

MAINE STATE LEGISLATURE

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CHAPTER 313

MUNICIPAL INSPECTION OF BUILDINGS

Sec.

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§ 2351. Inspector; compensation; jurisdiction; deputy

In every town and city of more than 2,000 inhabitants, and in every town of 2,000 inhabitants or less if such a town shall so vote at a town meeting, and in each village corporation if such corporation shall so vote at the annual meeting thereof, the municipal officers shall annually in the month of April appoint an inspector of buildings, who shall be a man skilled in the construction of buildings, and shall determine his compensation. The municipal officers shall define the limits within which the inspector of buildings shall have jurisdiction, which shall include the thickly settled portion of each such city or of each village in each such city or town. Whenever the inspector of buildings shall become incapacitated, the municipal officers may appoint or authorize the inspector of buildings to appoint a deputy inspector of buildings who shall serve until removed by the municipal officers, but in no event beyond the term for which the inspector of buildings was appointed. Such deputy inspector shall perform such duties as may be required of him by the inspector. His compensation shall be determined by the municipal officers.

R.S.1954, c. 97, § 10.

§ 2352. Right to enter buildings

An inspector of buildings in the performance of his official duty may enter any building for the purpose of making the inspection required by chapters 311 to 321.

R.S.1954, c. 97, § 11.

§ 2353. Duty to inspect buildings under construction

The inspector of buildings shall inspect each new building during the process of construction, so far as may be necessary, to see that all proper safeguards against the catching or spreading of fire are used, that the chimneys and flues are made safe and that proper cutoffs are placed between the timbers in the walls and floorings where fire would be likely to spread, and may give such directions in writing to the owner or contractor, as he deems necessary, concerning the construction of such building so as to render the same safe from the catching and spreading of fire.

R.S.1954, c. 97, § 12.

§ 2354. Inspection of buildings being repaired

The inspector of buildings shall inspect all buildings while in process of being repaired, and see that all reasonable safeguards are used against the catching and spreading of fire and that the chimneys and flues are made safe. He may give such directions in writing to the owner as he deems necessary concerning such repairs, so as to render such building safe from the catching and spreading of fire.

R.S.1954, c. 97, § 13.

§ 2355. Inspection of chimneys, furnaces, boilers and the like

The inspector of buildings shall at least once in 3 years, and oftener when required by the municipal officers, inspect chimneys, flues, funnels, stoves, furnaces, boilers, boiler connections and heating apparatus in all the buildings within his jurisdiction, in which fire is kept or used, to ascertain if the same are safe against fire. He may give such directions in writing as he may deem necessary to the owner of said building to make changes in the construction or situation of such chimneys, flues, funnels, stoves, furnaces, boilers, boiler connections and heating apparatus so as to make the same safe as aforesaid. The municipal officers may require such inspection of any particular building at any time.

R.S.1954, c. 97, § 14.

§ 2356. Appeals

An appeal in writing may be taken from any order or direction of the inspector of buildings to the municipal officers, whose order thereon shall be final.

R.S.1954, c. 97, § 15.

§ 2357. No occupancy without certificate; appeal

No new building shall be occupied until the inspector of buildings has given a certificate that the same has been built in accordance with section 2353, and so as to be safe from fire. If the owner permits it to be so occupied without such certificate, he shall be liable to a fine of \$10 for each week he permits such building to be so occupied, to be recovered by complaint or indictment. In case the inspector of buildings for any cause declines to give his certificate and the builder has in his own judgment complied with section 2353, an appeal may be taken to the municipal officers and, if on such appeal it shall be decided by them that said section has been complied with, the owner of said building shall not be liable to a fine for want of the certificate of the inspector.

R.S.1954, c. 97, § 16.

§ 2358. Failure to comply with order of inspector

If the owner of any building neglects or refuses for more than 30 days to comply with any direction of the inspector of buildings concerning the repairs on any building as provided in section 2354, or to make such changes in the construction or situation of chimneys, flues, funnels, stoves, furnaces, boilers, boiler connections and heating apparatus, as may be required by such inspector of buildings under section 2355, or as may be confirmed by the municipal officers on appeal, he shall be punished by a fine of \$10 for each week he so neglects or refuses, to be recovered by complaint or indictment.

R.S.1954, c. 97, § 17.

§ 2359. Refusing admission to inspector

Any owner or occupant of a building, who refuses to permit an inspector of buildings to enter his buildings or willfully obstructs him in the inspection of such building as required by chapters 311 to 321, shall be punished by a fine of not less than \$1 nor more than \$20, to be recovered by complaint or indictment.

R.S.1954, c. 97, § 18.

§ 2360. Authority to enter buildings; remedy of conditions; appeals

The inspector of buildings, the fire inspector and the municipal officers of any city or town may at all reasonable hours, for

the purpose of examination, enter into and upon all buildings and premises within their jurisdiction. Whenever any of said officers shall find in any building or upon any premises combustible material or inflammable conditions dangerous to the safety of such buildings or premises, they shall order the same to be removed or remedied, and such order shall be forthwith complied with by the owner or occupant of said buildings or premises. If the said owner or occupant shall deem himself aggrieved by such order when made by the inspector of buildings or the fire inspector, he may within 24 hours appeal to the municipal officers, and the cause of the complaint shall be at once investigated by the direction of the latter and, unless by their authority the order above named is revoked, such order shall remain in force and be forthwith complied with by said owner or occupant. The inspector of buildings, the fire inspector or the municipal officers shall make, or cause to be made, an immediate investigation as to the presence of combustible material or the existence of inflammable conditions in any building or upon any premises under their jurisdiction, upon complaint of any person having an interest in said buildings or premises or property adjacent thereto. Any owner or occupant of buildings or premises, failing to comply with the orders of the authorities above specified, shall be punished by a fine of not less than \$5 for each day's neglect.

R.S.1954, c. 97, § 19.