

## TOWN OF NEW PORTLAND

### BUILDING NOTIFICATION ISSUANCE REQUIREMENTS

- 1) Proof of Ownership ie. (Tax Bill, Copy of Deed or Letter of Permission)
- 2) External Plumbing Permit
- 3) Internal Plumbing Permit
- 4) Completed Building Application w/ FEE
- 5) Erosion Control Plan (site specific)
- 6) Photographs of existing area and/or structure
- 7) Site inspection by CEO
- 8) Road Entrance Permit (If Applicable)
- 9) 9-1-1 Address (complete request form)

*Attested to be a True Copy of  
Mary Hutchinson*

# BUILDING NOTIFICATION ORDINANCE

## Town Of New Portland

### Section 1. Title and Purpose:

This Ordinance shall be known as the "Building Notification Ordinance for the Town of New Portland. The purpose of this ordinance is to promote the fair assessment of real property taxes and to insure compliance with State and Local environmental requirements by requiring notification for any changes to dwellings and structures and for new dwellings and structures, as defined in this Ordinance.

The secondary purpose of this Ordinance is to create a means of financially supporting the work associated with the building Notification process.

### Section 2. Authority:

2.1 This Ordinance enacted pursuant to the authority given the Town in Title 30-A MRSA Section 3001 (Home Rule) supersedes any existing Ordinance pertaining to building permits.

2.2 The effective date of this Ordinance shall be the date it is adopted by the Legislative Body at a Town Meeting of the Town of New Portland.

2.3 The Ordinance shall not impair or remove the necessity of compliance with any other rule, regulation, permit or provision of law including but not limited to, Shoreland Zoning, Subdivision and Commercial Development Review Ordinance, entrance permits to State and State Aid Highways, Natural Resource Protection Act, Storm Water Drainage or State Plumbing regulations or any other Federal, State, or Local Regulation. These permits if required shall be obtained prior to filing a Notice of Intent to Build.

2.4 This Ordinance applies to any new structures and additions, including emplaced mobile and modular homes that are over (50) square feet or 500 cu. ft. of volume. This includes the accumulation of all square footage and cubic footage for the life of the structure after the date of adoption of this Ordinance.

**Section 3. The Administration:**

- 3.1 The Code Enforcement Officer shall administer the provisions of this Ordinance under the supervision of the Selectmen.**
- 3.2 The Code Enforcement Officer shall immediately report any violation of this Ordinance to the Board of Selectmen. The CEO shall notify the Planning Board on a monthly basis of all violations and approved notifications.**
- 3.3 The Code Enforcement Officer shall accept completed Notice of Intent to Build forms and shall place submitted forms on file in the Town Office.**

**Section 4 Notification of Intent to Build**

- 4.1 Before construction that 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 plan showing location and layout dimensions of existing and proposed structure, estimated cost of overall construction, explanation of what is to be done and Map & Lot numbers.**
  - b. A copy of all required permits as noted in Section 2.3 above.**
- 4.3 The Code Enforcement Officer, within fifteen (15) days of receiving the application, shall respond to the applicant that the notification form has been received and whether the application is complete. The project may proceed with the written approval of the CEO.**
- 4.4 The Intention to Build Notification shall be valid for a period of Two years from date of issuance. Any project not 30 percent developed within the first year would require a new Intention to Build Notification.**

**Section 5 FEES**

**5.1 Residential Building Notification Fee will be \$20.00 and Residential Accessory Building Notification Fee will be \$10.00. Fees for the Building Notification will be set annually by the Board of Selectmen with recommendation from CEO and Town Manager.**

**5.2 After the fact Building Notifications will be assessed at double the fee.**

**Section 6 Occupancy Permit:**

**6.1 An Occupancy Permit must be obtained for any full or part-time dwelling before it is used for its designated purpose. The Code Enforcement Officer must inspect the structure before issuing an Occupancy Permit to ensure that the structure meets all code requirements. Authority requirement under 13A MRSA Title 2357. The Code Enforcement Officer will take interior and exterior photographs of the structure at that time.**

**Section 7 Enforcement:**

**7.1 Any violation of this Ordinance shall be deemed a nuisance.**

**7.2 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 this Ordinance is being violated, he/she shall notify in writing the person responsible for such violation.**

**7.3 Any person who violates this Ordinance, after receiving notice of such violation, shall be guilty of a civil violation and on conviction, shall be subject to fines of \$ 100.00 per day that the violation exists, which shall be payable to the Town. Such persons shall also be liable for court costs and legal fees incurred by the Town.**

**Section 8 Validity and Amendments:**

**8.1 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.**

**8.2 This Ordinance may be amended by majority vote of the Town at any Town Meeting. Any amendments will take effect immediately upon approval of the Town Meeting.**

## Section 9 Appeals:

9.1 A decision of the Code Enforcement Officer may be taken, by the Applicant, within thirty (30) days of the decision to the Board of Appeals, which will review in accordance with Title 30A MRSA Section 4963.

## Section 10 Definitions I:

Terms that are not defined below will have their common dictionary meaning.

**STRUCTURES (building):** Anything built for the support, shelter or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected or moved with a fixed location on or in the ground, exclusive of fences. The term includes structures temporarily or permanently located, such as decks or platforms.

**COMMERCIAL (building):** Anything constructed or placed for support, shelter or enclosure of goods or property of any kind and associated with a profit seeking enterprise. Farms are excluded from commercial.

**CONSTRUCTION:** The art or manner of building.

**DWELLING:** Any part of a building intended for human habitation.

**EXPANSION:** An increase in the floor area or volume of a building, including all extensions such as, but not limited to, attached decks, garages, porches and greenhouses.

**PLACEMENT:** To put in place.

**RELOCATION:** To move to a new position or location on the surface of earth.

## Section 11. Variance:

Town owned property is not exempt from this Ordinance. Fees may be waived for Intention to Build Notifications for Town owned property by the Board of Selectmen.