

An ordinance for the Regulation of Building Permits

Ordinance # OR 09 R2

Adopted : March 5, 1988

Revised: March 7, 1992

Re-enacted: March 16, 2013

Revised: March 16, 2013

Revised: March 16, 2024

AN ORDINANCE FOR THE REGULATION OF BUILDING PERMITS IN THE TOWN ANDOVER

ARTICLE I. PURPOSE

The purpose of this ordinance are to establish requirements wherein building permit application, permit fees, and permit approval are required prior to construction of, improvement(s) to, or additions to real property.

ARTICLE II AUTHORITY

This Ordinance is adopted pursuant to the home rule powers provided for in the Article VIII-A of the Maine Constitution and Title 30-MRSA Section 1917.

ARTICLE III APPLICABILITY

This Ordinance shall apply to all of the land area within The Town Of Andover.

ARTICLE IV DEFINITIONS

In general , words and terms used in these regulations shall have their customary dictionary meanings.

ARTICLE V. PERMIT REQUIREMENTS

No person, firm, Corporation or other legal entity shall construct new, modify or add to existing, or locate into the town any structure which will cause increase to any existing liveable area, any outbuilding larger than 48 square feet, and any deck more than 32 square feet without a permit issued by the Planning Board, *and or the Code Enforcement Officer*. The Planning board, *and or the Code Enforcement Officer*, shall issue the permit, as complete *when* a written application and submission of proof that the structure *or deck*, does or will meet all existing and applicable Maine and Town Statutes and Ordinances prior to usage. Permits issued under this Ordinance shall be valid for a period of one year

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commencing on the date of issuance. Projects which have commenced and where construction is over 10 percent complete under the terms of the issued permit at the end of this one year period shall be allowed to continue to completion without application for a new permit. Where work is under 10 percent complete or has not commenced prior to the expiration of the one year period the applicant (s) must reapply for a permit before work can continue to begin.

A. Exception: Trailers and Mobile Homes for storage only, one time permit fee until moved off lot. Any Trailer or Mobile Home converted from storage use into living space requires a new permit application and approval.

B. **ALL STRUCTURES MUST BE SET BACK A MINIMUM OF 15 FEET FROM ALL PROPERTY LINES.** Exceptions may be made based on the grounds of hardship, property dimensions and general characteristics with receipt of written permission by the abutting landowner to the property line in question providing said structure or additions meets all other ordinances enacted within the town and is recorded with oxford County Registry of Deeds prior to permit application.

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**ARTICLE VI. PERMIT FEES**

Town Selectmen shall in consultation with the Planning Board annually review and set permit fees for the Town. Permits will not be issued prior to payment of established permit fees. Permit fees will be based on square footage.

**ARTICLE VII. EXCEPTIONS**

Permits are not required for routine structural maintenance such as painting, replacement of existing heating systems etc., except where required by separate Town Ordinance or Maine statute.

**ARTICLE VIII. ENFORCEMENT**

**8.1 Nuisances**

Any violation of this Ordinance shall be deemed to be a nuisance.

**8.2 Code Enforcement Officer**

It shall be the duty of the Code Enforcement Officer to enforce the provision of this Ordinance. If the Code Enforcement Officer shall find that any provision of this ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings, structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be forwarded to the Town Planning Board and the Municipal Officers. A copy of such notice shall be maintained as a permanent record.

**8.3 Legal Actions**

When the above action does not result in the correction or abatement of the violation or nuisance condition, the Board of Selectmen, upon notice from the Code Enforcement Officer and/or the Planning Board are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality.

**8.4 Fines**

Any person who continues to violate any provision of this Ordinance after receiving notice of such violation shall be guilty of a misdemeanor subject to a fine of up to \$100.00 for each violation up to a maximum of \$2,500.00. Each day such a violation is continued is a separate offense. After the fact permits will be assessed a late fine of three times the permit fee.

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**ARTICLE IX. AMENDMENTS**

This ordinance may be amended by majority vote at Town Meeting.

**ARTICLE X. VALIDITY AND SEVERABILITY**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

**ARTICLE XI. CONFLICTS WITH OTHER ORDINANCES**

Where the provisions of this ordinance conflict with the provisions of other ordinances, the provisions of this ordinance shall prevail.

**ARTICLE XII. EFFECTIVE DATE**

The Ordinance shall become effective when enacted by the voters of the Town of Andover.

Board of Selectmen:

Signature Brian Mills

Signature \_\_\_\_\_

Signature [Signature]

Date 4-17-2024

Accepted at Town Meeting on March 16, 2024

Clerk Melinda Averill

Melinda Averill/ Clerk