

BUILDING CONSTRUCTION

Chapter 66

From the

CODE

of the

TOWN OF WINDHAM

COUNTY OF CUMBERLAND

STATE OF MAINE

Adopted November 18, 2014

§ 66-1. Purpose

The Town of Windham enforces the Maine Uniform Building and Energy Code (“M.U.B.E.C.”), as authorized by 10 M.R.S.A. § 9724 (1-A). The Code Enforcement Officer of the Town of Windham shall serve as the building official as defined in 25 M.R.S.A. § 2371 and shall be responsible for issuing building permits and certificates of occupancy. The Code Enforcement Officer shall be responsible for inspecting all permitted construction for compliance with all components of M.U.B.E.C.; as such components may be revised from time to time by the Technical Building Codes and Standards Board.

State law reference— Uniform code defined, 10 M.R.S.A. § 9721; enforcement of uniform code required, 10 M.R.S.A. § 9724; certain fire and building related codes and standards unaffected by uniform code, 10 M.R.S.A. § 9725.

§ 66-2. Permits

Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit where required by municipal ordinance.

Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Structures exempt from permits shall be located in compliance with zoning and floodplain regulations.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

11. Rockeries as defined in Section 300 of the Town of Windham Land Use Ordinance.

Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

§66-3 Violation, Penalties

Any person who violates a provision of this Ordinance or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of the Ordinance, shall be subject to penalties shall be penalized in accordance with 30-A M.R.S.A. Section 4452. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

§66-4 Plumbing

The plumbing inspector shall issue plumbing permits, inspect all plumbing work as required by law, and perform such other duties as are required by 30-A M.R.S.A. § 4221(3).

State law reference— Local plumbing inspectors, 30-A M.R.S.A. § 4221 et seq.; plumbing regulations and permit fees, 30-A M.R.S.A. § 4211

§66-5 Electrical Installations

All wires and equipment in the interior of all buildings which are intended for transmission of electricity and to be connected with an outside circuit shall be made and

at all times kept safe, and shall be placed, arranged, attached, changed and maintained by the person owning or using the wires and equipment, to the specifications of the city electrician. The wiring shall comply with the requirements of the National Electrical Code.

State law reference— Adoption of technical codes by reference, 30-A M.R.S.A. § 3003.

§ 66-6 Appeals (See Section 1100 of the Town of Windham Land Use Ordinance)

§ 66-7 Fees (As adopted by the Windham Town Council)

FEE SCHEDULE

PERMIT APPLICATION FEE	RESIDENTIAL		COMMERCIAL	
Finished Area Per Sq. Ft.	\$0.25	per sq. ft.	\$0.35	per sq. ft.
Unfinished Area Per Sq. Ft.	\$0.10	per sq. ft.	\$0.15	per sq. ft.
Demolition	\$30.00		\$30.00	
Swimming Pool	\$30.00		\$30.00	
Re-Inspection Fee	\$20.00		\$20.00	
Building without permit	\$50.00		\$50.00	

RENOVATIONS/ ALTERATIONS (Commercial and Residential)				
Up to \$500.00	\$30.00			
\$501 - \$1000.00	\$40.00			
\$1001 - \$5000.00	\$50.00			
\$5001.00 - \$10000.00	\$60.00			
\$10001.00 +	\$7.00	per thousand		

ELECTRICAL PERMIT FEE				
Application Fee	\$30.00			

MECHANICAL SYSTEMS				
Application Fee	\$25.00			
AC System – Portable (window mounted) AC Not Included	\$0.05	Per 1,000 BTU		
Furnace Only	\$1.00	Per 1,000 BTU		
Complete HVAC System	\$1.25	Per 1,000 BTU		

ROAD CONSTRUCTION FEES				
Application Fee	\$100.00			
New Roadway Up to 2 Lanes Wide	\$1.50	Per foot for 0 – 100 ft		
New Roadway Up to 2 Lanes Wide	\$0.75	Per foot for 101 – 300 ft		
New Roadway Up to 2 Lanes Wide	\$0.50	Per foot for 301 – 1,000 ft		
New Roadway Up to 2 Lanes Wide	\$0.25	Per foot for over 1,000 ft		

MISCELLANEOUS PERMITS				
Accessory Apartment Permit (does not include building permit fees)	\$100.00			
Change of Use Permit (does not include building permit fees)	\$50.00			
Use Permit/ Events				
----Permanent	\$300.00			
----Temporary	\$100.00			
Outdoor Sales				
----Major	\$300.00			
----Minor	\$100.00			
Gas Hook-Up	\$30.00			
Moving	\$30.00			
Shipping Container	\$0.15	per sq. ft.		
Flood Hazard Development, non-refundable application fee	\$50.00			
Annual Stormwater Certification	\$50.00			
Chimney Only	\$30.00			
Soil and Erosion Control	\$30.00			
Shoreland Zoning				
---- Minor	\$50.00			
---- Major	\$100.00			
Zoning Board of Appeals	\$400.00			

HOME OCCUPATION FEES (Plus applicable permit fees)				
Home Occupation 2	\$50.00			
Home Occupation 1	\$30.00			

SIGNS				
Banner	\$30.00			
Construction Sign	\$30.00			

Permanent Free Standing	\$30.00		
Permanent Building Sign	\$30.00		
Subdivision/Construction	\$30.00		
Temporary Sign	\$30.00		

EXTERNAL/ INTERNAL PLUMBING			
Septic Permit Surcharge	\$20.00		
Internal Plumbing Permit Surcharge	\$20.00		
Minimum Lot Size Waiver	\$50.00		
Septic Fields for Commercial Wash Bays	\$75.00		
Holding Tanks - Commercial	\$100.00		
Fee for work without permits	\$50.00		
Re-inspection Fee	\$20.00		