

BUILDING NOTIFICATION ORDINANCE TOWN OF PROSPECT, ME

Section 1. Title and Purpose:

This ordinance shall be known as the “Building Notification Ordinance of the Town of Prospect, Maine” and will be referred to herein as “this Ordinance.” It is enacted by the inhabitants of the Town of Prospect to promote the health, safety, convenience, welfare, and property values of the inhabitants by requiring notification of intention to build for all dwellings and structures, as defined by this Ordinance.

Section 2. Authority:

- 2.1 This ordinance is enacted pursuant to the authority given the town in 30A MRSA 3001 (home rule) and 30A MRSA 4201 and 4211.
- 2.2 The effective date of this ordinance shall be thirty (30) days after it is adopted by the vote of the legislative body of the Town of Prospect.
- 2.3 This ordinance in no way shall impair or remove the necessity of compliance with any other rule, regulation, by-law, permit or provision of law.
- 2.4 This ordinance shall apply to all construction commenced after the effective date of this ordinance.
- 2.5 Should any section of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance, and to this end, the provisions of this ordinances are hereby declared to be severable.

Section 3. Administration:

- 3.1 The Code Enforcement Officer(s) or Plumbing Inspector shall enforce all State plumbing laws and the regulations of this ordinance, with the assistance of the Town Selectmen.
- 3.2 The Code Enforcement Officer(s) or Plumbing Inspector shall immediately report any violations of this ordinance to the Board of Selectmen.
- 3.3 The Town Clerk shall receive completed Intention to Build Notification Forms and shall notify Code enforcement Officer or receipt. Copy of submitted forms shall be placed on file in the Town Office.
- 3.4 The Code Enforcement Officer shall sign the completed form before construction shall begin.

Section 4. Notification of Intention to Build Form

- 4.1 Before construction is started on any structure, 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 locations and layout of proposed structure(s).
 - B. Estimated cost of the proposed structure(s), including cost of labor. A pre-fabricated structure, estimated purchase price.

- C. for new dwellings, expansion of existing dwellings, conversion of seasonal dwellings to year round use, or the placing of pre-fabricated dwellings, a valid permit for subsurface disposal system or letter that such a permit is not necessary fro the local plumbing inspector.
 - D. Indoor plumbing permit if applicable.
 - E. Shore land zoning permit for construction within the shore land district.
- 4.3 "Structure" is hereby defined as a building(s) or portion thereof on a single parcel constructed or erected or placed with a fixed location on or in the ground or attached to something on or in the ground which occupies a ground area in excess of 200 sq. feet or value of materials and labor to construct in excess of \$1,500. "Structure" is further defined to be anything built for the support, shelter, or enclosure of persons, animals, goods or property of any kind, exclusive of fences.
- 4.4 "Dwelling" is hereby defined as a room or suite of rooms used as a habitation which is separate from other such rooms or suites of rooms, and which contains independent living, cooking, sleeping, bathing, and sanitary facilities; includes single family houses, and unites in a duplex, apartment house, multifamily dwellings, residential condominiums, trailer, mobile homes, and modular homes.

Section 5. Enforcement and Violations:

The Code Enforcement Officer(s) shall notify in writing by registered mail any individual proceeding to build without prior notification to discontinue until such notification has been provided. A copy of such notices shall be maintained as a permanent record.

Any person continuing to build without providing notification after notice by the Code Enforcement Officer(s) shall have committed a civil violation subject to a fine of not less than \$100.00 and not to exceed \$2,500.00 and other penalties provided pursuant to 30A MRSA _____. Each day that such violation exists shall be deemed a separate offense.

Section 6. Appeal:

An aggrieved party may appeal any decision of the Code Enforcement Officer(s) under this ordinance to Waldo County Superior Court.

Section 7. Amendments:

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.

Adopted at Town Meeting: 3/20/89

Amended at Town Meeting: ___/___/2012