

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

(Filing No. H-1076)

HOUSE 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 adding at the end before the Statement
of Fact the following new sentences:

'When the plumbing inspector finds upon site inspection that
compliance with existing regulations or ordinances requiring
soils analysis would result in unnecessary and undue hardship
by reason of site conditions, lot size or impracticability, a
waiver from the regulations or ordinances may be granted when
the waiver will not result in a violation of other regulations or
ordinances adopted pursuant to the plumbing code. A public
record shall be made of each waiver granted. Any person
aggrieved by the granting of the waiver may appeal to the
municipality and request a public hearing on the issue of whether
the waiver shall be permitted. The plumbing inspector shall be
immune from any liability for any subsequent malfunction of the
private sewage disposal system. The owner of the family
dwelling to whom the waiver is granted shall sign a waiver of
liability on a form provided by the plumbing inspector.'

Statement of Fact

This amendment is to clarify the intent and operation of
L. D. 2306 by making clear that expense of soils analyses are

often unnecessary and create a hardship to home owners with existing sewage disposal systems that need repairs to improve function. In addition, some regulations because of existing conditions are impossible or impracticable to comply with and home owners should be permitted to improve their systems or find alternatives which comply with the intent and purpose of the plumbing code, which is to protect public health.

Filed by Mr. Wilfong of Stow.

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