

TOWN OF GARLAND

**BUILDING NOTIFICATION
ORDINANCE**

Note: requested edits are highlighted

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Section 1 Title and Purpose

- 1.1 This ordinance shall be known as the "Building Notification Ordinance" of the town of Garland and will be referred to hereinafter as "this ordinance".
- 1.2 The purpose of this ordinance is to establish a notification of intention to build procedure for the construction, placement, relocation, enlargement, or replacement of all structures in Garland.

Section 2 Authority

- 2.1 This ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A MRSA Section 3001 et. seq.
- 2.2 This ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit, or provision of law.
- 2.3 This ordinance shall apply to all construction commenced after the effective date of this ordinance. It shall not apply to normal maintenance and upkeep of existing lawful structures, nor to interior remodeling.

Section 3 Definitions

Unless specifically defined below, words and phrases used in this ordinance shall have their common ordinary meaning and are intended to give this ordinance its most reasonable application.

Construction or Constructed - These terms, as used in this ordinance, shall refer to and be construed to include the construction, placement, enlargement, relocation, or replacement of any structure in Garland.

Maintenance - shall mean any work performed that shall be necessary to maintain the normal upkeep of the existing structure.

Structure - shall mean anything built for the support, shelter or enclosure of persons, animals, good or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences. This term shall also include temporary or permanent structures such as decks and breezeways.

Section 4 Notification of Intention to Build

- 4.1 Before construction, placement, enlargement, relocation, or replacement of any structure, or manufactured housing, the owner or owner's agent shall complete a form titled "Notification of Intention to Build". This form may be obtained at the Town Office.

Exemption -No "Notification of Intention to Build" form shall be required for the following: (1) construction of a structure of less than 100 square feet of coverage area and (2) maintenance of an existing structure.

- 4.2 The "Notification of Intention to Build" form will become null and void if construction work, or work defined in the form is not commenced within twelve months.
- 4.3 The "Notification of Intention to Build" form must be signed by the owner or owner's agent and the Code Enforcement Officer.
- 4.4 The completed "Notification of Intention to Build" form must be filed at the Town Office with the paid fee.

Section 5 Fees

- 5.1 **Fee Schedule** -A fee of \$25.00 shall be required when filing a "Notification of Intention to Build" form at the Town Office.
- 5.2 **After-the-fact Certificate** -An after-the-fact certificate is a compliance certificate. When any construction has occurred without prior and proper notification of the town by way of the "Notification of Intention to Build" form, the Code Enforcement Officer shall issue an after-the fact certificate. The fee for an after-the-fact certificate shall be \$100.00 to be paid in addition to the fee listed in 5.1.

Section 6 Enforcement and Penalties

- 6.1 It shall be the duty of the Code Enforcement Officer to enforce this ordinance, pursuant to Title 30A MRSA Section 4451. If the Code Enforcement Officer finds that any provision of this ordinance is being violated, he or she shall notify in writing the person responsible for such violation, with a copy filed within twenty-four hours, or the following workday, at the Town Office, indicating the nature of the violation and ordering the action necessary to correct it. A copy of such notices shall be submitted to the Selectmen as a permanent record.
- 6.2 When the above action does not result in the correction or abatement of the violation, the Selectmen, upon notice from the Code Enforcement Officer, are hereby directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and impositions of fines, that may be appropriate or necessary to enforce the provisions of this ordinance in the name of the municipality. The Selectmen or their authorized agent are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this ordinance and recovering fines without court action.
- 6.3 Any person, including but not limited to the structure owner, a structure owner's agent or contractor, who orders or conducts any activity in violation of this ordinance, shall be penalized

in accordance with the provisions of 30-A MRSA §4452.

Section 7 Conflict with Other Ordinances, Validity, and Severability

- 7.1 Where the provisions of this ordinance conflict with any other ordinance, the stricter standard shall apply and should any section or provision of this ordinance be declared invalid, such invalidity shall not void or make invalid any other section of this ordinance.
- 7.2 This ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit, or provision of law.

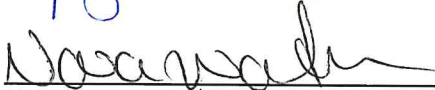
Section 8 Effective

- 8.1 This ordinance shall become effective upon the vote of the Town Meeting enacting this ordinance.

Garland Select Board

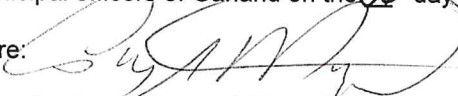

Regina/Fick, Select Board Chair

2/26/2025
Date


Nova Watson, 2nd Seat


Teresa Scott, 3rd Seat

Attest: A true copy of an ordinance entitled "Town of Garland Building Notification Ordinance" as certified to me by the municipal officers of Garland on the 26 day of February 2025.

Signature: 
Lesley A Maynard, Town Clerk of Garland

And I have this 27 day of February, 2025, posted one copy of an ordinance entitled "Town of Garland Building Notification Ordinance," attested by the Municipal Clerk, with the warrant(s) at the same place(s).

Signature: 

(includes two forms – regular & mobile home)

