

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-628)

COMMITTEE AMENDMENT "A" to H.P. 1385, L.D. 1573, Bill,
"AN ACT to Control Conversion of Seasonal Dwellings to Year-round
e in Shoreland Areas."

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

'Sec. 1. 22 MRSA §42, sub-§3, as last amended by
PL 1975, c. 762, §1, is further amended by adding at the end
the following new sentence:

The rules and regulations adopted by the department shall
provide minimum standards for the inspection of existing
subsurface sewage disposal systems when such systems are
converted from seasonal to year-round dwellings in accordance
with Title 30, section 3223, as amended.

Sec. 2. 30 MRSA §3223, sub-§3, is enacted to read:

3. Conversion permit. Any person, prior to converting
or using a seasonal dwelling as a year-round dwelling, which
dwelling is located in an area zoned under Title 12, section 4811,
et. seq., mandatory shoreland zoning, shall obtain from the
local plumbing inspector a conversion permit. For the
purposes of this section a seasonal dwelling is one which is
occupied for less than a total of 180 days annually or is not
the owner's or occupant's legal residence or domicile. A year-
round dwelling is one which is occupied more than a total of
180 days annually or is the owner's or occupant's legal
residence or domicile. No permit for conversion of a seasonal
to a year-round dwelling shall be issued unless one of the
following conditions is met:

- A. Records of the municipality, applicant, installer of sewage disposal systems or the state show that the dwelling's sewage disposal system meets the standards of the Maine State Plumbing Code, if such system is a subsurface system, or the requirements of Title 38 if such system is a surface discharge;
- B. Based upon a site evaluation performed by a licensed evaluator, licensed under Title 22, /^{section} 42, subsection 3-A, the applicant can demonstrate that site conditions will permit the installation of a sewage disposal system meeting the requirements of the Maine State Plumbing Code or the requirements of Title 38 in the event of future malfunction of the system; and
- C. The dwelling unit's sewage disposal system is connected to an approved sanitary sewer system.'

Statement of Fact

This amendment provides a means to assure that the sewage disposal system of a dwelling which may be adequate for seasonal use is adequate for year-round use if the dwelling is converted to that use.

This amendment provides a definition for seasonal and year-round dwellings and provides criteria for plumbing inspectors to follow when determining whether to issue a conversion permit.

Reported by the Minority of the Committee on Natural Resources.

Reproduced and distributed under the direction of the Clerk of the House.
6/15/77

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