



Town of Veazie

Chapter 10 - Existing Structures Code

Adopted:
October 16, 1989



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TRUE ATTESTED
COPY

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10.01 EXISTING STRUCTURES CODE ADOPTED

The Town of Veazie hereby ordains that in accordance with 30-A M.R.S.A. § 3003 "The BOCA National Existing Structures Code/1987," Second Edition, published by the Building Officials and Code Administrators, Inc., is hereby adopted and incorporated by reference, as the Existing Structures Code of the Town of Veazie for the purposes of establishing minimum standards governing the condition, maintenance, and rehabilitation of all existing structures; establishing minimum standards governing supplies, utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; establishing minimum standards governing the condition of dwellings offered for rent; fixing certain responsibilities and duties of owners and occupants of structures, and the condemnation of structures unfit for human habitation and the demolition of such structures, located within the Town of Veazie.

10.02 AMENDMENTS TO PUBLISHED VERSION

"The BOCA National Existing Structures Code 1987" is adopted in its published form as if fully set forth herein, except as follows:

10.02.01

Section ES-100.1 is deleted and replaced with the following:

ES-100.1 Title: These regulations shall be known as the Existing Structures Code of the Town of Veazie and are herein referred to as such or as "this code".

10.02.02

Section ES-107.5 is amended by the addition of the following sentence: For the purpose of this Section, the terminology "sell, transfer, mortgage, lease or otherwise dispose of" shall include the execution of a land sales contract or similar agreement.

10.02.03

Section ES-110.2 is deleted and replaced with the following:

Civil Penalties. The requirements of 30-A M.R.S.A. § 4452 shall apply to the determination of penalties for violations of the Ordinance. The minimum penalty for a specific violation of this Ordinance shall be \$100 and the maximum penalty shall be \$2,500; when it can be shown that there has been a previous conviction of the same party within the past two (2) years for violation of the same ordinance provision.

10.02.04

Section ES-112.1, ES-112.2, ES-112.2.1, ES 112.2.2, ES-112.2.3, and ES-112.3 are deleted and replaced with the following:

124.1 Application for Appeal: The owner of a building or structure or any other person may appeal to the "Veazie Board of Appeals", hereafter designated as the "Board of Appeals", from a decision of the building official refusing to grant a modification to the provisions of this code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure. Such appeal shall be commenced on a form provided by the Director of Code Enforcement together with an administrative processing fee of Thirty-Five Dollars (\$35.00).

10.02.05

Section ES-111.4 is deleted and replaced with the following:

ES-111.4 Restraining Actions: Anyone affected by any such order shall within twenty (20) days after service of such order apply to a court of record for an order restraining the code official from razing and removing such structure or parts thereof. The Court shall determine whether the order of the code official is responsible, and if found reasonable, the court shall dissolve the restraining order, and if found not reasonable, the court shall continue the restraining order or modify it as the circumstances may require.

10.02.06

The definition of "Code Official" contained in Section ES-201.0 is deleted and replaced with the following:

Code Official: The Code Enforcement Officer of the Town of Veazie.

10.02.07

Section ES-301.4 is deleted and replaced with the following:

ES-301.4 Insect and Rodent Control: Every owner of a structure or property shall be responsible for the extermination of insects, rodents, vermin, or other pests in all areas of the premises, except that the occupant shall be responsible for such extermination in all areas of the premises of a single-family dwelling.

10.02.08

Section ES-601.1 is deleted and replaced with the following:

ES-601.1 Residential Buildings: Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit at a distance of 3 feet from the exterior walls and 5 feet above the floor level at an outside temperature of -20 degrees Fahrenheit.

10.02.09

Section ES-802.2 is deleted.

10.02.10

Section ES-802.4 is deleted.

10.03 ENFORCEMENT AUTHORITY

The Building Inspector established under section 06.02 of this code, or his/her authorized agents, shall have the power and duty to enforce the provisions of this code.

10.04 ENFORCEMENT PROCEDURE

Whenever the Building Inspector or his/her authorized agents determine there is a violation of any provisions of said Code, he/she shall give written notice of such violation to the property owner, lessee, occupant or their agents. Such notice shall:

10.04.01

Include a description of the real estate in question sufficient for identification; and

10.04.02

Include a description of the violation found and the citation to the provisions violated, of said Code; and

10.04.03

Specify the remedial action required for correction of said violation; and

10.04.04

Order that such violation be corrected within a reasonable period of time; and

10.04.05

State that an appeal from any order, decision or other action of the Building Inspector may be taken to the Board of Appeals by filing with the Building Inspector a written request for a public hearing, within ten (10) days of receipt of said written notice.

10.05 APPEAL TO SUPERIOR COURT

Further appeal from the decision of the Board of Appeals may be made to the Superior Court in Accordance with the Maine Rules of Civil Procedure.

10.06 PROSECUTION OF VIOLATION

Upon the expiration of the reasonable time stated in the written notice provided for in Section 3 of this Ordinance, and the failure to comply with any and all orders, the Town Manager or Code Enforcement Officer may institute proceedings at law or in equity to compel the property owner, lessee, occupant and/or their agents to comply with the provisions of this Ordinance. In addition, the Town Manager or Code Enforcement Officer may file a criminal complaint in the District Court of the State of Maine for purpose of enforcing the penalty provisions contained in this section.