

ARTICLE 1 GENERAL PROVISIONS

Sec. 4-101 Permit Required

No person shall place, erect or reconstruct any structure valued over \$1,000 or make improvements valued over \$1,000 on a structure without first obtaining a building permit from the Town Code Enforcement Officer.

Sec. 4-102 Application

Applications for building permits may be obtained from the Town Clerk and submitted to the Town Clerk when completed. The appropriate fee shall be determined by the Code Enforcement Officer and shall be payable to the Town at the time the permit is issued.

No building permit application shall be approved until the applicant provides the Code Enforcement Officer with a written statement from the Town Tax Collector that there are no delinquent taxes or sewer fees owed on the property for which the application is made, or provides a written statement from the Town Tax Collector that the owner of the property has entered into a payment plan approved by the Selectmen to pay off any delinquent taxes or sewer fees owed on such property and the owner is in compliance with said payment plan.

The Code Enforcement Officer may grant a building permit application without satisfaction of delinquent taxes and/or sewer fees if he determines that an emergency exists affecting the health or safety of the owners or occupants of the property for which the building permit is sought.

Sec. 4-103 Approval of Application

A completed application for a building permit shall be immediately referred to the Code Enforcement Officer, who shall examine the application to determine whether the proposed construction, placement, alteration or use is in compliance with this Chapter. No building permit shall be issued until after the approval of the completed application.

A building permit shall not be issued or valid unless the applicant has complied with all applicable provisions of this Chapter and the applicant has obtained the permits required under this Chapter. If a variance is required under this Chapter, it shall be obtained before any permit required under this Chapter may be approved.

Sec. 4-104 Occupancy Permit Required

MRSA 25 Section 2351-A to Section 2357-A authorize the necessity and procedures associated with the requirement to utilize an Occupancy Permit. In every town and city of more than 2,000 inhabitants the municipal officers shall annually in the month of April appoint a building official. In Farmingdale the building official is the designated Code Enforcement Officer (CEO). The CEO in the performance of his official duties may enter any building for the purpose of making the inspection required. The inspector shall inspect all buildings while in the process of being repaired or during the process of being construction to see that all reasonable safeguards are used against the catching and spreading of fire and that the chimneys and flues are made safe.

Subject to the provisions of Title 10, chapter 951, a new building may not be occupied until the inspector of buildings has given a certificate that the same has been built in accordance with section MRSA 25 Section 2353-A, and so as to be safe from fire. If the owner permits it to be so occupied without such certificate, the owner must be penalized in accordance with Title 30-A, section 4452.

Land Use Control

Sec. 4-105 Fee

1. All applications for permits required under this Chapter shall be submitted with a non-refundable fee established in according to the following schedule: Appendix 1 "Fee Schedule". Any work initiated without first obtaining the appropriate permit and/or paying the established permit fee shall pay a double permit fee. Activities included under this Article include, but are not limited to,
 - A. Building permit
 - B. Floodplain review
 - C. Mobile Home Park
 - D. Home Occupancy including Mobile or Manufactured homes
2. Code Enforcement Account. All fees, fines and other revenues received by the Town under this Article shall be transferred to the code enforcement account. The Municipal Officers are authorized to pay compensation and expenses of the Code Enforcement Officer from this account.

Sec. 4-106 Permit Duration

A building permit shall not be valid more than 24 months after date of issuance, but may be renewed within 45 days prior to expiration without cost, provided substantial construction of the structure has occurred prior to expiration of the last issued building permit or renewal thereof.

Sec. 4-107 Penalties

It shall be unlawful for any person to conduct any activity in violation of Chapter 4 of the Farmingdale Code. A violation of any provision of Chapter 4 shall be punishable as a civil violation. It shall be considered a separate violation for each day on which a violation occurs or is permitted to continue. The penalty for each violation shall be not less than \$100 and as provided by statute. [30-A M.R.S.A. § 4452.]

Effective March 28, 2009

Revised: June 28, 2014