

CHAPTER 305**MUNICIPAL SERVICES IN UNORGANIZED AREAS****§7501. Municipal services authorized**

The county commissioners of each county may provide or contract for the provision of the following municipal services for the residents of the unorganized territory in their county: [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Fire protection. Fire protection other than forest fires;
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Solid waste. Solid waste management;
[PL 2007, c. 541, Pt. F, §1 (RPR).]

3. Roads and bridges. Construction, repair and maintenance of roads and bridges, including snow removal, except that the county commissioners may not expend money for improvements, maintenance or snow removal on any privately owned road within the unorganized territory in which the county has not acquired any property interest. The county commissioners may enact an ordinance to establish road standards for the purpose of preserving, protecting and maintaining roads in which the county has acquired a property interest;
[PL 2007, c. 541, Pt. G, §1 (AMD).]

4. Polling places. Establishment of polling places under Title 21-A, section 632;
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5. Administrative services. Coordination of services provided, payment of expenses, administration of the unorganized territory fund. The amount charged for administrative services may not exceed 5% of the budget for the unorganized territory established under section 7503 for the year;
[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5-A. Watershed districts. Participation in watershed management districts organized under Title 38, chapter 23;
[PL 1993, c. 721, Pt. E, §1 (NEW); PL 1993, c. 721, Pt. H, §1 (AFF).]

6. Other services. Any other service that a municipality may provide for its inhabitants and that is not provided by the State;
[PL 1995, c. 607, §1 (AMD).]

7. Law enforcement. Law enforcement;
[PL 1999, c. 106, §1 (AMD).]

8. Enhanced 9-1-1 service. Assigning and maintaining physical addresses specifically for the purpose of statewide enhanced 9-1-1 service. The county commissioners may enact an ordinance to establish the addressing standards and, pursuant to that ordinance, may assign road names to existing and proposed roads and property numbers to existing and proposed year-round and seasonal dwellings or structures and may install signs designating road names; and
[PL 1999, c. 106, §2 (AMD).]

9. Animal control. Animal control services. The county commissioners may enact an ordinance for the purpose of animal control. The county commissioners shall give 14 days notice of the meeting at which the ordinance is to be proposed in the manner provided for town meetings.

[PL 1999, c. 106, §3 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1993, c. 721, §E1 (AMD). PL 1993, c. 721, §H1 (AFF). PL 1995, c. 607, §§1,2 (AMD). PL 1999, c. 106, §§1-3 (AMD). PL 2007, c. 541, Pt. F, §1 (AMD). PL 2007, c. 541, Pt. G, §1 (AMD).

§7502. Unorganized territory funds

1. Fund established. There is established in each county one unorganized territory fund to which must be credited all receipts under Title 12, section 10203 and Title 36, sections 1487, 1505, 1606 and 1612 and all other receipts that are allocated for municipal services in the unorganized territory, and from which all disbursements for municipal services in the unorganized territory are made.

[PL 2017, c. 193, §1 (AMD).]

2. Prior receipts and surpluses. All money received by the county for municipal services for the unorganized territory before September 23, 1983, and remaining unspent shall be deposited into the fund. Any surplus in revenue remaining in the fund at the end of the year, not including amounts allocated to the contingent account or set aside in capital reserve accounts established after November 1, 1983, which is in excess of 10% of the amount of expenditures for that year, shall be used to reduce the amount to be collected in taxes during the next year.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

3. Commingling; interest. This fund shall be accounted for separately from the funds raised for countywide activities. The return on investment of unorganized territory funds shall be credited to those funds and shall be used only for the unorganized territories. No countywide funds, nor return on investments of countywide funds, may be used to fund expenditures for services that a county is providing to unorganized territories in place of municipal government.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

4. Uses of the fund. The fund may be used for any of the services authorized in section 7501 in any area of the unorganized territory of the county.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

5. Contingent account. The county commissioners may establish within the fund a contingent account not to exceed \$25,000 annually. Funds within the contingent account may be transferred to any other account within the fund when those accounts are not sufficient to meet the needs for municipal services to the unorganized territory of the county.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

6. Capital reserve accounts. The county commissioners may establish capital reserve accounts by following the procedures specified in section 921.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2003, c. 414, §B47 (AMD). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2007, c. 541, Pt. F, §2 (AMD). PL 2017, c. 193, §1 (AMD).

§7503. Budget

1. Procedure. Before November 7th of each year, the county commissioners of each county shall provide to the members of the county legislative delegation a preliminary budget for the services to be provided under this chapter to the unorganized territory in the next year. These preliminary budgets shall be provided in a form that shows how the funds are to be spent for each category of service identified in section 7501 and any projected surplus for the year of unorganized territory funds held by the county. The county commissioners shall provide an opportunity for public comment on the preliminary budget at the same time as a public hearing is held on the county budget, as provided under Part 1, chapter 3, subchapter I.

The budget for the unorganized territory shall be finalized at the same time as the regular county budget. A copy of the finalized budget and an accurate identification of any surplus which can be used to reduce the amount needed to be collected in taxes shall be submitted to the State Tax Assessor and to the fiscal administrator of the unorganized territory by January 1st of each year.

[PL 1989, c. 502, Pt. C, §12 (NEW).]

2. Budget year. Each budget year shall cover the period of July 1st to June 30th following the date the budget is provided.

[PL 1989, c. 502, Pt. C, §12 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1989, c. 502, §C12 (RPR).

§7504. Service fees

1. Authority. The county commissioners of each county may impose a service fee on recipients of eligible services, as described in subsection 2, provided in the unorganized territory.

[PL 2007, c. 541, Pt. A, §1 (NEW).]

2. Eligible services. For the purposes of this section, eligible services include:

A. Solid waste management; [PL 2007, c. 541, Pt. A, §1 (NEW).]

B. Structural fire protection; [PL 2007, c. 541, Pt. A, §1 (NEW).]

C. Ambulance and emergency medical services; [PL 2007, c. 541, Pt. A, §1 (NEW).]

D. Law enforcement; [PL 2007, c. 541, Pt. A, §1 (NEW).]

E. Animal control; and [PL 2007, c. 541, Pt. A, §1 (NEW).]

F. Other services provided to property owners or residents in a limited geographic area. [PL 2007, c. 541, Pt. A, §1 (NEW).]

[PL 2007, c. 541, Pt. A, §1 (NEW).]

3. Conditions. A service fee imposed under this section must be:

A. Based on the actual cost of providing the service; [PL 2007, c. 541, Pt. A, §1 (NEW).]

B. Imposed only on persons eligible for or actually receiving the service; and [PL 2007, c. 541, Pt. A, §1 (NEW).]

C. Imposed on all similarly situated persons eligible for or actually receiving the service. [PL 2007, c. 541, Pt. A, §1 (NEW).]

[PL 2007, c. 541, Pt. A, §1 (NEW).]

4. Use of revenues. Revenues received under this section must be used to reduce the amount requested to be raised through property taxes under Title 36, chapter 115.

[PL 2007, c. 541, Pt. A, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 541, Pt. A, §1 (NEW).

§7505. Ordinances authorized under the Maine Food Sovereignty Act

The county commissioners of each county may adopt ordinances regarding direct producer-to-consumer transactions in accordance with Title 7, chapter 8-F. Ordinances adopted by the county commissioners govern direct producer-to-consumer transactions in any unorganized territory within the county whose residents have opted, in a manner prescribed by the county commissioners, to have the ordinance apply in that unorganized territory. [PL 2021, c. 625, §6 (NEW).]

SECTION HISTORY

PL 2021, c. 625, §6 (NEW).

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