

MAINE STATE LEGISLATURE

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ROFS

L.D. 549

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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 391, L.D. 549, Bill, "An Act To Recognize Preexisting Land Uses"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §685-B, sub-§7-B is enacted to read:

7-B. Presumption of nonconforming uses and nonconforming structures. If a person demonstrates that a use or structure that does not conform with district standards has existed for at least 30 years, there is a rebuttable presumption that the use is a nonconforming use or that the structure is a nonconforming structure.'

SUMMARY

This amendment replaces the bill and provides that if a person demonstrates that a use or structure that does not conform with Maine Land Use Planning Commission district standards has existed for at least 30 years, there is a rebuttable presumption that the use or structure is a nonconforming use or nonconforming structure, which is a use or structure that lawfully existed when district regulations were adopted but that does not currently conform.

COMMITTEE AMENDMENT