

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)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

§8028. Rules

The Office of Energy Resources may, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, adopt rules necessary to implement this chapter.

Effective July 13, 1982.

CHAPTER 598

H.P. 1827 - L.D. 1809

AN ACT to Permit Municipalities to Adopt Contract Zoning under the Maine Zoning Laws.

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

Sec. 1. 30 MRSA §4961, sub-§1, last sentence, as last amended by PL 1979, c. 418, is further amended to read:

The comprehensive plan may include planning techniques such as, but not limited to, planned unit development, site plan approval, open space zoning, clustered development, conditional zoning, contract zoning and zoning to protect access to direct sunlight for solar energy use.

Sec. 2. 30 MRSA §4962, sub-§1, ¶11 is enacted to read:

1. Any zoning ordinance may include provisions for conditional or contract zoning. For the purposes of this subchapter, "conditional zoning" means the process by which the municipal legislative body may rezone property to permit the use of that property subject to conditions not generally applicable to other properties similarly zoned. "Contract zoning" means the process by which the property owner, in consideration of the rezoning of his property, agrees to the imposition of certain conditions or restrictions not imposed on other similarly zoned properties. All rezoning under this paragraph shall:

(1) Be consistent with the municipal comprehensive plan;

(2) Establish rezoned areas which are consistent with the existing and permitted uses within the original zones; and

(3) Only include conditions and restrictions which relate to the physical development or operation of the property.

The municipal reviewing authority, as defined in section 4956, subsection 2, shall conduct a public hearing prior to any property being rezoned under this paragraph. Notice of this hearing shall be posted in the municipal office at least 14 days prior to the public hearing and shall be published in a newspaper of general circulation within the municipality at least 2 times, the date of the first publication to be at least 7 days prior to the hearing. Notice shall also be sent to the owners of all property abutting the property to be rezoned at their last known address. This notice shall contain a copy of the proposed conditions and restrictions, with a map indicating the property to be rezoned.

Effective July 13, 1982.

CHAPTER 599

S.P. 785 - L.D. 1850

AN ACT to Raise the Annual Public Utilities
Commission Regulatory Fund Assessments to \$1,300,000.

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

Whereas, the Public Utilities Commission requires additional funding to allow it to discharge its public responsibilities during the fiscal year ending June 30, 1983; and

Whereas, the assessment for that fiscal year must take place before May 1, 1982; and

Whereas, the current assessment allowance will not provide the Public Utilities Commission with sufficient funds; and