

TOWN OF SMITHFIELD BUILDING NOTICE ORDINANCE

ADOPTED: September 1, 1998

AMENDMENT: March 12, 2011, March 12, 2016

SECTION 1. PURPOSE

The purpose of this ordinance is to ensure that the Town's Board of Assessors has the information they need in order to conduct the spring assessing of properties.

SECTION 2. AUTHORITY

This ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A., Section 3001

SECTION 3. REQUIREMENTS

No property owner shall build or remodel, or cause to have built or remodeled, any structure(s) in the Town of Smithfield without first filing a Notice of Intent to Build with the Town Office. The Notice of Intent to Build must be filed with the Town Office prior to the building or remodeling of the structure(s). The Notice of Intent to Build must be filed on forms available by the Town Office. Filing may be completed in person during hours when the office is open or via mail. There shall be no fee charged for the filing. Plumbing and shoreland permits which may be required for a building must be obtained prior to filing a Notice to Build.

SECTION 4. LIMITATIONS

A Notice to Build is not required for building or remodeling which will cost less than \$1,000.00 in any one year. A Notice of Intent to Build is not required for repairs to an existing structure if the repair merely returns the structure to the condition which existed prior to the repair.

SECTION 5. PENALTY AND ENFORCEMENT

Fees shall be set, and may be amended, by the Board of Selectmen. The board shall hold a public hearing prior to setting or amending the fee schedule.

It shall be the duty of the CODE ENFORCEMENT OFFICER to enforce the provisions of this Ordinance. If the CODE ENFORCEMENT OFFICER finds that any provisions of this Ordinance is being violated, he shall notify in writing the person responsible for such violation indicating the nature of the violations and ordering the action necessary to correct it.

SECTION 6. VALIDITY AND SEVERABILITY

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

SECTION 7. PERMIT EXPIRATION

Permits shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the issuance of the permit, the applicant shall have one additional year to complete the project, at which time the permit shall expire. (Substantial start is completion of Thirty (30%) percent of a permitted structure or use measured as a percentage of estimated cost.)

SECTION 8. EFFECTIVE DATE

This ordinance shall become effective on March 12, 2016

SECTION 9. Repeal

The previous Building Notice ordinance adopted September 1, 1998 is hereby repealed