

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 791

H. P. 756

House of Representatives, February 17, 1953.

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Childs of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Relating to Town, City and Village By-laws and Ordinances
Relating to Buildings and Structures.**

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

R. S., c. 80, § 83, sub-§ IX, amended. Subsection IX of section 83 of chapter 80 of the revised statutes, as amended, is hereby further amended to read as follows:

IX. Relating to the design, materials of construction, construction, alteration, demolition, maintenance, repair, use and change of use of buildings and structures or parts thereof; the provision of features for the safety of occupants of existing buildings; the provision for the installation of insulating materials, with authority to establish standards of materials used, and to govern the flameproof and fireproof qualities of the same; the provision of light, ventilation, and toilet facilities in new buildings and in connection with alterations of and additions to existing buildings; the installation, alteration, maintenance, repair and use of all equipment in or on or in connection with buildings or structures and relating to camps or parking facilities for trailers or house trailers and sanitary regulations pertaining to such camps or parking facilities, including license taxes of said camps or parking facilities; duties of the inspector of buildings and other city, town and village officers, and de-

fining particularly such duties and the rules and regulations by which they shall be governed, not inconsistent with the provisions of chapter 85 and issuance of permits or licenses in connection with all of the above operations; **authorization to the legislative body of any town, city or village corporation to adopt by reference only any published code, rules or regulations nationally recognized as intended to develop good engineering practice and safety, or any part thereof, with or without exceptions or additions thereto, to have the same force and effect, when enacted by said legislative body, as though included in the ordained text of such by-law or ordinance, provided that copies of such code, rules, or regulations or part thereof thus adopted by reference only, shall be on file in the clerk's office of the town, city or village corporation to which they apply, for the use of the public; establishing the municipal officers of any city, town or village corporation as a board of standards which shall be empowered to set up standards of practice and use of materials, units, systems, equipment and methods deemed equivalent to, or as an interpretation of, the standards for similar operations recited in the ordained text of such by-law or ordinance, such standards to have the same force and effect as though included in the ordained text of such by-law or ordinance, provided that copies of such standards, upon adoption, shall be on file in the clerk's office of the town, city or village corporation to which they apply, for use of the public; all to promote the health, safety, and general welfare of the occupants and users of such buildings or structures and of the public, and for protection against catching and spreading of fires and prevention of accidents; and any building or structure or part thereof, constructed, altered, maintained, repaired, or used, and any equipment therein, thereon, or in connection therewith, installed, altered, maintained, repaired, or used contrary to a by-law or ordinance adopted under this authorization is a nuisance; provided it shall be the duty of the inspector of buildings to withhold permit for any of the above operations in violation of any by-law or ordinance enacted hereunder, and appeal shall lie from the decision of the inspector of buildings to the municipal officers and from said municipal officers to the superior court according to the provisions of section 33 of chapter 84; and provided further, that said municipal officers shall have the power to hear and determine appeals from the refusal of such permits and to permit exceptions to or variations from the terms of such by-law or ordinance in the class of cases or situations and in accordance with the principles, conditions, and procedure specified in such by-law or ordinance.'**