

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

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The Knowlton and McLeary Company
Farmington, Maine
1963

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

Chapter 144

AN ACT to Grant a Charter to the City of Brunswick.

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

Article I

Grant of Powers to the City

Sec. 101. Corporate existence retained. The inhabitants of the Town of Brunswick shall continue to be a municipal corporation by the name of the City of Brunswick, Maine.

Sec. 102. Powers of the city. The city shall have, exercise and enjoy all the rights, immunities, powers and privileges and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise pertaining to or incumbent upon said city as a municipal corporation, or the inhabitants or municipal authorities thereof; it may enact bylaws, regulations or ordinances not inconsistent with the Constitution and laws of the State of Maine, and impose penalties for the breach thereof not exceeding fines of \$100 in any one case, or 30 days in jail, or both, to be recovered on complaint or by other appropriate legal action.

The city may acquire property for any city purpose in fee simple or any lesser interest, by purchase, gift, devise, lease or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interest may require.

This charter shall be liberally construed to the end that the city may have all the powers necessary to conduct its municipal affairs, including all powers the city may assume pursuant to the Constitution and laws of the State of Maine.

Article II

City Council

Sec. 201. Number; election; term. The city council shall be composed of 7 members, 3 of whom shall be elected at large by the voters of the entire city and one of whom shall be elected by the voters of each voting district established as hereinafter provided. Each member shall be elected for a term of 3 years and until his successor is elected and qualified. Except, that at the first election after the adoption of this charter, the member-elect at large receiving the most votes shall serve 3 years, the member-elect at large receiving the next highest number of votes shall serve 2 years and the member-elect at large receiving the next highest number of votes shall serve one year. Except further, that at the first election after the adoption of this charter, the 2 district members receiving the most votes shall serve 3 years, the one district member receiving the next highest number of votes shall serve 2 years and the one district member receiving the next highest number of votes shall serve one year.

Sec. 202. Establishments of voting districts. Upon approval of this charter by the voters, the board of selectmen of the Town of Brunswick after public hearing thereon shall divide the town into 4 districts having well-defined boundaries, each of which shall contain, as nearly as is convenient and practicable, an equal number of voters. Each of said districts shall constitute a district for the election of a district member of the city council as set forth in section 201.

Sec. 203. Review of district boundaries. At least once in every 10 years after the adoption of this charter, the city council shall review the boundaries of the existing voting districts and may after public hearing thereon, if necessary to effect approximate equality in the number of voters in each district, alter and change the boundaries of such districts or any of them.

Sec. 204. Qualifications. Members at large of the city council shall be voters of the city and shall reside in the city during their terms of office. District members of the city council shall be voters of the city and shall reside in the district from which they have been elected or appointed during their terms of office. A city council member shall hold no other office of emolument or profit under the city charter or ordinances. If a member of the city council shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his office shall immediately become vacant.

Sec. 205. Powers and duties. Except as provided in section 406, the administration of all the affairs of the city shall be vested in the city council.

The members of the city council shall be and constitute the municipal officers of the City of Brunswick for all purposes required by statute, and, except as otherwise herein specifically provided, shall have all powers and authority given to, and perform all duties required of, municipal officers under the laws of Maine. All other powers now or hereafter vested in the inhabitants of the city and all powers granted by this charter, except as herein otherwise provided, shall be vested in the city council.

Sec. 206. Enumeration of powers. Without limitation of the foregoing, the city council shall have power to:

- I. Make, amend and rescind ordinances.
- II. Adopt the budget of the city and raise and appropriate funds therefor.
- III. Provide for an annual audit.
- IV. Appoint annually and remove the city manager, city clerk and city treasurer. By ordinance the city council shall establish a method for the removal of such appointees, such ordinance to include provisions for public hearings if such is requested.
- V. Appoint the following officers and boards: Health officer, planning board, board of zoning appeals, board of assessment review, 2 members of board of registration of voters, board of budget review, Brunswick trustees of the Brunswick-Topsham Water District, trustees of the Brunswick Sewer Dis-

trict, civil service commission, recreation commission, sealer of weights and measures, fence viewers, measurers of wood and bark and surveyors of logs and lumber.

VI. Adopt and modify the official map of the city.

The city council shall appoint a special building committee composed of voters of the city to supervise and have charge of the planning for and construction of each city building, including a school building, estimated by the city council to cost more than \$50,000.

Sec. 207. Compensation. Members of the city council, except the chairman, shall receive \$400 per year for their services. The chairman shall receive \$600 per year. By order, the city council shall fix the salaries of officials appointed by it and shall approve the salaries of appointees of the city manager.

Sec. 208. Induction of council into office. The city council shall meet on the first business day in January at 7:30 P.M. at the usual place for holding meetings, at which time councilmen-elect shall be sworn to the faithful discharge of their duties by the city clerk or by a justice of the peace.

Sec. 209. Regular meetings. The city council shall at its first meeting establish by resolution a regular place and time for holding its regular meetings, and shall meet regularly at least once a month. It shall provide by resolution a method for calling special meetings. All meetings of the city council shall be open to the public.

Sec. 210. Chairman. At its first meeting, the city council shall elect one of its members as chairman for the ensuing year. The city council may fill, for an unexpired term, any vacancy that may occur in the office of chairman. The chairman shall preside at meetings of the city council and shall be recognized as head of the city government for all ceremonial purposes. He shall have no regular administrative duties. He shall serve as an ex-officio member of the school board. When he is unable to attend a meeting of the school board, he shall appoint a member of the city council to act in his stead.

Sec. 211. Quorum. A majority of the city council shall constitute a quorum for the transaction of business.

Sec. 212. Vacancies in the city council. If a seat in the city council becomes vacant by death, resignation, removal from Brunswick or for any other reason, the vacancy shall be filled by vote of the city council until the next city election, at which time a new member shall be elected to fill the unexpired term. If the vacancy is in a district seat, the appointee must be a resident of such district.

Sec. 213. Rules of procedure; journal. The city council shall determine its own rules and orders of business. It shall maintain a journal of its proceedings which shall be open to public inspection.

Sec. 214. Ordinances. In addition to such acts of the city council as are required by law or by this charter to be by ordinance, every act establishing a fine or other penalty shall be by ordinance.

Sec. 215. Public hearing on ordinances. At least one public hearing, a notice of which shall be given at least 10 days in advance by publication in a newspaper having a circulation in the city and by posting a notice in a public place, shall be held by the city council before any ordinance shall be passed, amended or rescinded. An ordinance shall not be effective until 30 days after passage.

Sec. 216. Independent annual audit. Prior to the end of each fiscal year, the city council shall designate the State Department of Audit or a qualified public accountant who, as of the end of the fiscal year, shall make an independent audit of all accounts and financial transactions and submit a report to the city council.

Sec. 217. City clerk. The city clerk shall have custody of the journal of the proceedings of the city council, shall authenticate by his signature and record in a book kept for the purpose, all ordinances and resolutions and shall perform such other duties as shall be required by law, by this charter or by ordinance.

Article III

City Manager

Sec. 301. Qualifications. The city manager shall be chosen by the city council solely on the basis of his character and his executive and administrative qualifications. At the time of his appointment he need not be a resident of the city or State, but during his tenure of office he shall reside in the city.

Sec. 302. Chief administrator. The city manager shall be the head of the administrative branch of the city government. He shall be responsible to the city council. He shall have the power and be required to:

I. Appoint with the consent of the city council, prescribe the duties of, and when necessary remove all department heads of the city, except as otherwise provided herein. Such department heads shall include the city assessor and the director of public welfare.

Appoint, prescribe the duties of, and when necessary remove all other employees of the city except as otherwise provided herein, and except as he may authorize the head of a department to appoint and remove subordinates in such department.

II. Prepare annually a proposed budget, submit it to the city council, and be responsible for its administration after adoption, except that he shall have no administrative duties with regard to the Department of Education.

III. Prepare an annual report for public distribution each year, which report shall include detailed statements on the finances and administrative activities of all departments of the city for the preceding year.

IV. Maintain accounts in such a manner as to show fully at all times the financial condition of the city.

V. Keep the city council advised as to future needs, financial or otherwise, and make such recommendations as may seem to him desirable.

VI. See that all ordinances are enforced.

VII. Collect all taxes.

VIII. Perform such other duties as may be prescribed by this charter or required of him by the city council, not inconsistent with this charter.

Article IV

Department of Education

Sec. 401. School board. The department of education shall be administered by a school board, which shall be composed of 5 members, each of whom shall be elected by the voters of the entire city for a term of 3 years, and until his successor is elected and qualified. Except, that at the first election after the adoption of this charter, the 2 members-elect receiving the most votes shall serve 3 years, the 2 members-elect receiving the next highest number of votes shall serve 2 years, and the member-elect receiving the next highest number of votes shall serve one year.

Sec. 402. Ex-officio member. The chairman of the city council shall be an ex-officio member of the school board but he shall have no vote in its proceedings.

Sec. 403. Qualifications. Members of the school board shall be voters of the city and shall reside in the city during their terms of office. They shall hold no other office of emolument or profit under this charter or city ordinances. If a member of the school board shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his office shall immediately become vacant.

Sec. 404. Vacancy. If for any reason a vacancy shall exist in the membership of the school board, it shall be filled by a majority vote of the school board until the next city election, at which time a new member shall be elected to fill the unexpired term.

Sec. 405. Organization. The school board shall meet on the first business day of January at 8:00 P.M. for the purpose of organization. At such time, members-elect shall be sworn to the faithful discharge of their duties by the city clerk or by a justice of the peace. It shall elect its own chairman, the chairman of the city council not being eligible for the office. Three members of the school board shall constitute a quorum for the transaction of business.

Sec. 406. Powers and duties. The school board shall have all the powers conferred and shall perform all the duties imposed by law upon superintending school committees in regard to the care and management of the public schools of the city, except as otherwise provided in this charter. The school board shall prepare budget estimates in detail of the several sums required during the ensuing fiscal year for the support of the public schools and shall furnish copies of such estimates to the city manager on or before the beginning of such fiscal year.

Sec. 407. Meetings. The school board shall hold at least one meeting a month, except during July and August, and all meetings shall be open to the public.

Sec. 408. Compensation. Members of the school board shall receive \$200 per year for their services.

Article V

Financial Provisions

Sec. 501. Fiscal year. The fiscal year of the city government shall coincide with the calendar year and shall constitute the budget and accounting year.

Sec. 502. Preparation and submission of budget. Not later than 1 month after the beginning of the fiscal year, the city manager shall submit to the city council a proposed budget for the fiscal year which shall be based on information furnished the city manager before the close of the preceding fiscal year by the various administrative officers and departments of the city. Such proposed budget shall include comparative statements of revenue and expenditures for the 3 preceding fiscal years. Copies of the proposed budget shall be available to the general public not later than 2 weeks after its submission to the city council. The city council thereafter shall fix times and a place for holding 2 public hearings on the proposed budget and shall give public notice thereof. The 2nd hearing shall be held at least 10 days before final adoption of the budget.

Sec. 503. Board of budget review. The board of budget review shall consist of 12 members appointed for terms of 3 years, except that of those members first appointed, 4 shall be for terms of 2 years and 4 for terms of one year. Such board shall, at the direction of the city council, study the proposed budget and advise and make recommendations to the city council regarding the same.

Sec. 504. Adoption of the budget. The budget shall be adopted by the city council not later than April 1 of each fiscal year.

Sec. 505. Fees to be paid to city. All fees received by any officer or employee of the city in connection with such office or employment shall belong to the city, and shall be paid to the city treasurer at least weekly.

Sec. 506. City treasurer. The city treasurer shall have custody of all public funds of the city or any of its offices, departments and agencies and shall have custody of all investments and invested funds of the city or in the possession of the city in a fiduciary capacity. He shall make payments and disbursements from public funds, but only when directed by warrant of the city council.

Sec. 507. Emergency appropriations. To meet a pressing need for public expenditure, for other than a regular or recurring requirement, and to protect the public health, safety and welfare, the city council may transfer from unappropriated available revenue such amounts as are deemed necessary to meet the emergency. In the absence of unappropriated available revenue for any such emergency, the city council may authorize the issuance of notes, which notes may

be renewed, but all such notes or renewals thereof issued in any fiscal year shall mature and be paid not later than the last day of the fiscal year succeeding the fiscal year in which issued.

Sec. 508. Borrowing in anticipation of taxes. In anticipation of the collection of taxes, the city council may authorize borrowing by the issuance of notes which notes may be renewed, but all such notes or renewals thereof shall mature and be paid during the fiscal year in which issued.

Sec. 509. Power to incur indebtedness. The city may incur indebtedness by issuing its negotiable serial bonds and notes in anticipation of serial bonds to finance any legal capital project. Such bonds shall be authorized by a bond ordinance passed by a majority of all the members of the city council. Every bond issue shall be payable within a fixed term of years not to exceed 30 years; bond anticipation notes shall mature and be payable not more than 14 calendar months after the date of issue.

The powers and obligations of the city to pay such bonds and notes hereafter issued by the city shall be unlimited and the city shall levy ad valorem taxes upon all the taxable property within the city to pay such bonds and notes and interest thereon. The faith and credit of the city is hereby pledged for the payment of such bonds and notes and interest thereon.

Sec. 510. Transfers of funds. No department, except by vote of the city council, shall transfer any appropriated funds from one general classification of expenditures, as shown by the budget as adopted, to any other general classification of expenditures.

Article VI

Tax Administration

Sec. 601. Assessor. The city assessor shall have such powers, including the power to make abatements, and be subject to such liabilities and duties as are prescribed for assessors under the laws of the State.

Sec. 602. Board of assessment review. There shall be a board of assessment review, consisting of 3 regular members and one alternate, none of whom shall be elected officials of the city. Members shall be appointed for terms of three years, except that of those regular members first appointed, one shall be appointed for a term of 2 years, and one for one year. The alternate shall act only in the absence of one of the regular members. If a member of such board shall cease to be a resident of the city, his office shall become immediately vacant. The board shall elect annually a chairman and a secretary from its own membership.

Sec. 603. Powers and duties. The board of assessment review shall have the power to review, on complaint of property owners, the assessments made by the city assessor, and in pursuance thereof may administer oaths, hold hearings, take testimony and adopt procedural regulations.

Sec. 604. Basis for complaint. No complaint shall be considered by the board of assessment review unless there shall have been:

I. Compliance by the complainant with the provisions of chapter 91-A, section 34, of the Revised Statutes of 1954, and

II. Denial of an abatement by the city assessor after application therefor under chapter 91-A, Section 48, of the Revised Statutes of 1954.

Sec. 605. Hearings on complaints. Complaints to the board of assessment review shall be in writing and hearings shall be held upon complaints within 30 days of receiving the same. The attendance and testimony of the city assessor shall be required at all hearings. Within 10 days thereafter the determination of the board of assessment review shall be certified by the secretary of the board to the complainant and to the city assessor, who shall make such abatement as the board may have recommended.

Sec. 606. Appeal. Appeal from the determination of the board of assessment review may be taken by the taxpayer to the county commissioners or to the Superior Court in accordance with chapter 91-A, sections 50 to 55, of the Revised Statutes of 1954. The determination of the board of assessment review shall not be admissible in evidence in a hearing before the county commissioners or the Superior Court.

Article VII

Municipal Development

Sec. 701. Planning board. There shall be a city planning board which shall be appointed, have such powers, and perform such duties as are provided by the laws of the State.

Sec. 702. Zoning ordinance. There shall be a zoning ordinance as provided by the laws of the State.

Sec. 703. Board of zoning appeals. There shall be a board of zoning appeals which shall be appointed, have such powers, and perform such duties as are provided by the laws of the State.

Article VIII

Nominations and Elections

Sec. 801. City elections. The regular election for the choice of members of the city council and the school board shall be held on the first Monday in December. After the first election held under this charter, the then municipal officers, and thereafter, following the regular city election, the city council shall, within 24 hours, determine the successful candidates according to the laws of the State of Maine and shall cause the persons who have been elected to be notified in writing of their election. If it shall appear that one or more of the offices to be filled by said election has not been filled, or if any person shall refuse to accept the office for which he has been elected, warrants for another and special election to fill such vacancy or vacancies shall be issued forthwith.

Sec. 802. Nominations. At the first election under this charter any voter of the town, and thereafter any voter of the city, may be nominated for membership at large on the city council and for membership on the school board. Similarly, at the first election under this charter any voter of the town satisfying the residence requirement and thereafter any voter of the city satisfying the residence requirement may be nominated as a district member of the city council. Nomination shall be by petition which shall be signed by at least 100 voters, except that in the case of a nomination for district membership on the city council the petition shall be signed by at least 25 voters residing in such district. No voter shall sign more than one petition for each office to be filled, and should a voter do so, his signature shall be void except as to the petition first filed. With each signature shall be stated the place of residence of the signer giving the street and the number, if any. Nominating petitions shall be signed and filed with the town clerk for the first election under this charter, and thereafter with the city clerk, not earlier than 45 days nor later than 15 days before the date of election. No nomination shall be valid unless the candidate shall file with the town clerk, or the city clerk as the case may be, not later than 15 days before the date of election, his written consent to accept nomination, agreeing not to withdraw, and if elected, to qualify.

Sec. 803. Form of nomination petition. Signatures to nomination petitions need not all be affixed to one petition, but to each separate petition there shall be attached an affidavit of the circulator thereof stating the number of signers and that each signature was made in the presence of the circulator and is the genuine signature of the person whose name it purports to be. The place of residence of each signer shall be stated by street and number, if any. The form of nomination petitions shall be substantially as follows:

“To the Town (City) Clerk of the Town (City) of Brunswick. We, the undersigned voters of the Town (City) of Brunswick, hereby nominate -----
 ----- whose residence is -----
 for the office of -----, to be voted for at the election
 on the ----- day of -----, 19 -----, and we individually
 certify that we are qualified to vote for a candidate for the above office and that
 we have not signed more nomination petitions of candidates for such office than
 there are persons to be elected thereto.

Name -----, Street and Number -----,
 being duly sworn deposes and says that he is the circulator of the foregoing
 nomination petition containing ----- signatures, that such signatures were
 made in his presence and are the signatures of the persons whose names they
 purport to be.

Signed -----

Subscribed and sworn to before me this ----- day of -----, 19 -----

 Justice of the Peace
 Notary Public”

Sec. 804. List of candidates to be certified and published. At the first election under this charter the town clerk, and thereafter the city clerk, shall examine each nomination petition and within 5 days after a petition is filed shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of voters. The clerk shall certify a list of candidates and shall cause to be published, in a paper published or having general circulation in Brunswick, the names, residences and offices to which nominated of the candidates.

Sec. 805. The ballot. For the first election under this charter the town clerk, and thereafter the city clerk, shall determine by lot the position upon the ballot of the names of the candidates. At such time candidates or their representatives shall be entitled to be present. Candidates shall be notified of the time and place of such drawing at least 24 hours in advance thereof. The ballots shall bear no party mark or designation. The residence of each candidate shall be given. At the right of each name there shall be a square within which the voter shall place a cross or check mark to designate his choice. A blank space shall be left at the end of the list of candidates for each office in which the voter may insert the name of any person whose name is not printed on the ballot and for whom he desires to vote. The ballot shall be prepared by the clerk and shall be printed substantially as follows:

(Back of the Ballot)

OFFICIAL BALLOT

BRUNSWICK

Monday, _____, A.D. 19 _____

Facsimile of Signature
Town (City) Clerk

(Face of the Ballot)

To vote for a candidate mark a cross (X) or a check mark (✓) in the square at the right of the candidate's name and residence.

If you wrongly mark, tear or deface a ballot, return it and obtain another.

FOR CITY COUNCIL, MEMBER (s) AT LARGE	VOTE FOR _____
Name of Candidate	Residence
_____	_____ <input type="checkbox"/>
_____	_____ <input type="checkbox"/>
_____	_____ <input type="checkbox"/>
_____	_____ <input type="checkbox"/>

FOR CITY COUNCIL, DISTRICT	VOTE FOR _____
Name of Candidate	Residence
_____	_____ <input type="checkbox"/>
_____	_____ <input type="checkbox"/>
_____	_____ <input type="checkbox"/>

FOR SCHOOL BOARD

VOTE FOR

Name of Candidate	Residence
..... <input type="checkbox"/>
..... <input type="checkbox"/>
..... <input type="checkbox"/>

Sec. 806. State laws to govern. Provisions of the laws of the State relating to the qualifications of voters, registration, the manner of voting, the duties of election officers, and the preparation for, conducting and management of elections, so far as applicable, shall govern all elections, except as otherwise provided in this charter.

Article IX

Initiative and Referendum

Sec. 901. Power of initiative. The voters of the City of Brunswick shall have the power to propose any ordinance, except an ordinance appropriating money, authorizing the levy of taxes or setting the salary of municipal employees, and to adopt or reject the same at the polls, such power being known as the initiative. Any initiative ordinance may be submitted to the city council by a petition signed by at least 300 voters.

Sec. 902. Power of referendum. The voters of the City of Brunswick shall have power to approve or reject at the polls an ordinance passed by the city council, or submitted by the city council to a vote of the voters, such power being known as referendum. Ordinances submitted by initiative petition and passed by the city council shall be subject to the referendum in the same manner as other ordinances. Within 20 days after the enactment by the city council of any ordinance which is subject to a referendum, a petition signed by at least 300 voters of the City of Brunswick may be filed with the city clerk, requesting that any such ordinance be either repealed or submitted to a vote of the voters.

Sec. 903. Form of petitions. The petitions used to invoke the initiative and referendum shall be substantially in the following form:

“Petition to the Brunswick City Council for the Submission to the Voters of the Question: Shall the proposed ordinance, a copy of which is hereto attached, be adopted?”

We, the undersigned, under oath, depose and say that we are voters of the City of Brunswick, residing respectively at the addresses placed opposite our names, and we hereby petition the city council to submit the foregoing question to the voters of the City of Brunswick

Names

Residences

.....
.....

Name Street and number

being duly sworn deposes and says that he is the circulator of the foregoing petition containing ----- signatures and that the signatures appended thereto were made in his presence and are the signatures of the persons whose names they purport to be.

Signed: -----

Subscribed and sworn to before me, this ----- day of ----- 19 -----

Justice of the Peace
Notary Public.”

Sec. 904. Filing, examination and certification of petitions. All petition papers comprising an initiative or referendum petition shall be assembled and filed with the city clerk as one instrument. Within 20 days after a petition is filed, the city clerk shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of voters. After completing his examination of the petition, the city clerk shall certify the result thereof to the city council at its next regular meeting. If he shall certify that the petition is insufficient, he shall set forth in his certificate the particulars in which it is defective and shall at once notify the circulator of the petition as to his findings.

Sec. 905. Amendments of petition. Any initiative or referendum petition may be amended at any time within 10 days after the notification of insufficiency has been sent by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in the case of an original petition. The finding of the insufficiency of a petition shall not prejudice filing of a new petition for the same purpose.

Sec. 906. Effect of certification of referendum petitions. When a referendum petition, or amended petition, has been certified as sufficient by the city clerk, the ordinance specified in the petition shall not go into effect, or further action thereunder shall be suspended if it shall have gone into effect, until or unless approved by the voters, as hereinafter provided.

Sec. 907. Consideration by city council. Whenever the city council receives a certified initiative or referendum petition from the city clerk, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read and provision shall be made for a public hearing upon the proposed ordinance. The city council shall take final action on the ordinance not later than 60 days after the date on which such ordinance was submitted to the city council by the city clerk. A referred ordinance shall be reconsidered by the city council and its final vote upon such reconsideration shall be upon the question, “Shall the ordinance specified in the referendum petition be repealed?” In the case of referendum the entire repeal of the ordinance sought to be referred, and in the case of the initiative, the passage by the city council of the desired ordinance shall put an end to all proceedings under said petition.

Sec. 908. Submission to voters. If the city council shall fail to pass an ordinance proposed by initiative petition, or shall pass it in a form different from

that set forth in the petition therefor, or if the city council fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the voters not less than 15 days nor more than 6 months from the date the city council takes its final vote thereon. The city council may, in its discretion and, if no regular election is to be held within such period, shall provide for a special election.

Sec. 909. Publication. Whenever any ordinance is required by the provisions of this article to be submitted to the voters of the city at any election, the city council must order one publication of the complete text thereof to be made in one, or more should the city council deem it best, of the newspapers published or having a general circulation in the City of Brunswick, such publication to be made not less than 10 days nor more than 20 days prior to the election.

Sec. 910. Form of ballot. The ballots used when voting on such a proposed ordinance shall set forth the title thereof in full and state its general nature. It shall contain the words: "For the Ordinance" and "Against the Ordinance."

Sec. 911. Results of the election. If a majority of the voters voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the city. A referred ordinance which is not approved by the majority of the voters voting thereon shall thereupon be deemed repealed. If conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

Sec. 912. Publication of ordinances. Initiative and referendum ordinances adopted and approved by the voters shall be published as in the case of other ordinances.

Article X

General Provisions

Sec. 1001. Short title. This charter shall be known and may be cited as the "City Charter of Brunswick". The town clerk shall cause it to be printed and made available to the public promptly.

Sec. 1002. Repealing clause. All acts and parts of acts of the private and special laws of Maine relating to the Town of Brunswick, inconsistent with the provisions of this charter, are repealed.

Sec. 1003. Separability clause. If any portion of this act shall be held to be invalid, such decision shall not affect the validity of the remaining portions thereof.

Sec. 1004. Existing contracts validated. All rights, actions, proceedings, prosecutions and contracts of the Town of Brunswick or any of its departments, pending or unexecuted when this charter goes into effect and not inconsistent herewith, shall be enforced, continued or completed in all respects as though begun or executed hereunder.

Sec. 1005. Expiration of terms of present officials. The terms of present members of the board of selectmen shall expire at 7:30 P.M. on the first business day of January, 1964. The terms of present members of the superintending school committee shall expire at 8:00 P.M. on the first business day of January, 1964.

Sec. 1006. Continuance of present administrative officers. All persons holding administrative office at the time this charter takes effect shall continue in office until other provision is made in accordance therewith for the performance of such duties.

Sec. 1007. Ordinances not inconsistent remain in force. All ordinances and bylaws of the Town of Brunswick in force at the time this charter takes effect, not inconsistent with the provisions thereof, shall continue in force until amended or repealed.

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the Town of Brunswick at a special meeting called and held for the purpose not later than 45 days after the effective date of this act. Such special meeting shall be called, advertised and conducted according to the laws relating to municipal elections.

The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question:

“Shall ‘An Act to Grant a Charter to the City of Brunswick,’ passed by the 101st Legislature, be accepted?” The voters shall indicate by a cross or check mark placed against the words “Yes” or “No” their opinion of the same.

This act shall take effect for the purpose of nominating and electing officers hereunder immediately upon its acceptance by a majority of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20% of the total vote for all candidates for Governor in said town at the next previous gubernatorial election, and for all other purposes this act shall take effect immediately following the first election held under this charter.

The result of said election shall be declared by the municipal officers of the Town of Brunswick and due certificate thereof shall be filed by the town clerk with the Secretary of State.

Effective September 21, 1963

Chapter 145

AN ACT to Incorporate The Sugarloaf Narrow Gauge Railroad Company.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and