

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-781)
108TH LEGISLATURE
FIRST REGULAR SESSION

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

'Sec. 1. 30 MRSA §3223, sub-§3 is enacted to read:

3. Conversion permit. Any person, prior to converting a seasonal dwelling to 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 subsection, a seasonal dwelling is one which is not adapted to year-round habitation due to the absence of sufficient insulation, heating system or year-round water supply and which was not occupied on a year-round basis during the 1977 calendar year. For the purposes of this subsection, conversion of a seasonal dwelling to a year-round dwelling means the installation of sufficient insulation, heating systems or year-round water supply to make the dwelling suitable for year-round habitation.

*--- No permit for conversion of a seasonal dwelling 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 Maine State Plumbing Code or the requirements of the requirements of Title 38 in the event of future malfunction of the system; or

C. The dwelling unit's sewage disposal system is connected to an approved sanitary sewer system.

Sec. 2. 30 MRSA §3223, sub-§4 is enacted to read:

4. Variances. The owner of a seasonal dwelling who applies for a conversion permit under subsection 3 may be granted a variance from the requirements of subsection 3 if, based upon the site evaluation, the plumbing inspector finds that in the event of a malfunction of the existing system a new sewage system can be installed which will be in substantial compliance with the Maine State Plumbing Code and that the new system will not be likely to endanger the quality of the adjacent water

bodies or of adjacent private water supplies. In the event of a malfunction, the owner of the converted seasonal dwelling shall repair or replace the existing sewage system so as to bring the system into substantial compliance with the Maine State Plumbing Code and insure that the system will not endanger the quality of adjacent water bodies or of adjacent private water supplies.'

Statement of Fact

This amendment changes the definition of seasonal dwelling and establishes a variance procedure for seasonal dwellings which are unable to comply with the Maine State Plumbing Code.

Filed by Mr. Spencer of Standish.

Reproduced and distributed under the direction of the Clerk of the House.
6/21/77

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