

BUILDING NOTIFICATION ORDINANCE
FOR THE
TOWN OF NEW SHARON

SECTION 1. Title and Purpose:

This Ordinance shall be known as the "Building Notification Ordinance of the Town of New Sharon, Maine". It is enacted by the inhabitants of the Town of New Sharon to promote the health, safety, convenience, welfare, and property values of the inhabitants by requiring permits for all dwellings and structures, as defined in this Ordinance.

SECTION 2. Authority:

- 2.1 This Ordinance is enacted pursuant to the authority given the Town in 30 MSRA 2151-A (Home Rule), and 30 MSRA3221 (Soil Suitability Prior to construction).
- 2.2 The effective date of this Ordinance shall be March 4, 1989, by vote of the legislative body of the town of New Sharon.
- 2.3 This Ordinance shall, in no way, impair or remove the necessity of compliance with any other rule, regulation, bylaw, permit or provision of the law.
- 2.4 This Ordinance shall apply to all construction commenced after the effective date of the Ordinance and which equals or exceeds 400 square feet of area.
- 2.5 Any structure used for human habitation regardless of size shall require a permit.

SECTION 3. Administration:

- 3.1 The Code Enforcement Officer shall enforce the provisions of this Ordinance, with the assistance of the Town Selectmen.
- 3.2 The Code Enforcement Officer shall immediately report any violations of this Ordinance to the Board of Selectmen.
- 3.3 The Code Enforcement Officer shall accept completed Intention to Build Notification Forms and shall place submitted forms on file in the Town Office.

- 3.4 The application shall be accompanied by a fee of \$25.00
- 3.5 The application fee may be revised after a majority vote by the Board of Selectmen.

SECTION 4. Notification of Intention to Build:

- 4.1 Before construction which is regulated by this Ordinance is started, the owner shall complete an Intention to Build Notification Form. Forms may be obtained from the Town Office.
- 4.2 A completed Intention to Build Notification Form shall include:
 - a. sketch showing location and layout of proposed structure(s);
 - b. for new dwellings, proposed septic system location, design, intended use and capacity;
 - c. for conversion of seasonal to year-round use, evidence that the existing subsurface disposal system meets the standards of the Maine State Plumbing code or that site conditions will permit the installation of a system that meets the requirements of the Plumbing Code, if the present system malfunctions;
 - d. shoreland zoning permit for construction within the shoreland district.
- 4.3 The Code Enforcement Officer, after proper examination of the application, shall either approve or refuse the Intention to Build Notification Form within a reasonable time, not to exceed ten (10) days.
- 4.4 The Intention to Build Notification Form shall be valid for a period of two (2) years from date of issuance.

SECTION 5. Enforcement:

- 5.1 Any violation of this Ordinance shall be deemed to be a nuisance.
- 5.2 It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of such notices shall be maintained as a permanent record.
- 5.3 When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable,

including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality. (It is not the desire of the Town to become embroiled in legal enforcement action. Every reasonable effort to settle misunderstandings will be made before seeking such action.)

- 5.4 Any person who violates any of the provisions of this Ordinance, after receiving notice of such violation, shall be guilty of a civil violation, and, on conviction, shall be subject to a minimum fine of \$100.00 up to a maximum fine of \$2,500.00 for each violation, which fine shall be recovered on complaint to the use of the Town. Each day the violation exists shall be considered a separate violation. Such persons shall also be liable for court costs and attorney fees incurred by the municipality.

SECTION 6. Validity and Amendments:

- 6.1 Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision.
- 6.2 This Ordinance may be amended by majority vote of the Town at any Town Meeting, the warrant for which gives notice of the proposed change.

SECTION 7. Appeals:

A decision of the Code Enforcement Officer may be taken within 30 days to the Board of Appeals in accordance with Title 30, Section 4963.

SECTION 8. Definitions:

- 8.1 Structure: A building or buildings on a single parcel constructed, erected or placed within a fixed location on or in the ground or attached to something on or in the ground which occupies a ground floor area in excess of 400 square feet.