

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1846

H. P. 1727

House of Representatives, January 22, 1980

Referred to the Committee on Energy and Natural Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk of the House

Presented by Mr. J. Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

**AN ACT Relating to Plumbing Permits and Waivers for Septic Systems under Certain Conditions.**

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

30 MRSA § 3221, sub-§ 4, as last amended by PL 1977, c. 694, § 534, is further amended by adding at the end the following sentences:

**No person may erect or substantially enlarge a structure requiring a subsurface sewage disposal system without complying with the site evaluation requirements of Title 22, section 42. No municipality may waive any requirements for a subsurface sewage disposal system in the case of a person who has not complied with this requirement.**

STATEMENT OF FACT

Frequently individuals construct or relocate dwellings on sites where the soil conditions are extremely poor or unacceptable to support subsurface wastewater disposal. Individuals have been known to construct very expensive houses on property with unacceptable soils and then expect a variance to the plumbing code to allow a disposal field. In spite of considerable public relations and publicity, many individuals still do not realize the necessity for adequate soils for a disposal system where the soils are unsuitable because no minimum building code exists in the State.

This bill requires all persons constructing a building that will utilize a subsurface sewage disposal system to obtain a soil evaluation before starting construction. This will ensure that they are aware of site limitations or problems they may face. The bill also provides that municipalities may not waive requirements for persons who do not comply with this provision.