorn machines or wagons.

Merchandise demonstration booths.

Employment agencies.

Taxicabs.

Outside amusements, exhibitions, vaudeville acts, stunts or public performances, at which an admission is charged.

Boxing and wrestling shows.

Victualers (food).

Victualers (food and malt beverages).

Victualers (food and vinous liquors).

Victualers (food, malt beverages and vinous liquors).

Innholders, lodging houses and hotels (5 lodging rooms or more).

Overnight cabins.

Motels.

Tenting grounds and trailer parks.

Public shooting galleries.

Public dance halls.

Circuses.

Organ grinders.

Erection and maintenance of signs, banners, awnings, marquees and other temporary or permanent structures, excepting the temporary and permanent structures of public utilities corporations, over the sidewalks, roads, ways and streets of said town.

Stands or booths for sale of merchandise.

Amusement casinos.

Go-thru shows.

Merry-go-rounds.

Roller skating rinks.

Go-thru rides.

Pony rides.

Riding stables.

Animal drawn vehicles.

Miniature golf courses, indoors or outdoors.

Amusement rides (occupying less than 400 square feet).

Amusement rides (occupying 400 feet or more).

Games of skill.

Animal farms, animal fairs, animal forests or like designations.

Gift shops.

Bric-a-brac, linen stores.

Beauty parlors and barber shops.

Jewelry stores.

Radio and television sales.

Radio, television and appliance rentals.

Novelty stores.

Booths devoted to personal services, including but not limited to the following:
Art, sketches, astrology, handwriting analysis and personality reading.

Rental of bicycles.

Parking lots.

Used car lots.

Vending machines.

Automatic laundries.

Photographers.

Sec. 4. Violation and penalties. The Town of Old Orchard Beach may provide a penalty of not more than \$100 for the violation of any ordinance authorized by this act. All fines shall be recovered on complaint for the use of the municipality. The town may further provide by ordinance that any license issued under any ordinance may be suspended or revoked, and in the event of an appeal from conviction said license may be suspended until such time as a final decision has been rendered by the court.

Sec. 4-A. Violation and penalties. The municipal officers of the Town of Bar Harbor may provide a penalty of not more than \$100 for the violation of any ordinance authorized by this act. All fines shall be recovered on complaint for the use of the municipality. The municipal officers may further provide by ordinance that any license issued under any ordinance may be suspended or revoked, and in the event of an appeal from conviction said license may be suspended until such time as a final decision has been rendered by the court.

Sec. 5. Severability. If any section or provision, or parts thereof of this act shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the act as a whole or of any other section or provision or part thereof.

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

Effective May 15, 1961

Chapter 177

AN ACT Providing for Civil Service for the Old Orchard Beach Police Department.

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

Sec. 1. P. & S. L., 1953, c. 179, § 2, amended. Section 2 of chapter 179 of the private and special laws of 1953 is amended to read as follows:

'Sec. 2. Powers and duties of commission. The commission shall supervise and control the selection for appointment and promotion, lay-off, reinstatement, suspension and removal of the members of the fire department and chief of the fire department; and the members of the police department and the chief of police. The commission shall examine all applicants for appointment as chief of the fire department and firemen, chief of police and all regular and special police officers, and a list of eligible candidates shall be made and furnished to each department and the names shall be listed in the order of rating given to each eligible candidate by the commission. The commission is empowered to adopt and promulgate reasonable standards establishing preferences based upon years of continuous service in the department, and these preferences may be considered with regard to the appointments to be made as provided in section 3.'

Sec. 2. P. & S. L., 1953, c. 179, § 3, amended. Section 3 of chapter 179 of the private and special laws of 1953 is amended to read as follows: