



STATELAWLE AUGUSTA. MAINE

# 124th MAINE LEGISLATURE

# **FIRST REGULAR SESSION-2009**

Legislative Document ۰,

No. 535

## H.P. 380

House of Representatives, February 12, 2009

An Act To Allow the Temporary Placement of Structures To Protect **Property from Natural Disasters** 

Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative CHASE of Wells. Cosponsored by Senator NASS of York and Representatives: HAMPER of Oxford, HILL of York, KNIGHT of Livermore Falls, WEAVER of York, WHEELER of Kittery.

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

Sec. 1. 38 MRSA §349-C is enacted to read:

#### §349-C. Temporary structures

Notwithstanding the provisions of this Title or Title 30-A, Part 2, an owner or occupier of a property may erect a temporary structure to protect the property from a natural disaster, occurrence or event. A structure under this section may only be of a nature or scope necessary to protect against the disaster, occurrence or event and must be removed as soon as practicable within 7 months of its completion. A support or substructure for the structure may remain permanently if the support or substructure does not interfere with any natural element or process in violation of this Title. A state agency or municipality may not require a permit for a structure erected pursuant to this section.

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#### SUMMARY

13 This bill allows an owner or occupier of a property to erect a temporary structure on 14 the property without a permit to protect the property from a natural disaster, occurrence 15 or event. The structure must be removed as soon as practicable within 7 months of its 16 completion. A support or substructure for the structure may remain if the support or 17 substructure does not interfere with any natural element or process.