

# MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

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1957 CUMULATIVE SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

**VOLUME 3**

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**Place in Pocket of Corresponding  
Volume of Main Set**

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THE MICHE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1957

such construction or reconstruction. The commissioner shall issue a permit only if the plans comply with statutes and lawful regulations promulgated to reduce fire hazards. (1957, c. 397, § 50.)

**Sec. 47-B. Penalty.**—Whoever shall construct or reconstruct a public building, schoolhouse, hospital, convalescent home, nursing home, theater or other place of public assembly to which admission is to be charged or any building to be owned or operated by the state, without first obtaining the permit required by section 47-A, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$100. (1957, c. 397, § 50.)

**Secs. 48-A, 48-B.** Repealed by Public Laws 1957, c. 397, § 49.

**Cross reference.**—See now §§ 47-A and 47-B of this chapter for provisions relative to permits for construction of public buildings, which sections are similar to former §§ 48-A and 48-B.

**Sec. 51. Notice as to sufficiency of safeguards.**—The insurance commissioner, municipal officers or chief of the fire department shall give written notice to the occupant of such building, also to the owner thereof if known, of their determination as to the sufficiency of said precautions and safeguards, specifying in said notice any alteration, addition or repair which they require. Sixty days are allowed for compliance with such notice and order. (R. S. c. 85, § 48. 1957, c. 16, § 2.)

**Effect of amendment.** — The 1957 amendment made this section applicable to the insurance commissioner.

## Chapter 98.

### Harbor Masters. Wharves and Fish Weirs.

#### Wharves and Fish Weirs.

**Sec. 7. Application for license to build or extend wharves and fish weirs.**—Any person intending to build or extend any wharf, fish weir or trap in tidewaters, within the limits of any city or town, may apply in writing to the municipal officers thereof, stating the location, limits and boundaries, as nearly as may be, of such intended erection or extension, and asking license therefor. Upon receiving such application, said officers shall give at least 3 days' public notice thereof in a newspaper, published in the town, or, if there be no newspaper published in the town, in a newspaper published within the county, and shall therein designate a day and time on which they will meet on or near the premises described, to examine the same and hear all parties interested. If, upon such examination and hearing of all parties interested, said officers decide that such erection or extension would not be an obstruction to navigation or injury to the rights of others, and determine to allow the same, they shall issue a license under their hands to the applicant, authorizing him to make such an erection or extension, and to maintain the same within the limits mentioned in such license; the applicant for license to build or extend a fish weir or trap as aforesaid shall first give bond to the town, with sureties, in the sum of \$500, conditioned that upon the termination of such license he shall remove all stakes and brush from the location therein described. Said municipal officers shall, within 10 days after the date of hearing, give written notice by registered mail of their decision to all parties interested. Any person aggrieved by the decision of the municipal officers, in either granting or refusing to grant a license as hereinbefore provided, may appeal to any justice of the superior court within 10 days after the mailing of such written notice. On receiving such an appeal, said justice in term time or in vacation shall set a time and place for hearing and give notice thereof in the same

manner as hereinbefore provided for a hearing, before the municipal officers. The decision of said justice shall be communicated within 10 days after the date of hearing to the appellant and to the municipal officers of the town in which the proposed wharf, weir or trap is to be located; and this decision shall be binding in said municipal officers, who shall issue a license, if so directed by the decision of said justice, within 3 days after said decision has been communicated to them. If said appeal is sustained by said justice in whole or in part, the appellant shall have his costs against the appellee. If the appeal is not so sustained, the appellee shall have his costs against the appellant. If any owner to whom a license has been issued, or his heirs or assigns, fails to remove all stakes and brush within a period of 1 year after the termination of the license, as provided in the following section, any person can remove the same without charge against said owner, his heirs or assigns.

In the case of islands not within the jurisdiction of any town all powers of municipal officers to issue licenses to build weirs are conferred upon the owner or owners of such islands. If said owner or owners are unable to agree as to the issuance of a license they shall submit the question of such issuance to the commissioner of sea and shore fisheries, who shall, after a hearing at which all parties may be represented, decide as to the issuance of such license. (R. S. c. 86, § 7. 1955, c. 227.)

**Effect of amendment.**—The 1955 amendment substituted in the third sentence the words “with sureties, in the sum of \$500” for the words “without sureties, in the sum of \$100.”

## Chapter 100.

### Miscellaneous Provisions Relating to Towns.

Sections 68-A to 68-J. Pin Ball Machines.  
Section 71-A. Drive-In Theaters.  
Sections 79-A to 79-D. Closing-Out Sale.

#### Dogs.

##### Sec. 9. Lists of all dogs; returns.

If any city or town fails to remit to the treasurer of state on or before October 15 of each year a sum of money equal to the licenses required by sections 9 to 28, inclusive, on all dogs living on the 15th day of June preceding, such deficiency shall be collected in the manner provided by section 13 of chapter 18. (R. S. c. 88, § 8. 1955, c. 135.)

**Effect of amendment.**—The 1955 amendment substituted in the last paragraph of the section the words “collected in the manner provided by section 13 of chapter 18” for the words “added to the state tax of such delinquent city or town for the following year.” As the rest of the section was not changed by the amendment, only the last paragraph is set out.

**Sec. 10. Dog licenses; fee; suitable tag; duties of animal husbandry expert; kennels.**—On or before the 1st day of April of each year, the owner or keeper of any dog 6 months old or over shall apply to the city or town clerk either orally or in writing for a license for each such dog owned or kept by him. Such application shall state the breed, sex, color and markings of such dogs and the name and address of the last previous owner.

A fee of \$1.15 shall be paid the city or town clerk for each license issued on male dogs, and a fee of \$5.15 shall be paid for all female dogs capable of bearing young. All female dogs shall be considered capable of producing young unless a certificate issued by the commissioner of agriculture and signed by a licensed vet-