

Town Of Vassalboro

Building Permit Ordinance

Outline of changes:

- A.) Removed a reference to “Home Rule Provisions of the Constitution of the State of Maine and the Home Rule and Police Power Statutes of the State of Maine.

The Legislature enacted a specific limitation of home rule authority in the application of building and energy codes. Municipalities may not alter or modify the provisions of the building and energy codes as adopted by the State of Maine.

- B.) The Ordinance provided an exemption for four (4) instances that did not require a permit. These have been eliminated from the Ordinance because they are each exempted through the adoption of the MUBEC documents, and have created unintended violations of the setback requirements in a number of occasions. The size of deck or porch exemption is doubled in the MUBEC documents. And garages and sheds are not limited to temporary construction techniques.

- C.) The MUBEC documents exempt a variety of minor work and repairs from permit requirements.

- 1) One-story detached accessory structures with a floor area not to exceed 200 square feet,
- 2) Fences not over 7 feet high,
- 3) Retaining walls, not over 4 feet in height,
- 4) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ration of height to diameter or width does not exceed 2 to 1,
- 5) Sidewalks and driveways,
- 6) Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work,
- 7) Prefabricated swimming pools that are less than 24 inches deep,
- 8) Swings and playground equipment,
- 9) Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support,
- 10) Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling, do not serve the exit door,
- 11) Minor electrical, gas, mechanical, and plumbing work in the form of repairs, leaks or clearing stoppages.

- D.) The provision allowing handicapped ramps without permits was eliminated. This provision failed to ensure the structures constructed were designed properly. The placement of ramps is still permitted regardless of setback provisions even in the shoreland zones.

- E.) The Ordinance provided no information regarding the state adopted building and energy codes in place, the documents are clearly identified as well as those provisions not adopted by the state.

- F.) The legislative adoption process specifically exempted
 - 1) Nontraditional or experimental construction, including but not limited to straw bale and earth berm construction,
 - 2) Building materials from local sawmills, including but not limited to nongraded lumber,
 - 3) Log homes, manufactured housing, and
 - 4) Post and beam and timber frame construction.

- G.) The approval of driveway entrances is now a shared responsibility with the Road Commissioner.

- H.) The permit process encourages the simultaneous review of the subsurface wastewater disposal system, internal plumbing at the same time as the building permit.

- I.) The initial placement of Pre-HUD Code homes constructed prior to June 15 1976 are prohibited.

- J.) Setbacks are measured from property lot lines and establish a distance from the line which can't be built upon. Setbacks establish a distance:
 - a. between individual lots,
 - b. between individual lots and state or town roads,
 - c. between individual lots and public or private roads within subdivisions.