

MAINE STATE LEGISLATURE

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Maine
REVISED STATUTES
1964

*Prepared Under the Supervision
of the
Committee on Revision of Statutes*

Being the Tenth Revision of the
Revised Statutes of the State
of Maine, 1964

Volume 4
Titles 21 to 25



Boston, Mass.
Boston Law Book Co.

Orford, N. H.
Equity Publishing Corporation

St. Paul, Minn.
West Publishing Co.

Text of Revised Statutes
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CHAPTER 559

WATER FOR HOMES OR SCHOOLS

Sec.

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§ 2431. Samples for examination; polluted; cost

The Department of Health and Welfare may require any person, firm, corporation, municipality or water district selling water for domestic purposes to furnish samples thereof for chemical and bacteriological examination, and if said water is found to be contaminated, polluted and unfit for domestic use, the department may issue an order prohibiting the transporting, sale, distribution or supplying of such water as long as such contamination, pollution and unfitness remains, and may issue an order directing the installation and operation of such purification equipment as may be reasonable and proper, and may make reasonable rules and regulations for the adequate operation of all water purification equipment.

Representatives of the department may enter upon the premises and inspect any water purification equipment to determine compliance with the law, department orders and department rules and regulations. Any person, firm, corporation, municipality or water district required under this section to furnish samples of the water sold or to be sold by it for domestic purposes shall pay the shipping charges thereon, and the department shall charge the average cost of the analysis for such examination to the person, firm, corporation, municipality or water district required to have such test made.

R.S.1954, c. 25, § 141; 1957, c. 269, § 2.

§ 2432. Penalties

Whoever neglects or refuses to furnish such samples of water or violates or disobeys any order of said department as provided in section 2431 shall be punished by a fine of not less than

\$5 nor more than \$50, or by imprisonment for not less than 10 days nor more than 30 days.

R.S.1954, c. 25, § 142.

§ 2433. Samples of water for school use; examination

The department shall, during each school year, require the school officials of any municipality to have submitted samples of water for chemical and bacteriological examination, if such water is used by any school for drinking or culinary purposes and is taken from sources other than a municipal water system. If such water is found to be contaminated, polluted and unfit for domestic use, the department may issue an order prohibiting the use or supplying of such water to any school as long as such contamination, pollution and unfitness remains. The department shall charge the average cost of the analysis for such examination to the municipality required to have such test made.

R.S.1954, c. 25, § 143.

§ 2434. Fluoridation

No public utility or other agency operating a public water supply shall add any fluoride to any such water supply without written approval of the department. The department is authorized to make such rules and regulations as it deems necessary to carry out this section.

R.S.1954, c. 25, § 144.

§ 2435. —Authorization

No such public utility or agency shall add any fluoride to any such water supply without first having been authorized to do so by the municipality or municipalities served by it. Any public utility or agency duly authorized to add fluoride to any water supply shall do so within 9 months after being notified in accordance with this section. The town or city clerk shall, within 10 days after the vote, notify the public utility or agency of the vote favoring the addition of fluoride to the public water supply. In the case of a city, such authorization shall be by a majority vote of the legal voters voting at a regular or special city election. In the case of a town or plantation, such authorization shall be by a majority vote of the inhabitants present at an annual town or plantation meeting. In the case of a public utility or agency serving more than one municipality, such authorization shall be by a majority vote of the voters voting at such city election and a

majority vote of the inhabitants present at an annual town or plantation meeting of each town or plantation served by such public utility or agency. Authorization by municipalities representing 80% of the customers served by such public utility or agency shall be sufficient. Whenever a municipality shall have approved fluoridation it may not again vote on the matter for a minimum period of 2 years from the date of installation of fluoride. The Public Utilities Commission, upon application, shall determine and allocate the cost of such fluoridation among the customers of such public utility or agency and shall from time to time review such determination and allocation as required. In the event that a municipality which shall have approved fluoridation shall vote to discontinue such fluoridation and the public utility or agency serving such municipality has constructed or installed fluoridation facilities, such public utility or agency shall be entitled to amortize the remaining cost of its investment in such facilities, and to allocate the cost of such amortization among its customers, over such period of time as shall be approved by the Public Utilities Commission.

R.S.1954, c. 25, § 145; 1957, c. 303.

§ 2436. Protection of source of public water supply

Any water utility or municipality supplying water to the public is authorized to take reasonable methods to protect its source of public water supply from pollution when such source is a lake or pond. It may enter upon the land bordering such source of public water supply and inspect the system of drainage and sewage of any building or structure thereon. It may order the owner of any building thereon having a system of drainage and sewage flowing, seeping or suspected of seeping into said source of public water supply to remedy the situation. Such order shall be in writing and state a time within which the order must be complied with.

Before any new building or structure is constructed upon land bordering on the source of a public water supply or any existing building or structure thereon is repaired or remodeled, the water utility or municipality supplying water to the public shall approve the plans as to drainage and sewage.

Either party may call upon the department for technical advice.

Any person aggrieved by any order of such water utility or municipality supplying water to the public may appeal to the Superior Court within 30 days after receiving such order.

The water utility or municipality supplying water to the public may petition the Superior Court upon failure of the owner of a building or structure to comply with any order made by it. The court, after hearing, may make such order as may be appropriate.

1961, c. 120; c. 417, § 51.