

MAINE STATE LEGISLATURE

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OF. R.

STATE OF MAINE
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-328)

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

Amend the Amendment by inserting at the end before the
Statement of Fact the following:

'Sec. 3. 30 MRSA §3223, sub-§§5, 6 and 7 are enacted to
read:

5. Sale of lots for seasonal dwellings. No lot on which a
dwelling may be constructed and which is located within an area zoned
under Title 12, section 4811, et seq., shall be sold unless
that lot has undergone a site evaluation performed by a
licensed evaluator, licensed under Title 22, section 42, sub-
section 3-A, and the evaluation shows that the site is suitable
for a year-round dwelling sewage disposal system meeting the
requirements of the Maine State Plumbing Code for a subsurface
system or the requirements of Title 38 if the system is a
surface discharge.

6. Advertisement of dwelling located in shoreland zoning
area. No dwelling located within an area zoned under Title 12,
section 4811, et seq., shall be advertised for sale unless:

A. That dwelling's sewage disposal system complies with
the standards of the Maine State Plumbing Code, if the
system is a subsurface system, or the requirements of
Title 38 if the system is a surface discharge, and the

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fact of that compliance is expressly stated in the advertisement; or

B. If the dwelling does not comply with the standards of the Maine State Plumbing Code, if the system is a subsurface system, or the requirements of Title 38, if the system is a surface discharge, the fact that the dwelling's sewage disposal system is not suitable for a year-round dwelling is expressly stated in the advertisement.

7. Application. Subsections 3 and 4 shall not apply to any seasonal dwelling constructed prior to July 1, 1977.'

Statement of Fact

This amendment adds 3 provisions to the bill.

First, the amendment provides that seasonal dwellings constructed prior to July 1, 1977, shall be exempted from the provisions of Title 30, section 3223, subsections 3 and 4.

Second, the amendment provides that no lot in a shoreland zoning area on which a dwelling may be constructed may be sold unless the lot has been soil tested and found suitable for a year-round sewage disposal system meeting the requirements of either the Maine State Plumbing Code or Title 38, whichever is applicable.

Third, the amendment provides that no dwelling located in a shoreland zoning area shall be advertised for sale unless

the system complies with the State Plumbing Code or Title 38 requirements and that fact is expressly stated in the advertisement, or, if the dwelling does not comply, the fact that the system is not suitable for a year-round dwelling is expressly stated in the advertisement.

(O'Leary)
NAME:

COUNTY: Oxford



Reproduced and distributed pursuant to Senate Rule 11-A.

June 24, 1977

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