

[This Ordinance is a revision and renaming of the current Building Permit Ordinance that will reduce the setback from 60' to 50' and bring the Ordinance language into compliance with State law.]

BUILDING SETBACK ORDINANCE

Town of Industry

1. Title - This Ordinance shall be known as the “Building Setback Ordinance” of the Town of Industry, Maine, and shall be referred to as “this Ordinance.”

2. Authority - This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution and the provisions of Title 30-A MRSA Section 3001 (Home Rule).

3. Validity and Severability - The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof.

4. Purpose - The purpose of this Ordinance is to further the maintenance of safe and healthful conditions and the general welfare of the Town of Industry.

5. Applicability - This Ordinance shall apply to any new building constructed or placed in the Town of Industry and to the expansion of any existing building by more than 200 square feet. For the purposes of this Ordinance a “building” is any temporary or permanent roofed structure used for the shelter or protection of persons, animals, goods, or property.

6. Standards - All buildings permitted under this Ordinance shall have a minimum setback of 50 feet from the center line of a road.

Exempt from permitting under this Ordinance: Small non-residential buildings, without plumbing, of less than 200 square feet.

7. Enforcement - This Ordinance shall be enforced by the Code Enforcement Officer appointed by the Municipal Officers.

Any person, firm or corporation who violates, disobeys, neglects, or refuses to comply with or who resists the enforcement of any provisions of this Ordinance shall upon conviction thereof be subject to a fine of 500.00.

8. Administration – A permit is required from the Planning Board prior to the construction or placement of any building as defined in Section 5 of this Ordinance. All Applications for Permits shall be submitted to the Planning Board. The Application fee shall be \$25.00 and is nonrefundable.

Within 30 days of the filing of a complete Application for a permit, the Planning Board shall approve or deny such Application.

All Applications and Permits shall be kept on file at the Town Clerk's Office.

9. Expiration - A Permit secured under the provisions of this Ordinance shall expire if the work is not commenced within one year of the date on which the permit is granted.

10. Appeals - The applicant or any aggrieved party may appeal the Planning Board's decision on a Building Setback Application in writing to the Board of Appeals within 30 days of the Planning Board's decision.

11. Amendments - This Ordinance may be amended by a majority vote of the Legislative Body. Amendments may be initiated by the Planning Board or by request of the Board of Selectmen to the Planning Board or on petition of 75 registered voters.

12. Conflicts with other Ordinances - Whenever this Ordinance conflicts with any other ordinance, regulation or statute, the more restrictive provision shall apply.

Ordinance History:

Enacted - August 1977

Amended – March 8, 2014

(PLEASE TAKE NOTICE: All construction in the Shoreland Zone and the Special Flood Hazard Area is regulated by the Shoreland Zoning Ordinance and/or the Floodplain Management Ordinance and additional setbacks and requirements apply. Contact the Code Enforcement Officer for additional information.)