

Draft
February 13, 1997

*Defeated
6/7/97.*

ETNA BUILDING PERMIT/SITE PLAN REVIEW ORDINANCE

I. Purpose

This ordinance is designed to aid the Planning Board and the Board of Assessors in arriving at a more just and complete assessment of the property of the town, providing for permits and prescribing penalties for violations. The ordinance shall be known and may be cited as the Building Permit/Site Plan Review Ordinance of the Town of Etna.

II. Scope

The provisions of this ordinance shall apply to all new construction, alterations and additions to any existing building or part thereof exceeding (100) on hundred square feet. It shall apply to all buildings, manufactured housing, dwelling units, or structures hereinafter erected, reconstructed, enlarged, or moved, and all uses of premises in the Town of Etna.

III. Severability

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

IV. Conflict with other Ordinances

This Ordinance shall in now way impair or remove the necessity of compliance with any other rule, regulation, by-law permit or provision of law. Where other ordinances imposes a greater restriction upon the use of the land, buildings, or structures, the provisions of this Ordinance shall prevail.

V. Amendment

This Ordinance may be amended in part or in whole by a majority vote at any EtnaTown Meeting.

VI. Building or Use Permit Required

A person wishing to undertake any of the following actives in the Town of Etna shall first apply for and obtain a building permit from the Board of Selectmen. The Code Enforcement Officer will inspect the premises prior to construction to ensure compliance with the building permit. The CEO will approve the final permit.

VI-1. Erect a building or structure over 100 square feet.

VI-2. Enlarge an existing building or structure to exceed 100 square feet.

VI-3. To move a building or structure over 100 square feet in size, into the Town of Etna permanently.

VI-A. No permit shall be issued except in conformity with the provisions of this Ordinance.

VI-B. A plumbing permit certificate of approval must be obtained from the Plumbing Inspector before a building permit can be issued for any building with sleeping facilities or manufactured home can be placed on the land.

VI-C. Application-The application for a building permit shall be in writing and shall be in such form as specified by the Etna Selectmen. The application for a building permit shall contain a description of the proposed new, altered, or relocated building, or the addition proposed. The application shall be filed at the Etna Town Office.

VII. Permit Approval

The Selectmen, after proper examination of the application for a building permit, shall either issue the permit as requested, or transmit notice of refusal to the applicant within 15 business days of the date of application. Notice of refusal shall be in writing and shall state the reasons therefore.

VIII. Fee

No building permit shall be issued without payment of a fee according to the following schedule:

- (A) Residential and commercial structures \$3.00/100 Sq. Ft.
- (B) Accessory structures (garages, barns, ect.) \$2.00/100 Sq. Ft.
- (C) Minimum permit fee is \$5.00.

IX. Electrical

Electrical installations will conform to the State Electrical Code.

X. Appeal

Upon denial of a building permit, the applicant may present the proposal to the Etna Board of Appeals for review and possible reversal. This appeal must be a written request to the Appeals Board. The Board of Appeals may grant waivers of provisions of this ordinance as long as these waivers do not conflict with mandated State Codes.

*Grandfathered
any change
before 6/7/97*

XI. Permit Life

All building permits shall be void unless work thereunder is commenced within one year of the date of issuance.

XII. Enforcement

XII-1. Nuisances-Any violation of this ordinance shall be deemed to be a nuisance.

XII-2. Code Enforcement Officer- It shall be the duty of the CEO to enforce the provisions of the Ordinance. If the CEO shall find that any provision of the 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 the illegal use of land, buildings, structure, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record.

XIII. Violations

The provisions of State Law MRSA Title 30 Section 4966 shall apply.

XIII-1-Fines- Any person who continues to violate any portion of this Ordinance after receiving notice of such violation shall be guilty of a misdemeanor subject to a fine upto \$100.00 for each violation. Each day such a violation is continued is a separate offence.

XIII-2-Any person who fails to obtain an appropriate town permit, shall be subject to triple the original permit fee.