

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1530

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H.P. 1134

House of Representatives, April 19, 2021

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**An Act To Allow People To Live in Tiny Homes as a Primary or  
Accessory Dwelling**

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Received by the Clerk of the House on April 15, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McCREA of Fort Fairfield.  
Cosponsored by Senator MAXMIN of Lincoln and  
Representatives: COLLINGS of Portland, GERE of Kennebunkport, McCREIGHT of  
Harpwell, MILLETT of Cape Elizabeth, O'NEIL of Saco, PLUECKER of Warren, TALBOT  
ROSS of Portland, WARREN of Hallowell.

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

2 **Sec. 1. 30-A MRSA §4301, sub-§14-D** is enacted to read:

3 **14-D. Tiny home.** "Tiny home" has the same meaning as in Title 29-A, section 101,  
4 subsection 80-C.

5 **Sec. 2. 30-A MRSA §4363** is enacted to read:

6 **§4363. Tiny homes**

7 **1. Tiny homes.** Regulation of tiny homes is governed by this section. This section  
8 does not prohibit municipalities from establishing controls on tiny homes that are less  
9 restrictive than are permitted by this section.

10 **2. Location of tiny homes.** A municipality shall allow a tiny home to be placed or  
11 erected as a primary structure in a number of locations on an undeveloped house lot where  
12 a single-family dwelling is allowed or as a primary or accessory structure on property that  
13 already contains a structure. No more than one tiny home may be placed on a lot unless  
14 the combined square footage of multiple tiny homes does not exceed 400 square feet. A  
15 municipality may reduce the setback requirements for a tiny home from those required for  
16 a single-family home.

17 **3. Municipal inspection.** A tiny home may be placed on a property for 180 days  
18 without an inspection under this subsection. A tiny home may be used as a dwelling. A  
19 tiny home may be but is not required to be connected to a utility, including an electric  
20 service, a water service or, if the tiny home is connected to water service, a wastewater  
21 sewer or septic system of an adjoining structure. A municipality may inspect the following  
22 for a tiny home:

23 A. That the tiny home meets the requirements of Title 29-A, section 101, subsection  
24 80-C;

25 B. That the tiny home is placed on a stable surface, ground or footing;

26 C. Any utility connection to the tiny home; and

27 D. If a tiny home is connected to a water service, all rules and requirements relating  
28 to wastewater.

29 **4. Municipal design criteria.** A municipality may establish design criteria for tiny  
30 homes, including a pitched, shingled roof and exterior siding or other exterior features that  
31 are residential in appearance, unless:

32 A. The criteria have the effect of circumventing the purposes of this section; and

33 B. The criteria are used to prevent the relocation of a tiny home that is legally sited as  
34 of January 1, 2021.

35 **5. Property tax.** A municipality may assess for and collect the tax under Title 36,  
36 Part 2 for a tiny home that is:

37 A. Affixed to the property, including by way of a utility connection;

38 B. In a state of completeness or permanency; and

39 C. Located on the property for more than 180 days.

1 If a tiny home has been removed from a property, it is the responsibility of the property  
2 owner to inform the municipality for purposes of reassessment of the tax under this  
3 subsection.

4 **SUMMARY**

5 This bill establishes standards for municipalities to follow regarding tiny homes, which  
6 are structures no larger than 400 square feet constructed on a frame or chassis and designed  
7 for use as permanent living quarters. The bill allows municipalities to set rules for tiny  
8 homes that are less restrictive than state law, allows tiny homes on undeveloped and  
9 developed housing lots, allows municipal inspection of certain features of tiny homes and  
10 provides for tiny homes to be assessed for property tax purposes after 180 days in certain  
11 circumstances.