

BUILDING CODE FOR THE TOWN OF MOUNT DESERT

Adopted at Annual Town Meeting: March 2, 1970

Amended at Annual Town Meeting:

March 1, 1982, March 5, 1990, March 8, 1995,

March 3, 1998, March 8, 2005, May 5, 2009 and May 8, 2012

SECTION 1. SCOPE. The provisions of this Code shall apply to new construction, alterations and additions, relocation and replacement of any structure (as defined by the Land use Zoning Ordinance for the Town of Mount Desert), including buildings decks and porches. "Alterations" where used in this code "shall be deemed to apply to structural changes that might affect the safety of the structure."

SECTION 2. BUILDING INSPECTOR. This Code shall be administered by the Building Inspector who shall be appointed by the Town Manager subject to the approval of the Board of Selectmen. (See Title 25 M.R.S.A. § 2351).

- A. Inspection: The building Inspector shall inspect all buildings being constructed, altered, replaced, or relocated for the purpose of enforcing the provisions of this Code. The Building Inspector shall be notified at least 24 hours in advance, by the permittee, for all required inspections. If the Building Inspector wishes to make an inspection not scheduled by the permittee, the inspector shall notify the permittee or owner at least 24 hours in advance.
- B. Right of Entry: The Building Inspector, or Assistant Building Inspector, in the performance of his duties, may enter any building or structure for the purpose of making inspections required by this Code. Any and all discrepancies shall be discussed with the appropriate Contractor or Sub-Contractor.

SECTION 3. PERMIT. Before the construction, alteration, relocation, or replacement of a building or structure thereof shall be commenced, the Owner, Lessee, or authorized agent shall obtain from the Building Inspector a permit covering such work. Repair or replacement of the parts of a structure which do not affect the safety of the structure do not require a permit.

- A. Application. The application for the permit shall be in writing and shall be made in such form as the Town shall prescribe, and shall contain a description of the proposed new, altered, or relocated building or structure, or the replacement contemplated. The application shall be filed at the Municipal Office.
- B. Permit Approval. The Building Inspector, after proper examination of the application, shall either issue the requested permit or transmit notice of refusal within ten days of the date the application is received by the Building Inspector. Notice of refusal shall be in writing and shall state the reasons thereof.
- C. Life of Permit. All building Permits shall be void unless the foundation, as described on the Building Permit application, is completed within one year of the date of issuance.

SECTION 4. Certificate of Occupancy. No structure or portion of a structure that is regulated by this Building Code may be occupied until a Certificate of Occupancy has been issued by the Building Inspector. Occupancy without written approval is a violation of the Code and subject to penalties as prescribed in Section 15 of the Code. Contractors or Sub-contractors installing structural or mechanical parts of a building regulated by Sections 8., 10., 11., and 12. of this Code shall sign off on the Certificate of Occupancy that said installation is in accordance with the requirements contained in said section.

1.) Exception: Temporary Certificate of Occupancy:

A. No serious life safety hazard exists as judged by the Authority Having Jurisdiction.

SECTION 5. FEES. The fee for issuing a permit is as follows:

Repair or Renovation to Existing Footprint:	
Per \$1,000.00 dollars of improvements	\$ 1.00
Minimum Permit Fee	\$25.00
New Construction:	
(Includes additions, outbuildings, garages, etc.)	
(Unfinished basements in new construction are exempt from fee)	
Unfinished areas: (includes decks, open porches, sheds, garages, etc.)	\$ 0.10/sq ft
Finished areas:	
Interior is finished with gypsum, wood, etc.	\$ 0.20/sq ft
Manufactured/Modular Homes	\$ 0.20/sq. ft.
Signage-	\$ 5.00
Fences (Per Linear Foot)	\$1.00

SECTION 6. MINIMUM CONSTRUCTION STANDARDS.

A. All building materials used and practices followed in the construction of buildings shall conform with the requirements of the National Fire Protection Association 101 Life Safety Codes, as amended from time to time and adopted/approved by the State Fire Marshal's Office.

SECTION 7. EXTERIOR FINISH. The exterior walls shall be finished with conventional exterior building surface. The building shall not be left permanently with a sub-surface building material.

SECTION 8. CHIMNEYS, SMOKE PIPES OR FLUE PIPES. Chimneys, smoke pipes and flue pipes shall conform with the requirements of the 1996 National Fire Protection Association 211 Code for Chimneys, Fireplace, Vents and Solid Fuel Burning Appliances, or as amended.

SECTION 9. PLUMBING. All plumbing and sewage disposal shall conform with the State of Maine Internal Plumbing Rules, the State of Maine Subsurface Waste Water Disposal Rules, and the Town of Mount Desert Town Sewers and Drains Ordinance. New or modified plumbing must be inspected by the Local Plumbing Inspector.

SECTION 10. OIL BURNER INSTALLATION. Oil burner installation and service shall conform to the requirements of the National Fire Protection Association 31 Oil Burning Equipment current edition as designated by the State of Maine Oil and Solid Fuel Board.

SECTION 11. LP GAS EQUIPMENT INSTALLATION. LP Gas equipment installation and service shall conform to the requirements of the National Fire Protection Association 58 Liquefied Petroleum Gases, Storage and Handling, current edition as designated by the State of Maine Oil and Solid Fuel Board.

SECTION 12. ELECTRICAL INSTALLATION. The building shall have a safe and adequate electrical service and wiring, all of which shall conform to the requirements of the National Fire Protection Association 70 National Electrical Code, current edition as designated by the State of Maine Electricians's Examining Board. All commercial work and residential service entrance work shall be done under the direction of a master electrician. Before any electrical service, wiring, and device is put into use, the Master Licensed Electrician responsible for the installation or a State of Maine Electrical Inspector shall give written notice to the Building Inspector that the installation adheres to the prescribed standards.

SECTION 13. INSPECTION OF WORK PERFORMED BY LICENSED OIL BURNER TECHNICIANS, LP GAS TECHNICIANS AND ELECTRICIANS. It is the responsibility of the licensed professional to perform work in accordance with applicable laws. The State of Maine provides random monitoring of work performed by these professionals and no further inspection is required. However, if during the course of a required inspection the Building Inspector should notice work, performed by licensed tradesmen that may be in violation of code, the Building Inspector may request an inspection by a State Inspector.

SECTION 14. APPEALS. An appeal may be taken from an order issued by the Building Inspector, or from his refusal to grant a permit, to the Zoning Board of Appeals, in accordance with procedures set forth in Section 7 of the Land Use Zoning Ordinance of the Town of Mount Desert. The Zoning Board of Appeals shall affirm, modify, or set aside the decision of the Building Inspector.

SECTION 15. VIOLATIONS. Any person, firm, or corporation who violates, disobeys, refuses to comply with, or resists enforcement of any provision of this Code or who begins construction without a required permit, may be fined not less than (\$100.00) nor more than (\$2500.00) for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this Section.

SECTION 16. AUTHORITY This Ordinance, as amended, is adopted pursuant to 30-A M.R.S.A. § 3002.

Appendix A [BUILDING PERMIT]

Appendix B [CERTIFICATE OF OCCUPANCY]