

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1518

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H. P. 1282

House of Representatives, April 11, 1977

On Motion of Mr. Green of Auburn, referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Miss Brown of Bethel.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Permit Local Plumbing Inspectors to Approve Repairs to  
Existing Septic Systems**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 22 MRSA § 42, sub-§ 3, 2nd ¶, last 2 sentences, as enacted by PL 1975, c. 762, § 1, are repealed and the following enacted in their place:

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 that the local plumbing inspector may 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. He may not waive the site evaluation requirement for disposal systems within 100 feet of any pond or river subject to shoreland zoning laws.

**Sec. 2.** 30 MRSA § 3221, sub-§ 1, ¶ B, as enacted by PL 1975, c. 762, § 2, is repealed and the following enacted in its place:

**B.** The municipal officers of any municipality may provide by ordinance that the plumbing inspector may waive the site evaluation requirement as provided in Title 22, section 42, subsection 3. They shall notify the department in writing of the date of the adoption of the ordinance. Any person aggrieved by the granting of a waiver may appeal to the municipality and request a public hearing on the issue of whether or not the waiver shall be permitted.

## STATEMENT OF FACT

This bill will permit the municipal officers of a town to provide that the local plumbing inspectors may waive site evaluations for repair of existing septic systems. They may provide this by ordinance.