
Chapter 39

Maine Uniform Building and Energy Code Administrative Ordinance Town of Skowhegan, Maine Adopted: Town Meeting June 11, 2012 Article 48

1. **Title.** This ordinance shall be known and may be cited as the “Maine Uniform Building and Energy Code Administrative Ordinance” of the Town of Skowhegan, Maine.
2. **Purpose and Authority.** The purpose of this Ordinance is to establish administrative and enforcement provisions in relation to the Maine Uniform Building and Energy Code (MUBEC). The Town has authority to enact building code provisions relating to local enforcement, per MRSA Title 10 § 9724(5).
3. **Code Administration.** In accordance with MRSA 25 § 2373, the MUBEC must be enforced in the Town of Skowhegan beginning July 1, 2012. The Town is required to enforce the MUBEC through inspections that comply with the code. In accordance with MRSA 25 § 2373(4), the Town has chosen the Building Official option for all enforcement in relation to structures covered under the International Residential Code and the Third-Party Inspector option for enforcement in relation to structures covered under the International Building Code. The MUBEC shall be administered within the Town of Skowhegan by the Town’s duly appointed Building Official.
4. **Duties.** The Building Official’s duties shall be as outlined in the MUBEC, and shall include but are not limited to:
 - a. Receive permit applications, examine construction documents and issue permits for the erection and alterations of buildings and structures.
 - b. For structures covered by the International Residential Code, the Building Official shall inspect premises for which permits are issued. Make all required inspections, or accept reports of inspection by approved agencies.
 - c. For structures covered by the International Building Code, the Building Official shall receive certified reports from Third-Party Inspectors as outlined below.
 - d. Enforce compliance with the provisions of the code and issue notices or orders to ensure compliance, including suspending or revoking permits.
 - e. Render interpretations of the MUBEC and adopt policies and procedures to clarify the application of its provisions.
 - f. Keep official records, applications received, permits and certificates issued, fees collected, reports of inspections by the Building Official and Third-Party Inspectors, as well as notices and orders issued.

-
- g. Collect any fees due.
 - h. Refer permits requiring subdivision, shoreland zoning or floodplain review to the Planning Board as required.
 - i. Investigate complaints and act on violations as outlined herein.
 - j. Issue Certificates of Occupancy as per MRSA 25 § 2357-A and the MUBEC.

5. Building Permits. Building permits are required as per the MUBEC and shall expire as specified therein. No building permit shall be issued by the Building Official until such time that the applicant submits a completed building permit application. Such application shall:

- a. Identify and describe the work to be covered by the permit for which application is made.
- b. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
- c. Indicate the use and occupancy for which the proposed work is intended.
- d. Be accompanied by construction documents and other information as required by MUBEC.
- e. State the valuation of the proposed work.
- f. Be signed by the applicant or the applicant's authorized agent.
- g. Give such other data and information as required by the building official.
- h. For structures covered by the International Building Code – Include certification of a contractual arrangement between a Third-Party Inspector and the building owner.
- i. A copy of all required State of Maine Fire Marshal's building permits.

6. Permit Approval. The Building Official shall examine applications and shall either issue the requested permit or transmit notice of refusal to the applicant in writing stating the reasons therefore. All other permits required for the proposal shall be obtained prior to issuance of the building permit.

7. Inspections. In accordance with the MUBEC, for structures covered by the International Residential Code, upon notification the Building Official shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder wherein the same fails to comply. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official. Work shall not be done beyond the point indicated in each inspection without first obtaining the approval of the Building Official.

8. Third-Party Inspectors (as defined in MRSA 25 § 2371). For structures covered by the International Building Code, certified reports from third-party inspectors, as outlined in MRSA 25 § 2373(4), shall be submitted to the building official prior to obtaining a certificate of occupancy as required in MRSA 25 § 2357-A. Such third-party inspections shall be obtained pursuant to independent contractual arrangements between the building owner and a third-party inspector.

9. Fees. Prior to issuance of a Permit, the applicant shall be required to pay a non-refundable application fee. No building permit shall be issued until all fees due have been paid.

All fees required by this Ordinance shall be established by the Board of Selectmen and published within a schedule of fees, which the Selectmen may amend from time to time according to the procedures required for taking actions at meetings of the Board.

10. Permit Modifications. After issuance, any modifications to a permit application shall require a revised permit application and a revised permit prior to beginning work.

11. Certificate of Occupancy. The Building Official shall issue a Certificate of Occupancy per MRSA 25 § 2357-A and in accordance with the MUBEC prior to a building or structure being used or occupied or and prior to a change in the existing occupancy classification. For structures covered by the International Building Code, the Building Official shall issue a Certificate of Occupancy based on receipt of an inspection report by a certified third-party inspectors.

12. Enforcement. Enforcement and penalties shall be consistent with MRSA 30-A § 4452. It shall be unlawful to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by the MUBEC, or cause the same to be done, in conflict with or in violation of any of the provisions of the MUBEC. If the Building Official finds that any of the provisions of this Ordinance are being violated, the Building Official shall serve a notice of violation on the person responsible for the violation. Such notice shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The Building Official shall be responsible for initial efforts to enforce the provisions of this Ordinance, but enforcement cases shall be turned over to the Board of Selectmen if the matter requires prosecution in court.

13. Penalties. Any person, firm or corporation owning or having control of any building or premises or part thereof who violates any of the provisions of this Ordinance commits a civil violation and is subject to civil penalties under MRSA 30-A § 4452. Each day such violation or failure to comply is permitted to exist, after notification by the Building Official, shall constitute a separate violation. All fines shall be paid to the Town of Skowhegan

14. Appeals. In accordance with MRSA 25 § 2356 and MRSA 30-A § 4103(5), an appeal may be taken in writing from any order or direction of the Building Official to the Board of Appeals. Fees for appeals shall be established as outlined above.

15. After the Fact Permits. In the event that any person is found to have begun work prior to obtaining a permit as required, the permit fees otherwise set forth in the schedule of fees shall be doubled.

16. Savings Clause. If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, this finding shall not affect the remainder of this Ordinance.

17. Effective Date. The effective date of this Ordinance shall be July 1, 2012.