

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
107TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE OF CONFERENCE AMENDMENT " A " to H.P. 2206, L.D. 2306,  
Bill, "AN ACT to Permit Local Plumbing Inspectors to Approve  
Repairs to Existing Septic Systems."

Amend said Bill by striking out everything after the  
enacting clause and inserting in place thereof the following:

'Sec. 1. 22 MRSA §42, sub-§3, as last repealed and replaced  
by PL 1973, c. 521, §1, is amended by adding at the end 2 new  
sentences to read:

The rules and regulations adopted by the department shall provide  
with respect to the repair and replacement of any part or parts of  
existing subsurface sewage disposal systems, serving family  
dwellings inhabited by no more than 2 individual families, a local  
option permitting the municipal plumbing inspector to waive the site  
evaluation requirements provided that the waiver will not result  
in violations of other regulations or ordinances adopted pursuant  
to the Plumbing Code. The local option shall not apply to disposal  
systems located within 100 feet of any pond or river subject to  
Shoreland Zoning controls.

Sec. 2. 30 MRSA §3221, sub-§1, ¶B, is enacted to read:

B. Any municipality adopting the local waiver option shall  
notify the department in writing <sup>of</sup> the date of its adoption.  
Any person aggrieved by the granting of a waiver under the

local option may appeal to the municipality and request a public hearing on the issue of whether <sup>or not</sup> the waiver shall be permitted.'

Statement of Fact

This amendment is to clarify the fact that a local plumbing inspector may allow the repair or replacement of an existing system without the necessity of a site investigation provided all other conditions of the Plumbing Code are met. This is a local option which may be used at the discretion of a municipality.

Reproduced and distributed pursuant to Senate Rule 11-A.

April 6, 1976.

(Filing No. S-540).