MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document   NO. 87

H.P. 84   House of Representatives, January 26, 1987
     Reference to the Committee on Legal Affairs suggested and
ordered printed.
                              EDWIN H. PERT, Clerk
Presented by Representative Perry of Mexico.
     Cosponsored by Representative Jalbert of Lisbon and
Senator Dillenback of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Relating to Building Inspections.

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

     Sec. 1.   25 MRSA §2355 is repealed.

     Sec. 2.   25 MRSA §2359, as amended by PL 1975, c.
623, §35, is further amended to read:

§2359. Refusing admission to inspector

     Any owner or occupant of a building, who refuses
to permit an inspector of buildings to   enter his
buildings or willfully obstructs him in the inspec-
tion of such building as required by chapters 313 to
321, shall be punished by a fine of not less than $1
$50 nor more than $20 $250, to be recovered by com-
plaint or indictment.

STATEMENT OF FACT

2   This bill   repeals   a   law that has outlived its
3   usefulness. To require, as the Maine   Revised   Stat-
4   utes, Title 25, section 2355 does, the inspector of
5   buildings to examine all the heating apparatus "in
6   all the buildings within his jurisdiction" is unrea-
7   sonable and unnecessary. If the need or desire to
8   conduct such an inspection should arise, a municipal-
9   ity may always authorize it by ordinance.

10   The bill increases the fine structure for the of-
11   fense of refusing entry to a building inspector so as
12   to comport with modern penalty levels. The original
13   law has never been amended in this regard and needs
14   to be.

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