

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1755

6
7 S. P. 752 Office of the Secretary of the Senate
8 Approved for introduction by the Legislative Council pursuant to
Joint Rule 26.

Reference to the Committee on Local and County Government
suggested and 1,400 Ordered Printed.

9 MAY M. ROSS, Secretary of the Senate
10 Presented by Senator Devoe of Penobscot
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 AN ACT to Require the Recording of Certain
18 Zoning Actions.
19

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

21 30 MRSA §4965 is enacted to read:

22 4965. Zoning actions required to be filed

23 1. Actions subject to filing. The following zoning
24 actions are not effective until the filing requirements of
25 this section have been completed by the person on whose
26 behalf the zoning action was taken:

27 A. A special exception permit or conditional use
28 permit; and

29 B. A variance.

1 2. Place for filing. The filing required by this
2 section shall be made in the registry of deeds, where a deed
3 of the land involved in the zoning action would be recorded.

4 3. Requirement. The filing required by this section
5 shall be considered to be completed when all of the follow-
6 ing acts have been performed:

7 A. Delivery, to the registrar of deeds, of a notice
8 containing the following information:

9 (1) A description of the parcel involved suffi-
10 cient to enable a proper entry to be made in an
11 appropriate index;

12 (2) The name of the owner of the property;

13 (3) The name of the person on whose behalf the
14 zoning action was made, if different from the
15 owner;

16 (4) The name of the office and its address at
17 which an inspection can be made of the zoning ac-
18 tion and any plans or specifications referred to
19 or incorporated in that action; and

20 (5) A general description of the effect of the
21 zoning action.

22 A copy of all or a portion of the zoning action is suf-
23 ficient if it contains the information required in
24 subparagraphs (1) to (5); and

25 B. Payment to the registrar of a \$10 filing fee. to

26 Statement of Fact

27 A public record of variances and special permit granted
28 by zoning boards of appeal or planning boards provides a
29 secure and permanent storage service for owners and pur-
30 chasers of parcels of land. This bill requires that a
31 notice of that type of zoning action be filed in the regis-
32 try of deeds before it becomes effective.