

CHAPTER 1102
TOWN OF SCARBOROUGH
ORDINANCE FOR CONTROL OF DUTCH ELM DISEASE

Reference: Record Book #12 - Regular Town Meeting, March 13, 1965, page 40, Article 44.

1. The Municipal Officers or their designated agents, may enter private grounds, with or without the owner's permission, to make inspection thereon for the purposes of determining the presence of Dutch Elm Disease and of determining the necessary control measures and sanitation measures to prevent the infection and spread of Dutch Elm Disease.

2. When said Municipal Officers, or their designated agents, shall find it necessary to order the removal of trees on private premises or to order sanitation work to correct a condition not complying to the standards of elm tree programs as set forth by the State Forestry Service, they shall serve a written notice upon the owner, operator, occupant or other person in charge of such private premises that the Town intends to correct the condition.

- a. By making personal delivery of such notice to such owner, operator occupant, or other person in charge of said premises.
- b. By leaving the notice with some person of suitable age and discretion upon said premises.
- c. By affixing a copy of the order upon any building or structure located on said premises.
- d. By mailing a copy of the notice to the owner of said premises as contained on the tax records of the Town of Scarborough.

3. The Municipal Officers, or their designated agents, shall have the authority, with or without permission, to enter upon the premises and remedy the condition, or shall have the authority to contract with others for such purpose. Any person, firm, or corporation having any such contract shall also have authority, with or without permission, to enter upon the premises for the purpose of remedying the condition.

4. The Town of Scarborough, its Municipal Officers, agents, servants, and or employees exercising authority under the foregoing sections shall be liable for no damages except those occasioned by negligence.