

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 622

H.P. 1733 - L.D. 1718

AN ACT to Regulate the Materials, Construction
and Installation of Chimneys, Fireplaces, Vents
and Solid Fuels Burning Appliances.

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

25 MRSA §2465 is enacted to read:

§2465. Adoption of regulations

1. Adoption of rules. The Commissioner of Public Safety shall, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, adopt by reference the Rules and Regulations as found in the then current edition of the National Fire Protection Association Code #211, "The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances".

2. Prohibitions. No person may, for compensation, construct or install any chimney, fireplace, vent or solid fuel burning appliance unless so constructed or installed in accordance with the provisions of the National Fire Protection Association Code #211, "The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances".

3. Enforcement. The Fire Marshal or his designees, Safety Compliance Officers of the Oil and Solid Fuel Board, duly appointed fire chiefs or their designees, and municipal building inspectors and code enforcement officers may enforce the requirements of "The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances".

4. Prior installation. Any chimney, fireplace, vent or solid fuel burning appliance constructed or installed prior to the effective date of this section may be continued in use subject to the provisions of section 2432.

5. Home rule. Any municipality may adopt as ordinance

requirements for the materials, installation or construction of chimneys, fireplaces, vents or solid fuel burning appliances which exceed the requirements of "The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances".

6. Penalty. Any person who, for compensation, constructs or installs chimneys, fireplaces, vents or solid fuel burning appliances in violation of the standards, and permits such violation to remain uncorrected after 30 days' notice from any official empowered to enforce this section, shall be considered guilty of a civil violation and shall be subject to a forfeiture of not more than \$500 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 30 days of the issuance of a complaint.

Effective July 13, 1982.

CHAPTER 623

S.P. 762 - L.D. 1820

AN ACT to Require Municipal Approval Prior to Issuing Permits to Discharge Petroleum Products into the Tidal Waters of the State.

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

38 MRSA §362-A, as enacted by PL 1973, c. 423, §3, is amended by adding at the end a new paragraph to read:

Prior to applying for approval of any project involving discharge of petroleum products to tidal waters under this section, the applicant shall first obtain written approval from the municipal officers of the municipality in which the project is proposed to take place. The applicant shall provide the municipal officers with a complete description of the project at least 90 days prior to the proposed date of the project. The municipal officers may hold a public hearing, provided that it is held within 45 days of the filing of the application with the municipality. The municipal officers shall approve a project within 60 days of receipt if they find that the project will not constitute a hazard