



Building Code Ordinance

ENACTED: June 21, 2022

EFFECTIVE: June 21, 2022

CERTIFIED BY: Elizabeth J. Knox
Signature

CERTIFIED BY: Elizabeth J. Knox, Town Clerk

Town of Paris Building Code Ordinance

Purpose: To provide for the residents of Paris a means in which they may build, modify, erect, place or remove structures or parts thereof in a satisfactory manner under the provisions of the State of Maine mandated building code.

Article 1: Scope:

All building construction in the town of Paris is governed by the Maine Uniform Building and Energy Codes, "MUBEC", which is hereby adopted by reference in accordance with Title 10 M.R.S. §9724. All new construction, alterations, additions, movement, replacement, repair, enlargement, removal and demolition of buildings and structures, including solar panels and infrastructures; installation or alteration to plumbing also must comply with the most currently adopted Uniformed Plumbing Code and the State of Maine chapter 241 Subsurface Wastewater Disposal Rules.

Article 2: Authority:

This ordinance has been prepared in accordance with the provisions of MRSA Title 30-A, §3001. This ordinance will be known as "Building Code Ordinance" of the Town of Paris, and the effective date of this ordinance shall be the day of adoption by the town **June 21, 2022**.

Article 3: Administration:

The Code Enforcement Officer, of the Town of Paris shall administer and enforce this Ordinance. The provisions of this Ordinance shall pertain to all proposed and actual work within the Town of Paris.

Article 4: Permit Procedure:

Before the construction, alteration, relocation or replacement of any structure, building, manufactured housing or part thereof, including foundations, or horizontal earthwork shall be commenced, the owner or lessee or architect, contractor or builder employed by such owner or lessee shall obtain a building permit from the Code Enforcement Officer ("CEO") before commencing work; no permit shall be required for regular maintenance of dwellings. Any construction projects started prior to obtaining a building permit shall double the total permit fees. Construction, alteration, relocation, or replacement of commercial or industrial buildings or structures, requires Planning Board approval before the building permit can be obtained from the CEO. Prior to the issuance of a building permit for a commercial or industrial building for the construction, alteration, relocation, or replacement of structure(s), the applicant must provide an Engineer stamped plans of all or any changes to the structure(s). The CEO reserves the right to require Engineer stamped plans of projects that affect public Safety.

Article 5: Subsurface Wastewater Disposal System: If a building is not on town water and sewer, a favorable Site Evaluation (HHE-200) must be conducted by a Certified State of Maine Site Evaluator and submitted with the building permit application before a building permit can be issued. The town requires all new and replacement of septic tanks to use plastic pipe in the name of SDR35 for the minimum piping after the septic tank to the Leach field and/or to the Distribution Box.

Article 6: Application:

Prior to construction of any building or structure an applicant must submit a building permit. The application for the building permit shall be in writing and shall be made on the forms available through the CEO. It shall contain a description of the work, a sketch of the proposed work, a copy of the deed if newly purchased and not on file with the town, and written approval from the owner or designee if the applicant is not the owner, and may require professional drawings of the proposed new, altered, or relocated building or the replacement contemplated.

- a. **Permit Approval:** The CEO, after the proper examination of the completed application and documentation, or after Planning Board approval, shall either issue the requested permit or transmit notice of refusal within a reasonable time, not to exceed ten (10) working days. Notice of refusal shall be in writing and shall state the reason therefor.
- b. **Permits Expiration:** All building permits expire after one calendar year if the work described in the permit has not been substantially completed, unless a different term is stated on the permit. Renewal of a permit will be considered prior to the expiration of the permit on a no fee basis for a period of two years as long as consistent and continual work is being done on the structure.
- c. **Display of Permit:** Every building permit shall be displayed in a conspicuous place on the street side of the premises and shall not be moved until all work covered by the permit has been approved.

Article 7: Fee Schedule:

The building permit fee schedule shall be paid as required in accordance with the schedule as established by the Town of Paris Select Board. See "Town of Paris Fee Schedule – Building Fees". Any construction projects started prior to obtaining a permit shall double the total permit fees.

Article 8: Inspections:

The CEO will conduct a series of inspections at various stages of construction of all buildings, structures, and manufactured housing being constructed, altered, replaced or relocated for the purpose of enforcing provisions of this ordinance. The CEO shall have right of entry in the performance of his/her duties and may, at any reasonable time, enter any building or manufactured housing for the purpose of making the inspections.

Article 9: Certification of Occupancy:

No building, structure or manufactured housing shall be occupied after its construction, or relocation until the CEO has issued an "Certificate of Occupancy". A Certificate of Occupancy shall be issued if proper examination shows that all work was performed in compliance with the provisions of the building permit.

Article 10: Gas Detector: The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas in:

- a. Each unit in any building of multifamily occupancy
- b. A fraternity house, sorority house or dormitory that is affiliated with an educational facility
- c. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home.
- d. A hotel, motel or inn
- e. A mixed-use occupancy that contains a dwelling unit
- f. A business occupancy
- g. A mercantile occupancy
- h. An assembly occupancy

**** Required detectors may be battery operated, plugged into an electrical outlet or hardwired.**

Article 11: Mobile Homes:

Each owner of a mobile home shall be required to apply for and obtain from the CEO a building permit to locate the mobile home on a lot, the area of which shall be the same as required for residential buildings. Permanent additions, foundations or rooms added to any mobile home shall require a building permit. All mobile homes shall enclose a minimum living space of 750 square feet. Mobile Home Park Development Requirements shall be governed by Maine Planning & Land Use Laws as amended. See the Town's subdivision ordinance.

Said permit to require, but shall not be limited to the following:

- 1. Name of owner, address of single plot, year, make, model, serial number of the mobile home, along with;
- 2. Evidence that the mobile home meets the requirements of the HUD label.

Article 12: Recreational (RV) Campground/Park:

A Recreational (RV) Campground/Park means a parcel of land where camping takes place and contains 5 or more sites in any combination. Specific requirements are contained in Rules Relating to Campgrounds (10-144 CMR 205). At any such campground, the sites are intended for temporary occupancy for recreational purposes only, and not for permanent residency or means a campground that permits the use of RVs where an RV consists of a travel RV, pick-up coach, motor home, camping trailer, dependent RV or self-contained independent RV, as defined in the Maine State Rules Relating to Campgrounds (10-144 CMR 205). An RV Park is designed for seasonal sites or temporary occupancy and not for permanent residency. For tenting area, a restroom facility must be made available whether by a port-a-potty or built outhouse, which would need a plumbing permit before used.

Article 13: Recreational Vehicles: Occupations Prohibited; Exceptions

- a. When a building permit has been issued for the construction or alteration of a building, the CEO may issue a temporary permit, valid for six months, for the placement and occupation of a recreational vehicle, camper of any type, or motorhome in connection with the construction or alteration of such building, if the CEO finds that the standards in subsection (c) will be met. The CEO may extend the permit for an additional six-month period if the CEO finds that construction or alteration has been diligently pursued and justifiable circumstance require the extension.

b. Standards for permits under subsection (a) are as follows:

1. The proposed location of the recreational vehicle, camper, or motorhome is on the same lot as the building being constructed or altered.
2. Adequate provision and a submitted plan for the disposal of all waste including trash and sewage, i.e., through a letter from septic pumping company.

c. Notwithstanding subsection (a), a recreational vehicle, camper, or motorhome may be occupied outside of an approved RV Park for up to 60 hours if it meets the following standards and obtains a permit from the CEO based on standards (1) through (5) below. A permit may be denied or revoked if any of the standards have not been complied with.

1. The recreational vehicle has self-contained sewage disposal, portable water and electrical service. The recreational vehicle must be currently registered for over-the-road travel by any state government of the United States or provincial government of Canada.
2. The recreational vehicle is accessory to and is located on the same property as a duly-permitted "enclosed sports facility" or agricultural fairground.
3. The occupation of the recreational vehicle occurs only during the exhibition, or the day before or after it.
4. No more than 20 such vehicles shall be on any one lot at a time.
5. External electrical generators used in association with recreational vehicles permitted under this section are prohibited.

Article 14: Dimensional Requirements:

a. Lot Standards:

No building shall be constructed upon, or manufactured housing moved to a lot with an area of less than 20,000 square feet, and the lot must have a minimum of 100 feet of road frontage. Building construction or placement of manufactured housing shall be permitted on a lot with a minimum of 10,000 square feet, and with a minimum of 100 feet of road frontage, provided that public water and sewer are available. If an existing dwelling or structure is demolished or destroyed by any means beyond the owner's control, it may be rebuilt or repaired on the same lot/same footprint of building in accordance with this ordinance, even if the lot is less than 20,000 square feet and/or may have less than 100 feet of road frontage provided that a permit for construction or placement of manufactured housing be obtained with 1 year from the date of destruction. If an existing dwelling or structure in the "Historic District" is demolished or destroyed by any means beyond the owner's control, it may be rebuilt or repaired on the same lot at any time provided all necessary permits are obtained.

b. Small Homes:

A home with a living space that is 400 square feet. A small home must be placed on a slab, foundation or knee wall, it cannot have wheels attached that would allow it to be moved. It will be required to meet all other building codes.

d. Set Backs:

No building or mobile home shall be placed on a lot unless it is 25 feet from the front boundary line, and 20 feet on the sides and back boundary lines, but a single-story garage or accessory structure may be placed 10 feet from the sides or rear boundary line.

e. Driveway Entrance:

For a new driveway location, on a new build or a manufactured housing (new or used) the owner or contractor submit a "Driveway Entrance" application to the Road Commissioner/Highway Director, who must ensure that there is adequate sight distance provided. If a culvert is needed the Road Commissioner/Highway Director will let the applicant know and it will be the responsibility of the applicant to purchase and install the first culvert. All other replacement culverts will be replaced by the Paris Highway Department. If the structure is being built off from a state road the owner or contractor will need to contact the MDOT to get their approval on the driveway placement.

Article 15: Enforcement and Penalties:

Violations of this Ordinance, including failure to comply with any conditions imposed by the code enforcement officer, planning board, or board of appeals, and failure to use, construct, or arrange property in compliance with plans, permits or approvals under this Ordinance are punishable under 30-A M.R.S. § 4452, including subject to fines of up to \$5,000 per violation. Each day that a violation continues after a notice of violation has been issued shall be deemed a separate offence. Any person who shall continue any work in or abut the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than \$5,000 per violation. Each day that a violation continues after being served with a stop work order shall be deemed a separate offence.

Article 16: Conflicting Provision:

Whenever the regulations made under the authority thereof differ from those described by any state, ordinance, or other regulations, that provisions, which imposes the greater restrictions or the higher standard, shall be governed.

Article 17: Validity:

If any sections, clause, provision, portion or phrase of this ordinance shall be held to the valid or unconstitutional by any court of competent authority, such holding shall not affect, or validate any other section, clause, provision, portion or phrase of the ordinance.

Article 18: Appeals:

Any decision or determination of the CEO under this Ordinance may be appealed in writing to the Board of Appeals within thirty (3) days of the CEO decision. The Board of Appeals will review the appeal on a de novo basis.

Article 19: Definitions:

For the purpose of this ordinance the following words or phrases shall have the meaning ascribed to them in this section:

1. **Accessory Structures:** *Structures which are detached from and clearly incidental to the principal use, including but not limited to sheds, lean-tos, greenhouses, pole barns and gazebos.*
2. **Aggrieved Party:** *An owner of land whose property is directly or indirectly affected by the granting or denial of a permit under this ordinance; a person whose land abuts land from which a permit has been granted; or any person or group of persons who have suffered particularized injury as a result of granting or denial of such permit.*
3. **Appeal:** *An action by an aggrieved party challenging a decision of the Code Enforcement Officer in the administration or enforcement of this ordinance.*
4. **Building:** *Any structure, having one or more floors and a roof which is used for the housing of persons or enclosure of animals or property such as a garage, barn or workshop.*
5. **Building Official:** *The code enforcement officer or other designated authority charged with the administration and enforcement of this code.*
6. **Campground:** *A plot of land that is intended to have sites that are for temporary occupancy for recreational purposes only.*
7. **Code Enforcement Officer:** *A person appointed by the Select Board to perform the inspection, licensing and enforcement duties required by a particular statute or ordinance.*
8. **Development:** *Means any change caused by individuals or entities to improved or unimproved real estate, including but not limited to filling, grading, paving, signage, remodeling or excavation or the construction of buildings or other structures.*
9. **Dwelling:** *The minimum floor area for a dwelling unit shall be 400 square feet of livable space.*
10. **Final Plan:** *The final drawings on which the applicant's plan is presented to the Code Enforcement Officer of approval.*
11. **Gas Detector:** *An assembly that incorporates a sensor control component and an alarm notification that detects elevations in propane, natural gas or any liquified petroleum gas; that sounds a warning alarm.*
Visit <https://www.maine.gov/dps/fmo/sites/maine.gov/dps/fmo/files/inline-files/Gasdetection.pdf> for complete details of the NEW Maine Law effective 1/1/2022.
12. **Lot:** *A parcel of land in single ownership, or one leasehold, with ascertainable boundaries established by deed or instrument of record, or a segment of land ownership defined by lot boundary lines on a land subdivision plan duly approved by the Planning Board and recorded at the Oxford County Registry of Deeds.*

- 13. Mobile Home:** *is a prefabricated structure, built in a factory on a permanently attached chassis.*
- 14. MUBEC: (Maine Uniform Building and Energy Code):** *All building construction within a municipality of over 4,000 inhabitants shall be governed by the MUBEC.*
- 15. Outhouse:** *Means building also known as a privy, which has been stick built that is used as a bathroom facility.*
- 16. Proposal:** *The collection of all changes being proposed for a new or renovated structure in the form of a document.*
- 17. Public Way:** *Public way means any road capable of carrying motor vehicles including, but not limited to, any state highway, municipal road or other roads dedicated to the public.*
- 18. Recreational Vehicle:** *Is a self-contained unit that is meant for short term usage*
- 19. Regular Maintenance:** *Updating to the dwelling such as: replacing siding, windows, etc.*
- 20. Road:** *A way or street maintained by the State of Maine or the Town of Paris.*
- 21. Small Homes:** *A small home is a living space that is 400 square feet.*
- 22. Soil Disturbances:** *A parcel of land that is being cut into to make way for a new build.*
- 23. Structure:** *Anything that which is built or constructed.*