

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1573

H. P. 1385

House of Representatives, April 13, 1977

On Motion of Mr. Blodgett of Waldoboro referred to the Committee on Natural Resources. Sent up for concurrence and 1,800 ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Masterton of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Control Conversion of Seasonal Dwellings to Year-round Use
in Shoreland Areas.**

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

Sec. 1. 12 MRSA § 4811-A, as enacted by PL 1973, c. 564, § 2, is amended by adding at the end the following new paragraph:

A "seasonal dwelling," as used in section 4812-A, is defined as a dwelling unit so constructed as to be suitable for long-term occupancy, and is in fact occupied during the warmer months of the year only. A "year-round dwelling," as used in section 4812-A, is defined as a dwelling unit so constructed including, but not limited to, the use of insulation throughout a substantial part of the dwelling or the use of a central heating system, as to be suitable for occupancy 365 days of the year, whether or not such dwelling unit actually is so occupied.

Sec. 2. 12 MRSA § 4812-A, as last amended by PL 1975, c. 438, is further amended by adding at the end the following new paragraph:

Any person proposing to convert a seasonal dwelling to a year-round dwelling within a shoreland area shall obtain a permit for conversion from the appropriate municipality's local plumbing inspector before such conversion. No permit for conversion of a seasonal dwelling to a year-round dwelling shall be issued unless and until the dwelling's sewage disposal unit meets the standards of the current Maine State Plumbing Code, if such unit is an underground waste disposal system, or the requirements of Title 38, if such unit has an overboard discharge. Notwithstanding any other provision of law, if an underground waste disposal system is used, a site evaluation

shall be required in accordance with the Maine State Plumbing Code for any such system which must be upgraded, altered or replaced, and all other procedures prescribed by the code relative to the repair, replacement or installation of an underground waste disposal system to meet the requirements of this paragraph, including those governing the waiver of requirements on grounds of undue hardship, shall be adhered to. Additionally, municipalities may in their shoreland zoning ordinances require planning board approval of such conversions.

STATEMENT OF FACT

The purpose of this bill is to require that any person who plans to convert a personal dwelling into a year-round dwelling within a shoreland area must upgrade the dwelling sewage disposal unit to current standards. This bill would also require a site investigation for the replacement, alteration or upgrading of these underground waste disposal systems.