

**Town of Bridgton
Building, Razing and Plumbing Permit Ordinance**

Article 1. General

Section 1. Title and Purpose

This Ordinance shall be known and may be cited as the "Bridgton Building, Razing and Plumbing Permit Ordinance" and will be referred to herein as "this Ordinance". Its purpose is to provide a means by which the Town of Bridgton may keep track of building, razing and plumbing activity within the Town of Bridgton.

Article 1. General

Section 2. Authority

This Ordinance is enacted pursuant to Title 30-A M.R.S.A. 3001 and 3007 and Title 22 M.R.S.A. 42 and all amendments thereto.

Article 1. General

Section 3. Conflict with other Ordinances

Where there is a conflict between this Ordinance and any other federal, state, or local rule, regulation, ordinance, statute or other restriction, the more restrictive provision shall control.

Article 1. General

Section 4. Validity and Severability

The invalidity of any section or provision of this Ordinance shall not affect the validity of any other section or provision of this Ordinance.

Article 1. General

Section 5. Effective Date

This Ordinance shall become effective as soon as it receives voter approval.

Article 2. Definitions

Accessory Structure - A subordinate structure customarily incidental to and located on the same lot as the principal structure or building, such as garage, workshop, storage facility or the like.

Addition - An extension or increase in floor area or height of a building or structure.

Alteration - A change or modification requiring a moving in the location of major structural members of buildings, such as bearing walls, columns, beams, girders, or substantial remodeling, but not to include cosmetic, decorative, appliance/fixture upgrades or maintenance of the building.

Building - Any structure arranged, designed, intended or used for the shelter, housing or enclosure of persons, animals, processes, equipment or property of any kind.

Mobile - Capable of moving or being moved.

Principal Building - The building in which the primary use of the lot is conducted.

Raze - To tear down, demolish, burn or otherwise destroy or do away with.

Relocate - To move a building to another position or location on the same or a different lot.

Repair - To restore a building to sound condition.

Replace - To put back in place, or to substitute something which is not structurally sound for something which is sound.

Substantial Completion - Completion of seventy percent (70%) of the project, measured as a percentage of the total project amount.

Article 3. Approval Required

Section 1. Permit

Prior to starting any construction, placement, replacement, remodeling, relocating, ~~or~~ razing, plumbing i.e.; internal, external or Subsurface Wastewater Disposal of any principal building, accessory structure, mobile accessory structure or part(s) thereof, the property owner or agent thereof shall obtain from the Code Enforcement Officer a permit covering the proposed project.

Article 3. Approval Required

Section 2. Application

The application for the permit shall be presented in writing on the appropriate form(s) to the Code Enforcement Officer. The application shall contain a description of the proposed project and shall identify the owner of the building or lot and who is to do the work.

Article 3. Approval Required
Section 3. Approval

The Code Enforcement Officer, after reviewing the application, shall either issue the requested permit or notify the applicant of the reasons for non-issuance.

Article 3. Approval Required
Section 4. Expiration

All building permits issued expire one year from date of issuance. All plumbing permits ie; internal, external or Subsurface Wastewater Disposal, expire two years from date of issuance.

Article 3. Approval Required
Section 5. Renewal

Renewal of a building permit is required by the Code Enforcement Officer if the project activity has not been substantially completed within one (1) year.

Article 3. Approval Required
Section 6. Application Charges

All application(s) shall be accompanied by a fee as provided in the Town Fee Schedule which may be amended from time to time by the Board of Selectmen. The initial building permit fee also covers a one-time building permit renewal.

Article 3. Approval Required
Section 7. Display of Permit

The building permit shall be displayed conspicuously on or adjacent to the project site, clearly visible from the principal traveled street or way and shall remain displayed until the work is completed.

A building permit issued for a mobile accessory structure will be assigned a number. The assigned number must be affixed in a visible and permanent location on the mobile accessory structure for identification purposes.

Article 4. Mobile Accessory Structures

Any and all mobile accessory structures i.e.; box trailer(s), mobile homes, motor homes (R.V.'s), buses, or the like used for the purpose of storage must be located on the same lot and must

Article 4. Mobile Accessory Structures (continued)

be associates with the principal structure or use, building or business.

The mobile accessory structure shall not remain on the site for more than 90 days from the date of the permit authorizing it, at which time it must be removed.

Exempted are trailers commonly used to transport recreational personal property including but not limited to snowmobile(s), boats, ATV's, motorcycle(s), which are actively used to store such personal property which is in serviceable condition.

Article 5. Exemptions

The following will be exempt from this Ordinance:

1. Maintenance of the building(s), such as but not limited to, insulation, plumbing, painting, re-roofing, making more efficient with items like replacement doors or windows.
2. Enclosure of a pasture or area with a fence.
3. Projects, when in the total concept do not exceed \$900.00 as measured in fair market value (labor and materials).

Article 6. Enforcement

Section 1. Violations and Enforcement

The Code Enforcement Officer, upon finding that any provision of this Ordinance or any condition of a permit issued under this Ordinance is being violated, is authorized to institute legal proceedings to enjoin violations of this Ordinance.

Article 6. Enforcement

Section 2. Fines

Any person, including but not limited to, a landowner, a landowner's agent or a contractor, who orders or conducts any

activity in violation of this Ordinance shall be penalized in accordance with Title 30A, Maine Revised Statutes Annotated, Subsection 4452.

Current penalties include fines of not less than \$100.00 or more than \$2,500.00 per violation for each day that the violation continues.

Article 7. Appeal

1. Any person, firm or corporation aggrieved by a decision of the Code Enforcement Officer ("CEO") may appeal such decision to the Board of Appeals within 30 days of the written decision by filing an appeal at the office of the Town Clerk on forms approved by the Board of Appeals.

2. The fee established by the Board of Selectmen (see fee schedule) shall be paid at the time of filing the appeal to cover the cost of advertising. An escrow fee shall also be paid for miscellaneous services rendered in processing the application. This fee shall also be established by the Board of Selectmen. Any unused portion of the escrow shall be returned to the appellant.

3. Appeals from decisions of the CEO shall be de novo. The CEO shall transmit to the Board of Appeals the decision and all documents and other evidence on which the decision was based which may be considered as evidence in the de novo proceeding. The Board of Appeals shall conduct a public hearing at which all persons shall have the right to present additional testimony and documentary evidence. At the public hearing, any party shall have the right to cross-examine witnesses. The standard of review shall be whether, on the basis of the evidence before the Board of Appeals, the application conforms to the requirements of the Ordinance. The burden of proof shall be upon the applicant for the permit or approval. The Board of Appeals shall have authority to grant or deny a permit or approval or to remand the matter to the CEO for further proceedings.

4. The Board of Appeals shall not continue a public hearing on an appeal to a future date except for good cause.

5. The affirmative vote of three members of the Board of Appeals shall be necessary to grant an approval or permit on appeal from a decision of the CEO. The failure of the Board of Appeals to issue a written notice of its decision, directed to the appellant by registered mail, within thirty five (35) days of the close of the public hearing shall constitute a denial of the appeal.

6. Any aggrieved party may appeal a decision of the Board of Appeals to Maine Superior Court within 45 days of the date of the vote of the Board of Appeals in accordance with 30-A M.R.S.A. § 2691 and Rule 80B of the Maine Rules of Civil Procedure.

Enacted: June 9, 1993

Amended: June 14, 2005 and June 12, 2007