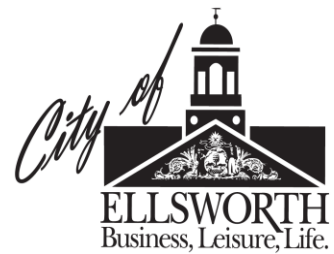


**City of Ellsworth
Chapter 67**

Unified Building Ordinance

A true copy –

Attest: Suzanne McLean
City Clerk



Adopted 5/19/2025

ARTICLE 1 PURPOSE AND AUTHORITY

101 TITLE

The Ordinance shall be known as the Unified Building Ordinance of the City of Ellsworth, Maine and shall be referred to herein as this “Ordinance”

102 AUTHORITY AND ADMINISTRATION

102.1 Authority. The Ordinance has been prepared in accordance with the provisions of Title 30-A and Title 32-A M.R.S.A..

102.2 Administration. This Article shall be administered by the Code Enforcement Officer, referred herein as *the Administrator*, and as described below:

103 PURPOSE

The purpose of this article is to collect all permitting and fees related to building into one unified permit fee Ordinance for the City of Ellsworth.

104 APPLICABILITY

The provisions of the Ordinance shall govern all building, plumbing and electrical permits and fees. All government entities including the State of Maine, the County of Hancock, and the City of Ellsworth are subject to the Ordinance unless otherwise exempt.

105 VALIDITY AND SEVERABILITY

If any section, subsection, clause or phrase of the Ordinance shall be held to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions of the Ordinance and to that end the provisions of the Ordinance are hereby declared to be severable.

106 EFFECTIVE DATE

The Ordinance and portions thereof shall become effective on the date specified by the enabling City Council action.

107 AVAILABILITY

A certified copy of the Ordinance shall be filed with the City Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost at the expense of the person making the request. Notice of availability of this Ordinance shall be posted in the Ellsworth City Hall.

108 AMENDMENTS TO THE ORDINANCE

The Administrator shall review this Ordinance every Five (5) years after its adoption to ensure that it complies with State and Federal laws, statutes and regulations pertaining the contents herein and also assess the permits and fees herein to determine if any additional permits are required or fees need to be adjusted. This five-year mandatory review of the contents of the Ordinance does not preclude the Administrator from making changes on a more regular basis as the Administrator deems necessary. Any proposed amendments to this Ordinance will require approval of the Ellsworth City Council.

109 RIGHT TO APPEAL

Any party aggrieved determination made by the Code Enforcement Officer in the administration or enforcement of this ordinance shall have the right to appeal such decision to Board of Appeals.

ARTICLE 2 BUILDING PERMIT FEE SCHEDULE

201 BUILDING CODE REQUIREMENTS

In accordance with 30-A M.R.S.A. § 3003, the Maine Uniform Building and Energy Code is hereby adopted and incorporated by reference as the minimum standard for the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures, both existing and proposed within the City of Ellsworth.

202 ISSUANCE OF BUILDING PERMITS AND ASSOCIATED FEES

Before a building permit may be issued, the applicant shall show right, title or interest and pay a fee to the Code Enforcement Officer as the administrator of this Ordinance in accordance with the fee schedule in Table 202.1. Pursuant to Title 30-A M.R.S.A §4103, building applications for a permit must be submitted in writing on the form the City provides. A written notice of the decision shall be issued within 30 days of receipt of the application.

Table 202.1 BUILDING PERMIT FEE RATES					
	Construction and Additions	Demolition	Alterations* estimated cost	Occupancy Permits	Activities within the Shoreland Zone setbacks*
One- & two- Family Dwellings	\$0.25 per sf	\$0.10 per sf	\$5 per \$1,000 cost	\$50	\$25 flat fee
Accessory Structures	\$0.25 per sf	\$0.10 per sf	\$5 per \$1,000 cost	\$50	\$25 flat fee
Other Buildings	\$0.30 per sf	\$0.10 per sf	\$5per \$1,000 cost	\$50	\$25 flat fee
NOTES: Number of Stories Story Factor sf = building size in square feet. The chart above provides the Building Permit Fee Rates for one-story buildings. To calculate the fee for multi-story building construction, addition or demolition, multiply the total building square footage by the Rate and by the appropriate Story Factor provided at right. *Do Not use the Story Factor at right to calculate the fee for alterations or Shoreland Zone , as these are flat fees. More than one fee may be applicable.					
				1.0	1.00
				1.5	1.45
				2.0	1.70
				2.5	1.85
				3.0	2.05
				3.5	2.30
				4.0	2.45

ARTICLE 3 PLUMBING AND SUBSURFACE WASTEWATER PERMIT FEES

Chapter 67 Unified Building Ordinance

301 APPLICABILITY

This Article applies to fees charged by the City of Ellsworth for plumbing and subsurface wastewater disposal system permits issued by the City of Ellsworth pursuant to 30-A M.R.S.A. Section 4201 et seq. and pursuant to rules promulgated by the Department of Human Services (DHS) under the authority of 30-A M.R.S.A. Section 4201 et seq. ("State Plumbing Code"). For purposes of this Chapter, the terms contained in this Chapter shall have the meanings given to them in the State Plumbing Code.

302 PLUMBING PERMIT FEES

At the time of issuance by the City of a plumbing permit pursuant to 30-A M.R.S.A. Section 4201 et seq. and the State Plumbing Code, the plumbing permit applicant shall pay a fee in accordance with the following schedule and at the rate provided for each classification shown herein:

1. Any person who shall begin any work for which a permit is required by the State Plumbing Code without first having obtained a permit therefor shall, if subsequently eligible to obtain a permit, pay double the permit fee fixed by this Chapter for such work. However, this provision shall not apply to emergency work when it shall be proved to the satisfaction of the local Plumbing Inspector that such work was urgently necessary and that it was not practical to obtain a permit before the commencement of the work. In all such emergency cases, a permit must be obtained within four working days or else a double permit fee as hereinabove provided shall be charged.
2. For the purpose of this Chapter, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures, water heaters, etc. involved.
3. The following permit fees shall be charged:

Table 302.1 PLUMBING PERMIT FEE SCHEDULE			
Fixture Fee	Minimum	City Fee	Total Fee
Per Fixture Internal Plumbing Fee ¹	\$10 per fixture	\$5 per fixture	\$15 per fixture
State Minimum Per Fixture Permit Fee	\$40	\$20	\$60
Installation of New Water or Drainage Pipes	\$40	\$20	\$60
New Mobile Home or Modular Home	\$40	\$20	\$60
Re-inspection Fee Upon Failed Inspection	\$40	\$20	\$40

303 SUBSURFACE WASTEWATER DISPOSAL SYSTEM FEES

- A. Prior to the Local Plumbing Inspector's issuance of a subsurface wastewater disposal system permit, the permit applicant must pay the Local Plumbing Inspector a permit

¹ State Fee assumes a four-fixture minimum.

fee calculated in accordance with Table 303.1.

Table 303.1 SUBSURFACE WASTEWATER DISPOSAL SYSTEM FEES	
Non-Engineered SSWW System	\$250
Engineered SSWW System	\$200
First-Time System Variance	\$20
DEP Disposal System Surcharge	\$15
Primitive Septic System (Includes one alternative toilet)	\$100
Treatment Tank Replacement (Non-Engineered	\$150
Treatment Tank Replacement (Engineered	\$80
Disposal Field Replacement (Engineered and Non-Engineered)	\$150
Separate Grey Waste Disposal Field	\$35
Seasonal Conversion Permit	\$50
Alternative Toilet Only	\$50
Other Components (Complete pump station, piping, other)	\$30
Holding Tank	\$100

ARTICLE 4 ELECTRICAL INSTALLATION, INSPECTION AND FEES

401 APPLICABILITY

This Article is enacted pursuant to 32-A M.R.S.A. ss1101 et seq. This Article expressly applies to original installations of equipment and alterations to addition to existing equipment.

402 ELECTRICAL INSPECTOR

The provisions of the Article shall be administered and enforced by the Electrical Inspector or Deputy Electrical Inspector. The Electrical Inspector and the Deputy Electrical Inspector shall be appointed by the City Council. Whenever the term Electrical Inspector is used hereafter in the Ordinance, the term shall include the Deputy Electrical Inspector.

403 ELECTRICAL INSTALLATION PERMITS

1. No electrical equipment shall be installed in, altered, or added to any building, structure, or premises within the territorial limits of the City of Ellsworth unless an Electrical Installation Permit had been issued in conformity with this Ordinance.
2. No permit shall be required to do minor repair work such as, but not limited to, the following
 - The replacement of fuses
 - The installation of additional outlets

- The replacement of existing switches, sockets, outlets, and lamps
 - Repairs to entrance service equipment
 - Repairs or installation of radio and low voltage equipment.
3. Emergency work may be undertaken without first obtaining a permit. A permit must then be obtained as soon as is reasonably possible.
 4. No major deviation may be made from the installation described in the permit without the prior written approval of the Electrical Inspector.

404 ELECTRICAL PERMIT APPLICATION

An application for an Electrical Installation Permit shall be made in writing to the Electrical Inspector, in duplicated, and shall be signed by the applicant. Application shall be made on a form provided for that purpose by the Electrical Inspector. The application shall be accompanied by a general description of the electrical work to be done. The applicant must also file any additional plans, schedules, or specifications deemed by the Electrical Inspector to be necessary to insure that the proposed work complies with this Ordinance.

1. In the event that the propose work is to be performed in a single-family structure by the owner of that structure.
2. In all other cases the applicant shall be the licensed master electrician employed to do the proposed work; a holder of a limited license who may obtain a permit within such limited licensee's are of expertise; or the general contractor for the construction project of which the proposed work is a part, providing that the contractor shall provide as part of the application the name, address, and license number of the licensed electrician employed to do the proposed work.

405 INVALIDATION OF ELECTRICAL INSTALLATION PERMITS

Any permit issued under this section shall become invalid if:

1. The authorized work does not commence within twelve (12) months after issuance of the permit;
2. The authorized work is suspended or abandoned for a period of twelve (12) months after the time of commencing the work.
3. The authorized work is not completed within twenty-four (24) months after the issuance of the permit, or
4. The permit holder fails to correct a violation of any provision of the Ordinance with the time prescribed in the Notice of Violation.

406 PERMIT FEES

Before an Electrical Installation Permit may be issued, the applicant shall pay a fee in accordance with the following schedule:

Proposed Work	
Signs	\$25
Change in size of entrance	\$25
Installation, addition or alteration to single & two-family residence	\$50
Commercial structures	\$100.00 or 1% of the cost of the job, but in no case less than \$100.00

There will be a separate charge for each item listed above, even if the work performed is located on same job site.

407 CONFORMITY WITH NFPA CODE

The minimum standards for electrical equipment and installations within the territorial limits of the City of Ellsworth shall be the standards contained in the most recent edition of the National Electric Code, designated as NFPA 70, as adopted by the State of Maine Electricians' Examining Board.

408 INSPECTIONS

The applicant, by obtaining a permit, consents to the inspection by the Electrical Inspector of work and equipment described in the permit at such reasonable times and as often as the Electrical Inspector deems reasonably necessary throughout the course of the authorized work so as to insure compliance with this Ordinance. A failure to permit such reasonable inspection is expressly made a violation of this Ordinance.

409 ENFORCEMENT

1. Upon the discovery of any electrical equipment, which does not comply with this ordinance, any person having the power and duty to enforce the provisions of this Ordinance may make a written complaint to the State Electrical Inspector in accordance with 32 M.R.S.A. ss1104.

410. Whenever any person having the power and duty to enforce the provisions of this Ordinance determines that there is a violation of any provision of this Ordinance, that a person shall give written notice of such violation to the property owner and the person making the installation, if known. Such written notice shall contain:

- A description of the building, structure, or premises in question in sufficient detail to identify it.
- A description of the violation found and a citation to the provisions of this Ordinance

or the NFPA Code violated.

- The remedial action required for correction of such violation.
- A date by which such violation must be corrected.

411. The Code Enforcement Officer and/or his authorized agent(s), including but not limited to the Electrical Inspector, shall have the power and duty to prosecute violations of the provisions of the Ordinance to the extent permitted by law.

412. Prosecution of violations of this Ordinance shall be made pursuant to 30-A M.R.S.A. §4452. The penalties for violating this Ordinance are those set forth at ss4452 (3). These penalties include, but are not limited to, fines, injunctive relief and the reimbursement of the City's attorney's fees and costs.