

ARTICLE 2 BUILDING PERMITS

201 MUBEC

In accordance with 30-A M.R.S.A. § 3003, the Maine Uniform Building and Energy Code (MUBEC) 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, existing and proposed, within the City.

STATE LAW REFERENCE—30-A M.R.S.A. § 3003 (ADOPTION OF CODES BY REFERENCE).

202 ADMINISTRATION

The CEO is responsible for administering this Article 2.

203 ENFORCEMENT

The CEO is responsible for enforcing the provisions of this Article 2 by inspecting premises, investigating complaints, issuing notices of violation, suspending or revoking permits or approvals, and participating in legal prosecution of violations as needed, in accordance with Chapter 1, Section 510 of the City Code.

STATE LAW REFERENCE—30-A M.R.S.A. § 4452 (ENFORCEMENT OF LAND USE LAWS AND ORDINANCES).

204 BUILDING PERMIT

204.1 Written Application. The applicant must submit a written application for a building permit on forms provided by the City, accompanied by the application submission requirements set forth in Chapter 1, Section 208.2 notice to abutting property owners is not required for building permit applications.

204.2 Review Criteria. Before issuing a permit, the CEO must determine that the application complies with all applicable requirements of the City Code, including:

1. Chapter 4 (Fire Prevention and Protection), including MUBEC.
2. Chapter 5 (Public and Private Sewers), including the subsurface wastewater rules, codified at 10-144 C.M.R. ch. 241.
3. Chapter 33 (Floodplain Management).
4. Chapter 56 (UDO).

204.3 Written Decision. A written notice of the decision shall be issued by the CEO within 30 days of receipt of the application. Failure to comply with this requirement constitutes a denial of the building permit application.

204.4 Permit Expiration. If construction has not substantially started within 12 months of the date of issuance of a building permit, the building permit shall expire. If construction has not been substantially completed within 36 months from the date of issuance of a building permit, the building permit shall expire. The CEO may grant a one-time extension for such a building permit when a project is delayed due to circumstances beyond the permit holder's control.

STATE LAW REFERENCE—30-A M.R.S.A. § 4103 (REGULATION OF BUILDINGS—PERMITS).

205 CERTIFICATE OF OCCUPANCY

After securing a building permit and prior to the sale, lease, or occupancy of any new or altered building, the holder of a valid building permit must secure a certificate of occupancy from the CEO, which shall allow the occupancy or use of a building and shall certify that the building has been constructed or will be used in compliance with applicable law. Prior to issuance of a certificate of occupancy, the CEO must determine that all requirements of this Chapter 56 and other applicable provisions of the City Code have been met. A permit holder must request a certificate of occupancy within 15 days after the erection of a new building or alteration of an existing building has been completed. Any person who sells, leases, or occupies a building within the City without first securing a certificate of occupancy is in violation of this Chapter 56. The CEO shall maintain a record of all certificates of occupancy, and copies shall be furnished upon request.

STATE LAW REFERENCE—30-A M.R.S.A § 4352 (ZONING ORDINANCES); 25 M.R.S.A § 2353-A (DUTY TO INSPECT BUILDINGS UNDER CONSTRUCTION).