

Building Codes; Adoption and Enforcement Ordinance

of the Town of Chebeague Island, Maine

Adopted by the Town Meeting:

Effective: November 19, 2011

Amended: April 7, 2018

Attest: _____


Town Clerk

SECTION 101. TITLE

This ordinance shall be known and may be cited as the "Building Codes; Adoption and Enforcement Ordinance of the Town of Chebeague Island" hereinafter referred to as "this Ordinance".

SECTION 102. PURPOSE

The purpose of this Ordinance is to protect life and property from hazards incident to improper construction, installation, modification, or use of structures and appliances as specified in Section 103 of this Ordinance. This Ordinance is adopted pursuant to 30-A M.R.S.A. §3009 and 10 M.R.S.A. §9724.

SECTION 103. SCOPE OF ORDINANCE

This Ordinance shall apply to the construction, installation, modification, or use of residential, commercial, and public structures, and any associated electrical equipment, plumbing, appliances designed or used to burn solid fuel (wood, coal, or any combustible solid matter) for the purpose of heating or cooking, and subsurface wastewater disposal structures or equipment as covered in the codes and standards referred to in Sections 104 — 111 of this Ordinance.

SECTION 104. ADOPTION OF THE MAINE UNIFORM BUILDING AND ENERGY CODE.

Pursuant to Title 10 M.R.S.A § 9724 (1-A), The *Maine Uniform Building and Energy Code* is adopted by the Town of Chebeague Island to establish regulations governing the construction and repair of residential, commercial and public structures. The Code Enforcement Officer shall serve as the building official as defined in title 25 M.R.S.A § 2371 and shall be responsible for issuing building permits and certificates of occupancy.

SECTION 105. ADOPTION OF THE NATIONAL FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE.

The National Fire Protection Association's *Life Safety Code* (2015) as adopted and amended by the State of Maine is adopted by the Town of Chebeague Island to establish the construction, protection, and occupancy requirements needed to minimize threat to life from fire and related dangers including smoke, fumes, or panic.

SECTION 106. ADOPTION OF THE NATIONAL FIRE PROTECTION ASSOCIATION SOLID FUEL SAFETY STANDARDS.

The *National Fire Protection Association's (NFPA) Standard 211, "Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances," (2006 Edition)* is adopted by the Town of Chebeague Island. An installation of solid fuel burning appliances

shall be deemed proper when it conforms to the standards contained therein. These standards may be superseded by manufacturers' specifications for installation of their UL-listed appliances.

SECTION 107. ADOPTION OF THE U S ENVIRONMENTAL PROTECTION AGENCY'S OUTDOOR WOOD-FIRED BOILER STANDARDS.

The United States Environmental Protection Agency's Outdoor Wood-fired Hydronic Heater (OWHH) Phase H Program (released October 23, 2008), as adopted by the Maine Department of Environmental Protection, is adopted by the Town of Chebeague Island. The installation and usage of outdoor solid fuel burning furnaces or boilers used for heating shall be deemed proper when it conforms to the standards contained therein,

SECTION 108. ADOPTION OF THE NATIONAL FIRE PROTECTION ASSOCIATION NATIONAL ELECTRICAL CODE.

The National Fire Protection Association's *National Electrical Code* (2017) as adopted and amended by the State of Maine is adopted by the Town of Chebeague Island to regulate the installation of electrical conductors, equipment and raceways, signaling and communications conductors, equipment and raceways, and optical fiber cables and raceways in all property, buildings, and structures. These codes cover all installations used by the electric utility that are not an integral part of a generating plant, substation or control center.

SECTION 109. ADOPTION OF THE MAINE STATE INTERNAL PLUMBING CODE.

The *Maine State Internal Plumbing Code* is adopted by the Town of Chebeague Island to regulate plumbing on the island, and all plumbing installed on the island and all permits issued shall conform to the rules and regulations of the state department of human services regarding plumbing issued under authority conferred by state law.

SECTION 110. ADOPTION OF THE MAINE SUBSURFACE WASTE WATER DISPOSAL RULES.

The *Maine Subsurface Waste Water Disposal Rules* are adopted by the Town of Chebeague Island to establish the minimum design criteria for subsurface wastewater disposal to assure environmental sanitation and safety.

SECTION 111. SUCCESSOR CODES, REGULATIONS, AND STANDARDS

Town of Chebeague Island Code of Ordinances
Chapter 15 — Buildings
Article I — Building Codes

Codes, standards, and regulations specified in Sections 104 — 110 shall remain in effect until such time as they are replaced by their sponsoring agencies or organizations with revised versions, at which time the Town of Chebeague Island shall be considered to have adopted said revisions unless it specifically stipulates otherwise by amending this ordinance.

SECTION 201. PERMITS AND FEES

Any person intending to construct, install, or modify structures, appliances, or other entities covered under the codes and standards listed in Sections 104 - 111 of this ordinance must obtain the necessary permit form from the Town Clerk and submit it to the Code Enforcement Officer for approval before construction, installation, or modification commences. A satisfactory inspection that requirements have been met shall be completed before any structure or appliance is put into use.

Permit fees, if any, are as set forth in the Board of Selectmen Schedule of Fees in accordance with Ch. 11 Art. II Sec. 109 (S) of the Town Code of Ordinances.

SECTION 202. INSPECTION AND ENFORCEMENT

The Code Enforcement Officer of the Town of Chebeague Island shall have responsibility for conducting inspections and enforcing the Town of Chebeague Island Building, Energy Fire Prevention, Electrical, Plumbing, Solid Fuel Safety, Property Maintenance, and Wastewater Disposal codes, regulations, and standards as adopted pursuant to Sections 104 — 111 of this Ordinance.

Appeal Procedure: Any person with standing or equity aggrieved by a decision of the Code Enforcement Officer, may appeal such decision to the Board of Adjustment and Appeals within thirty (30) days inclusive of the date of such decision.

SECTION 203. ADMINISTRATION

Written and/or electronic records of permits, inspections, and approvals shall be maintained by the Town Clerk.

SECTION 204. AMENDMENTS

This Ordinance may be amended by Town Meeting.

SECTION 205. SEVERABILITY

Should any portion of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect.