

BUILDING AND PROPERTY MAINTENANCE ORDINANCE
Town of Baileyville, Maine

SECTION 1. PURPOSE/SCOPE The purpose of this Ordinance is to get a minimum standard for the condition and maintenance of the exterior of all buildings and structures and the premises surrounding said buildings and structures.

SECTION 2. MAINTENANCE REQUIRED All buildings and structures, and all parts thereof, shall be maintained in a safe, sanitary and non-hazardous manner. All means of egress shall be kept in good working order. The exterior of all premises and the condition of all buildings, structures and components thereon shall be maintained so as to prevent and repair deterioration, so that the appearance thereof shall reflect a level of maintenance insuring that the property itself may be preserved safely, and that hazards to the public health and safety are avoided.

Violations of this ordinance are established when it is demonstrated that conditions found contrary to this ordinance create a risk to health or safety.

SECTION 3. MAINTENANCE STANDARDS/BUILDINGS AND STRUCTURES

1. Each property owner shall keep all exterior components of every principal and accessory structure in good repair, including but not limited to, walls, roofs, chimneys, cornices, gutters, down spouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors and storefronts.
2. All surfaces shall be maintained free from deterioration, including but not limited to, broken glass, loose or missing shingles or siding, crumbling brick, stone and mortar, and peeling, scaling or deteriorated paint.

SECTION 4. MAINTENANCE STANDARDS/PREMISES AND YARD AREAS

1. All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to, steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.
2. All fences, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair.
3. Weeds and grass shall be kept from becoming overgrown.
4. All yards, or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other material which may cause a fire hazard or may act as a breeding place for vermin.

SECTION 5. ENFORCEMENT The Code Enforcement Officer of the Town of Baileyville shall enforce the provisions of this Ordinance. In the event of a violation, the Code Enforcement Officer shall notify the property owner, serving a written notice by certified mail or by hand deliver. Said notice shall explain the nature of the violation and allow no more than 30 days from the date of the receipt of the notice to correct the violation. If the violation is not corrected within the required time allowed, the property owner shall be subject to penalties as set forth in Section 6.

SECTION 6. PENALTIES Any person who violates any provision of this Ordinance commits a civil violation punishable by a civil penalty of \$25 for each day the violation continues beyond the allotted correction period as referenced in Section 5. In addition, the Town may pursue all remedies and relief available at law and/or in equity, including without limitation the remedies and relief provided in 30-A M.R.S.A. § 4452.

SECTION 7. SEVERABILITY If any section, subsection, clause, paragraph, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. AUTHORITY This Ordinance is adopted as a local building code ordinance pursuant to 30-A M.R.S.A. § 3001 and 30-A M.R.S.A. § 3007(2).

SECTION 9. EFFECTIVE DATE This Ordinance shall be effective upon adoption by the Town Council of the Town of Baileyville pursuant to Town Charter authorization.

Adopted October 24, 2011 by the Town Council of the Town of Baileyville

Town of Baileyville

Building and Property Maintenance Evaluation Form

House #: _____ Street Name: _____ Lot # _____ Map# _____

Stories: 1/2/3 Garage/Out building on property? Yes / No Attached to house: Yes / No

Commercial property: Yes / No Occupant operating business from within: Yes / No

Date Evaluation Performed: ___/___/___ By: _____ Title: _____

Type of Inspection: Drive - by / Walk around Time: ___/___ am: pm

Owner/Occupant Tel: ___-___ Photos Taken: Yes / No

Exterior Grounds: Conditions Rated from 1-5 (explanation on last page)

Grass: _____

Automobiles: ___/ Trucks: _____

Weeds: _____

ATV's: ___/ Snowmobiles: ___/ Boats: _____

Trees: _____

Metal Debris: _____

Shrubs: _____

Wooden Debris: _____

Retaining Walls/Fencing: _____

Plastic Debris: _____

Driveway: _____

Other: _____

Walkway: _____

Steps: _____

Other: _____

Do any of the conditions noted above create an immediate threat to public health or safety? Y/N

Suggestions to Meet Compliance:

Exterior Building(s): Conditions rated from 1-5 (explanation on last page)

Chimney: _____	Shutters: _____
Roof: _____	Porch: _____
Fire Escapes: _____	Steps: _____
Roof Drains: _____	Hand Railings: _____
Gutters: _____	Doors: _____
Cornices: _____	Landings: _____
Down Spouts: _____	Storefronts: _____
Walls / Siding: _____	Signage: _____
Windows: _____	Foundation: _____

Do any of the conditions noted above create an immediate threat to public health or safety? Y/N

Suggestions to Meet Compliance:

Reasons for Code Enforcement Action:

Multiple family housing? Yes / No Number of families occupying building? 0/1/2/3/4

Is building a duplex? Yes / No Is building an apartment complex? Yes / No

Is building vacant? Yes / No Fire Hazard? Health Hazard? Safety Hazard? Yes / No

Was the owner/occupant present for the evaluation? Yes/No

Was the owner/occupant pre-notified of the evaluation? Yes/No

How were they notified? In writing / In person / Telephone

Number of visits to this site? 1/2/3/4/5

Signature of Owner/Occupant: _____ Date: ___ / ___ / ___

Signature of CEO: _____ Date: ___ / ___ / ___

Signature of Town Manager: _____ Date: ___ / ___ / ___

Owner/Occupant Address: _____

Condition Ratings:

1 = Meets minimum standards of local ordinance(s)

2 = Minor repairs and cosmetic repairs needed

3 = Major repairs and structural repairs needed

4 = Needs to be removed/demolished/salvaged

~~5 = Not repairable or useful. Poses an immediate danger to public health and safety.~~

This form implemented on 11/19/13 AWS

FINDINGS AND ORDER
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: (owner's name) _____
(address) _____

On _____ (date) at _____ (time) at _____ (place), the Municipal Officers of the City/Town of _____, Maine held a hearing to determine whether the (insert type of building/structure, i.e., residential, commercial) building/structure owned by you and located on land owned by _____ and shown on Map _____, Lot _____ of the current Tax Maps of the City/Town of _____, Maine on file at _____ (place) is dangerous or a nuisance within the meaning of 17 M.R.S.A. § 2851. Notice of this hearing was duly served on you as the owner and on all parties in interest.

The following persons were present and testified:

_____. Based on their testimony and other evidence presented and made part of the record, the Municipal Officers find the following facts:

Based on the foregoing findings, the Municipal Officers conclude that the building/structure is dangerous or a nuisance because (specify applicable conditions as described in 17 M.R.S.A. § 2851):

Therefore, pursuant to 17 M.R.S.A. § 2851, you are hereby ORDERED to (specify action):

_____ to be completed within _____ days of service of this order.

This decision may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B. If this order is not timely complied with and no timely appeal is taken, the Municipal Officers may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action.

Dated: _____ Municipal Officers City/Town of _____, Maine

/s/ _____ /s/ _____

/s/ _____

STATE OF MAINE

_____ County, ss. Date: _____

Personally appeared before me the above-named _____,
_____, and _____ and each acknowledged the
foregoing instrument to be his/her free act and deed.

Notary Public/Attorney at Law