

**Chapter 12 - NUISANCES** [48]

[Sec. 12-1. - Loud, offensive noises prohibited.](#)

[Sec. 12-2. - Littering prohibited.](#)

[Sec. 12-3. - Junked motor vehicles prohibited.](#)

**Sec. 12-1. - Loud, offensive noises prohibited.**

No person shall make, continue or cause to be made or continued any loud, boisterous, unnecessary or unusual noises which shall either annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. The sounding of any horn or signalling device except as a danger warning; the playing of any radio, musical instrument, phonograph or any other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants and passersby; the use of any loudspeaker or amplifier for the purpose of commercial advertising or attraction of the public to a specific building, location or business; yelling, shouting, hooting, whistling, or singing shall be considered to be loud, disturbing, and unnecessary noises and a violation of this section but such enumeration shall not be deemed exclusive.

*(Code 1966, Ch. 303, § 1)*

*Cross reference— Animals, Ch. 3; buildings and building regulations, Ch. 4; mobile homes and mobile home parks, Ch. 11; traffic and motor vehicles, Ch. 17.*

**Sec. 12-2. - Littering prohibited.**

- (a) No person shall throw or deposit, or cause to be thrown or deposited in any street, sidewalk, court, square, lane, alley or public place, any sawdust, soot, ashes, cinders, garbage, paper, shavings, hair, shreds, manure, oysters, clam or lobster shells, waste or dirty water or any animal, vegetable or offensive matter whatsoever. No person shall throw or cast any dead animal or any foul or offensive matter in any dock or within the tidelands, nor shall land any foul or offensive animal or vegetable substance within the town. No person shall cast any waste or garbage in the waters of Casco Bay, Falmouth portion of Highland Lake, Presumpscot River, all branches of the Piscataquis River, Mill Creek and other Falmouth waters. No person shall throw, cast or place any living animal with intent to drown the same in any dock or any area listed above. It shall be the duty of the town manager or his designated official to cause the enforcement of the provisions of this section and to prosecute any and all persons violating any provisions.
- (b) All dirt, sawdust, soot, ashes, cinders, garbage, paper, shavings, hair shreds, manure, oysters, clam or lobster shells or any animal or vegetable substances or foul or offensive material or filth of any kind in any house, building, cellar, yard or other place which the health officer shall deem necessary for the health of the town to be removed shall be carried away therefrom by and at the expense of the owner or occupant of such house or other place where the same shall be found, and removed to such place as directed within twenty-four (24) hours after notice in writing to that effect given by the chief of police or health officer.

- (c) Whenever any person shall have been duly notified to remove any of the above substances or to perform any other act or thing which it may be his duty to perform for the preservation of the health of the town and the time limit for the performance of such duty shall have elapsed without a compliance of such notice, the chief of police or health officer shall forthwith cause such substance to be removed at the expense of the person so notified. The chief of police or health officer shall cause all persons who shall violate or disobey any provision of this section to be prosecuted and punished.
- (d) If in the opinion of the health officer, it shall be for the health or comfort of the inhabitants of the town that any particular substance should be removed forthwith and without delay, it shall be his duty to cause the same to be removed accordingly. If the substance existed in violation of this section or of any of the laws, regulations or ordinances relating to the health of the town, then the expense of removing the same shall be paid by the owner or occupant of the house or other place where the same was found. If payment shall be refused on demand by the chief of police, a suit shall be filed in the name of the town.

(Code 1966, Ch. 305, §§ 1–3, 5)

*Cross reference*— Buildings and building regulations, Ch. 4; streets, sidewalks and other public places, Ch. 14; streets, § 14-40 et seq.

*State law reference*— Litter control, 17 M.R.S.A. § 2261 et seq.

### **Sec. 12-3. - Junked motor vehicles prohibited.**

- (a) *Public property.* It shall be unlawful for any person to deposit, place, leave, or abandon any discarded, worn out or junked motor vehicles, or parts thereof on any public street or any public place in the town. The town shall have the right to remove or cause to be removed any such vehicle or part thereof from any public street or public place and dispose of it as it sees fit without any liability whatsoever.
- (b) *Private property.* It shall be unlawful for any person to deposit, place, leave, or abandon any discarded, worn out or junked motor vehicle or parts thereof, on any private property in the town, except in duly authorized locations. It shall be unlawful for any person owning or occupying private property in the town to keep or allow to accumulate any discarded, worn out or junked motor vehicle or parts thereof, on private property after having received written notice by certified mail from the town by an official designated by the town manager ordering the removal from the property of any discarded, worn out or junked motor vehicle or parts thereof. If any person shall fail for a period of ten (10) days after receipt of the notice and order to remove any such vehicle or parts thereof or to apply for a hearing before the town council to appeal such decision, the town shall have the right by its duly authorized agent to remove the vehicle, or parts thereof, from any private property and dispose of it as it sees fit without any liability whatsoever. In addition to any fine provided in [section 1-14](#) the person depositing or keeping such vehicle, or parts thereof on public highways, public places or private property shall be liable to the town for the cost of removal thereof and shall pay the costs within thirty (30) days after demand.
- (c) *Enforcement.* It shall be the duty of the town manager or his designated official to cause the enforcement of the provisions of this section and to prosecute any and all persons violating any of the provisions.

(Code 1966, Ch. 313, §§ 1–5, 7, 8)

*Cross reference*— Streets, sidewalks and other public places, Ch. 14; traffic and motor vehicles, Ch. 17; zoning and site plans and flood prevention and protection regulations, Ch. 19.

**FOOTNOTE(S):**

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<sup>(48)</sup> **Cross reference**— Administration, Ch. 2; provisions for notices for nuisances, signs, dangerous, unsafe, dilapidated buildings, and any other action the expense of which may be collected from the property owner, § 2-3; division of health, § 2-300; animals, Ch. 3; buildings and building regulations, Ch. 4; licenses, permits and business regulations, Ch. 8; solid waste, Ch. 13; traffic and vehicles, Ch. 17; utilities, Ch. 18; certain discharges into the public sewer system prohibited, § 18-190 et seq. [\(Back\)](#)