



# *City of Presque Isle, Maine*

## *Joint Meeting*

### *City Council & Planning Board Agenda*

City of Presque Isle, 12 Second Street, Presque Isle, Maine 04769

Administrative Staff:

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## *Akeley Galley – Mark & Emily Turner Library*

### *July 15, 2021 @ 6:00 PM*

1. Call to Order of Joint session of Council & Planning Board
2. Roll Call for Council & Planning Board Members Present
3. Approval of June 17, 2021 Planning Board minutes
4. Ignite PI Request Letter of Compliance for Community Development Block Grant Project

#### **Public Hearing**

1. Consider Residential Rental Registration Ordinance before referring to Council – Planning Board
2. Consider Residential Rental Registration Ordinance – City Council

#### **Adjournment**

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#### **Planning Board Members**

**Bruce Roope, Chair, Ward Gerow, Vice-Chair; Dave Perry, Brandon McDonald, Travis Ouellette,  
Sean Nordenhold & Jayne Farrin**

#### **City Council Members**

**Kevin Freeman, Chair; Jacob Shaw, Deputy Chair; Michael Chasse,  
Doug Cyr, Craig Green, & Randy Smith**





# *City of Presque Isle, Maine*

## *Planning Board Minutes*

City of Presque Isle, 12 Second Street, Presque Isle, Maine 04769

Administrative Staff:

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### *Presque Isle Library – Akeley Gallery*

*June 15, 2021 @ 6:00 PM*

**Members Present:** Bruce Roope, Chairman; Ward Gerow, Vice-Chairman; Jayne Farrin, Brandon McDonald, Sean Nordenhold, & David Perry

**Members Absent:** Travis Ouellette

**Others Present:** Galen Weibley, Director of Economic & Community Development; Griffin St. Peter, Code Enforcement Officer; Tom Ellis, & Tom Powers, Executive Director for Presque Isle Industrial Council;

**1. Call to Order of regular meeting.**

Chairman Roope called the meeting to order at 6:05 PM.

**2. Minutes Approval:** Review and approve draft minutes from May 20, 2021.

A motion by **Ward Gerow**, second by **Sean Nordenhold** to approve the May 20, 2021 Planning Board Meeting Minutes. **Vote – unanimous with Bruce Roope abstaining**

**3. 732 Main Street Access/Egress Parking Lot Layout:** Review submitted parking payout for 732 Main Street Veteran Administration's Clinic

Tom Ellis representing Ellis Commercial Development presented to the Planning Board his desired layout for construction of a new veterans medical clinic for the U.S. Veteran Administration to service Aroostook County patients. After providing details of the design, Galen Weibley addressed the board that staff for the Presque Isle Code Office, Economic Development, Police and Fire have all reviewed the application and have no issues with the proposed layout. The Board was then free to ask questions.

A question was raised by a member of the board inquiring if Mr. Ellis explored a separate access for Rice Street instead of the proposed access through Norstate Credit Union's Maine Street access. Mr. Ellis responded that they do not have right of way access to Rice Street from the neighboring property so that would not be feasible. A follow up question was prompted regarding southbound traffic on Main Street queuing on the road if a designated turning in lane has been explored. Mr. Ellis responded with a brief history of the original development for Norstate and how there was a designated turning lane into the property. Mr. Ellis does not know why Maine Department of Transportation removed this turning lane when the road was resurfaced. Further, Mr. Ellis explained when Norstate was originally developed, the property was designed to take in traffic for a strip mall proposed behind the credit union. Maine DOT approved this Main Street access plan back then.

A motion by **Brandon McDonald** and second by **Jane Farrin** was made to approve the Access/Egress Parking Layout for 732 Main Street as presented to the Board. **Vote - unanimous.**

4. **Subdivision for Missile Street:** Review and vote on proposed subdivision for Missile Street properties under the trusteeship of the Presque Isle Industrial Council.

Tom Powers from the Presque Isle Industrial Council briefed the board regarding the proposed subdivision plan for city-owned property in the industrial park. The main proposal is to create new subdivision lines for activity that occurred in the past. It has only been noticed with the recent activity with the Solar project on the park.

A motion was made by **Brandon McDonald** and second by **David Perry** to approve the proposed subdivision for the Missile Street properties contingent on approval of the subdivision checklist approved by the board. **Vote - unanimous.**

5. **Discuss Conformity of State Community Development Block Grant (CDBG) Project with the City's Comprehensive Plan:** Review and approve proposed Community Development Block Grant Project for the City

Galen Weibley briefed the planning board regarding the Rural Housing Preservation Program being administered by the City of Presque Isle. Part of certifying the program requires a vote by the planning board that the project conforms and does not conflict with the City's Comprehensive Plan. After reviewing the project and the goals by the city in addressing revitalization, staff recommend approval of the project and having the board chairman sign a letter authorizing CDBG funds for the City.

A motion was made by **Brandon McDonald** and second by **Sean Nordenhold** to authorize the Planning Board Chair to sign a letter stating the planning board sees no conflict for this CDBG project with the City's Comprehensive Plan. **Vote - unanimous.**

**6. Land Use & Development Code Residential Density:** Review research by staff for Residential Density Standards for Land Use Code

Galen Weibley briefed the planning board regarding the excel researched done by staff to develop changes to the residential density for the Urban Residential and Suburban Residential Zone. Planning Board member shared there thoughts regarding housing and decided to allow staff to develop standards that will accomplish the goal of affordable housing.

**7. Transportation Standards Section of Comprehensive Plan:** Review proposed changes to the comprehensive plan transportation section for NMDC Planner.

Galen Weibley briefed the board regarding the section that was tabled from their last meeting as it pertains to the vision for transportation in Presque Isle's Comprehensive Plan. Chairman Roope took the opportunity to state his opinions that there needs to be a section added against the by-pass second and third stages. The Second stage proposes no benefit to Presque Isle directly and the third phase is definitely against the board's desire for traffic since it is creating a second bridge and is not addressing major traffic concerns elsewhere. The planning board agreed to convey this message to NMDC planner who is drafting the comprehensive plan to include into the final document. Additionally, the planning board discussed solutions to be added to address congestion on Academy Street and a southern by-pass for commercial vehicles trying to leave Mapleton/Ashland.

**8. Adjournment**

A motion by **Brandon McDonald**, second by **Jayne Farrin** to adjourn at 7:52 PM. **Vote - unanimous.**

Respectfully Submitted,

Galen Weibley

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**Planning Board Members**  
**Bruce Roope, Chair, Ward Gerow, Vice-Chair**  
**Jayne Farrin, Dave Perry, Brandon McDonald,**  
**Sean Nordenhold & Travis Ouellette**



# CHAPTER

# CITY OF PRESQUE ISLE

## RESIDENTIAL RENTAL REGISTRATION ORDINANCE



Enacted: Date \_\_\_\_\_

Certified By: \_\_\_\_\_

Revised:

Affix Seal

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**A. TITLE**

It is the purpose of the City of Presque Isle's adopted ***Residential Rental Registration Ordinance***, herein, to assure that all rental dwellings in the city are maintained in a good, safe, and sanitary condition and do not create a nuisance or blighted conditions to their surroundings. To ensure a proactive approach and aid with upholding the City's adopted International Property Maintenance Code, Building Code, Land Use and Development Code, and other relevant provisions of the City Code and State and Federal laws. The City Council hereby establishes this rental registration and inspection program for all applicable residential rental properties within the City of Presque Isle.

**B. PREAMBLE:**

This Ordinance is intended to supplement current City ordinances and adopted Codes mentioned in Section A.

**C. SCOPE:**

This Ordinance applies to premises and its accessory units that are leased as structures that contain leased dwelling units located within the City of Presque Isle, with the following exceptions:

1. Nursing Homes;
2. Hotel and motels;
3. University/Community College certified on site dorm housing;  
and
4. Bed & Breakfast and temporary lodging facilities, as licensed by the Maine Department of Health and Human Services (DHHS)

**D. DEFINITIONS:**

The following words and phrases, when used in this ordinance, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires.

- **Building Inspector:** A building inspector shall be defined as a person employed or appointed by the municipality to inspect rental units throughout Presque Isle for compliance with this Ordinance

- **Code Enforcement Officer:** A Code Enforcement Officer (CEO) is defined under 30-A MRSA §4451 (2-A) as a person employed by a municipality to enforce all enabling state laws and local ordinances in the following areas: Shoreland Zoning, land use regulations, internal plumbing, subsurface wastewater disposal, and building standards.
- **Chapter 38C** means the Property Maintenance Code of the City Ordinance, as amended. (A copy of which can be found on the City of Presque Isle's website).
- **Duplex** means a building with two (2) dwelling units.
- **Dwelling Unit** means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- **Initial Registration Period** means the twelve (12) months after the effective date of this ordinance in which owners of leased dwelling units are required to register said units with the City's Code Enforcement Office.
- **Lease or Let** means to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.
- **Manager** means one (1) or more persons who has charge, care, or control of a building, or part thereof, in which rental units are maintained.
- **Multi-unit building** means a structure that contains three (3) or more rental units.
- **Non-Owner-Occupied Rentals** shall mean all residential rental property that is not occupied by the owner to be rented to the general public regardless of rental duration. This definition does not include any of the exemptions defined in Section C.
- **Occupant** means any individual with a legal right to be living or sleeping in a building, or having possession of a space within a building.

- **Owner** means any person, manager, agent, firm or organization having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including personal representatives or guardians of the estate of a person as authorized by a court. As used herein, an organization shall include a corporation, trust, estate, partnership, association or any other legal or commercial entity. The term shall not include a lessee who previously occupied a rental unit and who is subleasing the unit for the remaining part of his or her lease.
- **Owner-Occupied Rental** means an owner-occupied rental property that is rented to the general public.
- **Person** means an individual, corporation, partnership or any other group acting as singular entity.
- **Premise** means a lot, plot or parcel of land, easement or public way, including any structure thereon.
- **Rental Property** means a structure with one (1) or more dwelling units which are leased for occupancy.
- **Rental Agreement** means all agreements, written or oral, and rules and regulations embodying the terms and conditions concerning the use and enjoyment of rented premises. It shall also include subleases.
- **Rent, rented or rental** means any payment made to an owner or an owner's agent pursuant to a rental agreement.
- **Rooming House** means a building arranged or occupied for lodging in which three (3) or more persons, whether individually or as a family are lodged, with or without meals, for compensation and not occupied as a one- or two-family dwelling.
- **Rooming Unit** means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping, living, but not cooking purposes.

## Word usage.

Words used herein but not specifically defined shall have the same meaning as defined in the current edition of the International Property Maintenance Code as adopted by the City of Presque Isle. Any words not defined herein or in the International Property Maintenance Code shall carry the common meaning as defined in the dictionary.

Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises," "structures" are used in this ordinance, they shall be construed as though they were followed by the words "or part thereof."

Be it ordained by the City Council of the City of Presque Isle as follows:

**E. REGISTRATION OF NON-OWNER-OCCUPIED RENTALS:**

This Ordinance requires every residential rental property (regardless of leasing terms) within the City of Presque Isle be registered with the Code Enforcement Office and inspected to ensure compliance with the minimum maintenance standards of Chapter 38C. Upon receiving an application for residential rental registration, the Code Enforcement Office shall place the property on the inspection list for future inspections as determined by this ordinance. There shall be an initial registration period in which Owners shall have twelve (12) months after the effective date of this ordinance to register all dwelling units located within or upon their premises with the Code Enforcement Office and comply with the provisions of this ordinance, together with other applicable code(s) and ordinance(s) of the City of Presque Isle.

Owners of residential rental dwelling units covered by this ordinance shall be available to respond to an emergency on a 24-hour per day basis. If the owner resides more than sixty (60) miles from the City's municipal limits, the owner, shall designate in writing to the Code Enforcement Office, a manager whom will be available to respond to an emergency on a 24-hour per day basis. If a manager is used, the owner shall provide the city with the name, mailing address, physical address of manager's office, if applicable, email address, and telephone number(s) of the local manager in addition to the owner's contact information. The manager shall have authority to act on behalf of the owner and shall accept service for all notices to be provided hereunder. The use of the word owner or manager herein shall be interchangeable.

After the initial registration period, it shall be unlawful for any owner, as defined herein, to lease or operate a rental property without registering it with the City's Code Enforcement Office and complying with the provisions of this ordinance, together with all other applicable code(s) and ordinance(s) of the city.

The registration of the rental dwelling shall not be considered a representation or warranty that the rental dwelling is in compliance with all the City of Presque Isle's adopted codes, ordinances, rules and regulations.

## **F. REGISTRATION REQUIREMENTS:**

Residential rental registrations shall be filed with the Presque Isle Code Enforcement Office within the initial registration period. Any new residential rental units created after the initial registration period has expired, shall register such units within ninety (90) days after their being Leased for occupation. A residential rental registration shall be valid for the classification term outlined by this ordinance. By default, all registered units will be classified as “not rated” until its first inspection.

Owners shall provide updated information to the Code Enforcement Office upon a change in ownership, management, or number of dwelling units located in or upon a premises, by submitting a renewal of the residential rental registration. If there are no changes in ownership, management, or number of units, no registration renewal shall be required. There will be no cost to renew a rental registration for another term.

Revisions to the registration form(s) may be made by the Code Enforcement Office to keep the form relevant with useful data to aid in the city’s revitalization efforts. A summary of all changes or revisions to the application form(s) will be reported to the City Council under the manager’s report.

Residential rental registrations shall be submitted to the Code Enforcement Office within the initial registration period, and renewals within thirty (30) days of the changed status requiring renewal as outlined above, and shall include the following information:

1. Name, street/ mailing address, email address and telephone/ cell number of the owner of the rental unit;
2. Name, street/ mailing address, email address, and telephone/ cell number of the owner’s manager responsible for the management of the premises of the rental unit;
3. Legal address of the premises;
4. Number of units in each building within the rental dwelling;
5. Signed statement of owner and owner’s manager indicating that he/ she is aware of the City’s Property Maintenance Code and Land Use and Development Code (density) and the legal ramifications for knowingly violating said codes;

6. Name, street/ mailing address, email address, and telephone/ cell number of the registered agent, if the owner is a corporation; and
7. Name, street/ mailing address, email address, and telephone number of the mortgage holder(s), if there is a mortgage on the rental property.

#### **G. TRANSFER OF OWNERSHIP:**

Every Owner of a residential dwelling unit shall give notice, in writing, to the Code Enforcement Office within five (5) business days after having transferred or otherwise disposed of the legal control of any rental dwelling. Such notice shall include the property address of the transferred premises and the name and contact information of the person(s) succeeding to the Ownership or control of such rental dwelling. The new Owner shall have ten (10) business days after taking legal ownership to provide a residential rental registration to the Code Enforcement Office providing the information outlined in Section F above.

#### **H. INSPECTIONS:**

Both the interior and exterior of registered properties under this ordinance shall be periodically inspected by the Building Inspector as set forth herein. Only the portion of owner-occupied rental properties that are rented to the public shall be inspected.

1. **Establishment of randomized inspection.** At beginning of registration of rental properties, the Code Enforcement Office shall establish a schedule of periodic inspection of multi-unit, single-family, rooming houses, and duplex rental units to ensure compliance with this ordinance, as well as Chapter 38C and Chapter 16 of the City of Presque Isle Ordinance. These inspections shall be randomized citywide. A list of all properties to be inspected within the City shall be made available at the beginning of each year and communication to the owner and manager of the pending inspection rental property to schedule inspection dates. This list shall be available on the City of Presque Isle website.
2. **Future Inspection Frequency.** The inspection schedule for multi-unit, single-family, rooming houses, and duplex rental units shall be determined in randomized sampling by:
  - a. Inspection rating assigned to a particular building, pursuant to Assignment of Classifications.

3. This shall not preclude a tenant or neighbor complaint(s) about a particular rental unit, and/or as indicated by fire or police calls of exterior nuisance complaints about a structure. Any life safety complaint received will be considered an inspection request by the Code Enforcement Office and be placed on the list of inspected properties for that year regardless of classification.
4. Notice of inspection of rental units, pursuant to this section, shall be given in writing to each owner or manager of such rental unit, a minimum of thirty (30) calendar days prior to the inspection and shall be addressed to such owner or manager at the address provided for such owner or manager in the application to register the rental dwelling.
  - a. The owner or manager shall be responsible for notifying all the tenant(s) in the rental unit of the date and time of the inspection.
  - b. The notice shall advise that objections to such inspection may be lodged by telephone, e-mail or in person at the City within five (5) business days of the scheduled inspection.
  - c. If any owner, manager, or occupant denies entry to a periodic inspection, no inspection of the rental unit shall be undertaken, and court action shall be initiated for an administrative search warrant issued by a court of competent jurisdiction, setting forth the general scope of the inspection.
  - d. Failure to reschedule an inspection or respond to a notice of inspection within five (5) business days shall be treated as agreement to the date and time of the proposed inspection. The owner shall be liable for the cost of re-inspection if the owner or his/her manager fails to provide access to the rental dwelling as scheduled. Failure to provide access as scheduled or rescheduled, shall also constitute a violation of this section.
  - e. The notice and warrant requirements of this subsection do not apply to inspections conducted pursuant to other parts of the City Codes.



- f. The City of Presque Isle Code Enforcement Office shall develop a checklist to be used for inspection purposes to determine violations and code conformity with the International Property Maintenance Code, National Fire Protection Association, Life Safety Code, and Maine Uniform Building and Energy Codes for residential rental units. This checklist and later revisions must be approved by the Presque Isle City Council before being enforceable.
5. This shall not preclude an owner to request a voluntary inspection by the city to rate the rental property for the purposes of sale or transfer to a new owner. The City may charge a reasonable fee for expedited inspection requests that are done on a voluntary basis.

#### **I. ASSIGNMENT OF CLASSIFICATIONS:**

Upon completion of a rental property inspection, the property shall be classified by the Building Inspector according to the classification system set forth herein. The rental property will be considered classified as “not rated” until an inspection has occurred. However, an inspection shall not be necessary for designation as Class F in subsection (e).

***Special Note: Classifications granted by the City under this ordinance should not be construed as an increase or decrease of assessed value for a property.***

- a. **Class A.** Building has no violations of applicable city codes and is maintained in excellent condition. Building inspected as lower priority after five (5) years or thereafter if selected by random sampling. This includes new rental properties that have received a Certificate of Occupancy from the Code Enforcement Office.
- b. **Class B.** Building has minor violations of applicable city code(s) and the violation(s) less than five (5) do not pose an immediate threat or danger to the life, health and safety to the occupants of the building and do not require immediate correction, but is maintained in good condition, overall. Building inspected on three (3) years or thereafter if selected by random sampling.
- c. **Class C.** Building has violations of applicable city codes that are in excess of five (5) in numbers and/or that affect the overall livability of the building, but do not pose a threat or danger to the life, health or safety of the occupants of the building. Building inspection on a one (1) year or thereafter if selected by random sampling.

- e. **Class F.** Building has violations and is either unsafe, contains unsafe equipment, is unfit for human occupancy or is unlawful. Properties rated Class F are not in compliance with the rental registration ordinance, may be condemned for habitation of deemed unsafe and shall not be occupied for rental. Violations leading to Class F designation are violations which:
  - 1. Render the unit unsuitable for habitation according to the city's health, life, safety and/or property maintenance codes after notification and reasonable opportunity to remedy such violations; or
  - 2. Exhibit repeated and willful violations of the city's property maintenance code and Land Use and Development Code, including, but not limited to, occupancy requirements
- f. **Not Rated.** Building is registered with the City but has not received an inspection by the Code Enforcement Officer. Property will be inspected and rated when selected for the random inspection.

*The Class F designation shall be withdrawn when the underlying violation(s) have been remedied and will be rated according to classification.*

## **J. REGISTRATION & INSPECTION OF OWNER-OCCUPIED RENTALS**

- 1. This Ordinance requires every owner-occupied rental property within the City of Presque Isle to be registered with the Code Enforcement Office and inspected to assure compliance with the minimum maintenance standards of Chapter 38C. All owner-occupied rental properties legally in existence on the effect date of this ordinance shall have twelve (12) months to register said property with the Code Enforcement Office and comply with the provisions of this ordinance, together with other applicable code(s) and ordinance(s) of the City of Presque Isle.
- 2. Every owner of an owner-occupied rental property covered by this ordinance shall live on site and be available to respond to an emergency on a 24-hour per day basis. The owner shall provide the city with the name, street/ mailing address, and telephone/ cell number and email address.

3. After the effective date of this ordinance, it shall be unlawful for any owner, as defined herein, to lease or operate an owner-occupied rental property without registering it with the City's Code Enforcement Office and complying with the provisions of this ordinance, together with all other applicable code(s) and ordinance(s) of the city.
4. The registration of the owner-occupied rental property shall not be considered a representation or warranty that the rental dwelling is in compliance with all the City of Presque Isle's adopted codes, ordinances, rules and regulations.
5. The Code Enforcement Office inspect owner-occupied rental properties throughout the city on a four (4) year basis or upon receiving a complaint. All properties will need to pass the inspection standards of the International Property Maintenance Code, National Fire Protection Association, Life Safety Code, and Maine Uniform Building and Energy Codes.

**K. REGISTRATION RENEWAL FOR OWNER-OCCUPIED RENTALS:**

Said registration shall be valid for four years. Renewal of the registration may be made by submitting the registration renewal form furnished by the Presque Isle Code Enforcement Office. There will be no cost to renew an owner-occupied rental registration for another term. In the event that the owner of the owner-occupied rental moves, said owner will notify the Code Enforcement Office and register as a non-owner-occupied rental property. Said properties will follow all rules for a non-owner occupied rental.

**L. NOTICE OF NONCOMPLIANCE:**

1. When the Code Enforcement Office or Building Inspector determines that a rental property has failed to register or allow for the inspection of a property as outlined in the Ordinance, the Code Enforcement Office shall issue a notice of noncompliance advising the Owner, or Manager that will set forth the alleged items must be corrected. This notice shall:
  - a. Be in writing. (Initial contact may be by telephone or e-mail with a consent agreement reached and recorded with a copy sent to the owner or manager.
  - b. Describe the rental dwelling where the articles of noncompliance is alleged to exist or to have been committed.

- c. Set forth the articles of noncompliance.
  - d. Provide 10 days for the correction of any articles of noncompliance alleged.
  - e. Be served upon the owner, manager or occupant of the rental dwelling personally or by email, and mail to the last known place of residence of the owner or manager. If one or more persons to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such person(s) by posting a notice in or about the rental dwelling or by causing such notice to be published in a newspaper of general circulation.
2. At the end of the period of time allowed for the correction of any articles of non-compliance alleged, the Code Enforcement Office shall follow through legal remedy through the court with jurisdiction.

**M. FINES:**

Any owner or manager in charge of a rental dwelling who has received a notice of noncompliance of this Ordinance and fails to take the necessary corrective actions shall, upon conviction thereof, be subject to pay a fine of not less than One Hundred Dollars (\$100.00) together with the cost of prosecution as set by the City. Each day of continued noncompliance shall constitute a separate offense.

The Code Enforcement Officer may refuse to register or may revoke the existing registration of any rental dwelling which falls within the provisions set forth as the basis of the Class F designation. In the event that the Code Enforcement Officer denies or revokes registration of a rental property, the tenants of the subject dwelling shall be informed by the City of the decision and of their need to obtain other housing. An owner, or the manager, may appeal a registration denial or revocation according to the guidelines set forth under Administrative Appeals.

**N. AFFIRMATIVE DEFENSES:**

- A. The following shall not be affirmative defenses to articles of noncompliance of this Ordinance:
  - 1. The owner or manager did not receive notice, provided that the City issued notice according to the provisions of this Ordinance; or
  - 2. The property was inspected and issued a classification indicative of the City's satisfaction with the state of the property at the time of said inspection.
- B. The following are affirmative defenses to articles of noncompliance of this Ordinance:
  - 1. Full correction of each and every article of noncompliance charged against the defendant;
  - 2. Articles of noncompliance has been caused by the current occupant(s) and the owner and/or manager has persuasive evidence in support of the defense; and
  - 3. Current occupant(s) has refused entry to the owner or the manager to that part of the dwelling or dwelling unit after written legal notice to inspect has been given by the owner to the tenant to address the required correction, for the purpose of correcting the violation(s).

**O. ADMINISTRATIVE APPEALS:**

An owner, or manager, may appeal a registration denial or revocation to the Zoning Board of Appeals within twenty (20) calendar days of the date of written notice to such owner, or manager, of the denial or revocation of registration. The appeal must be in writing and state the reasons the owner or manager disagrees with the determination to deny registration of the reasons for the revocation. The Zoning Board of Appeals shall conduct a hearing and make a determination of whether the denial or revocation should be upheld. The hearing shall be scheduled during the next regularly scheduled meeting of the Zoning Board of Appeals. The hearing shall be recorded. The Zoning Board of Appeal shall make written findings of fact and issue a written decision which shall be promptly mailed to the owner or manager, if any.

#### **P. CONFLICT WITH OTHER PROVISIONS**

In any case where a provision of this Ordinance is found to be in conflict with a provisions of any, zoning, building, fire safety or health ordinance or code of the City of Presque Isle existing on the effective date of the Ordinance, the provision which establishes a higher standard for the promotion and protection of health and safety of the people shall prevail. In any case where provisions of this part is found to be in conflict with provisions of any other Ordinance of Code of the City of Presque Isle existing on the effective date of this part which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this part shall prevail, and such other Ordinance(s) or Code(s) are hereby declared and repealed to the extent that they may be found in conflict with this part.

That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Presque Isle hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

#### **Q. DATE OF EFFECT**

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

#### **R. SUNSET PROVISION**

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

### Draft Checklist for Rental Inspections

#### Enforcement reference books to be used:

- **IPMC - International Maintenance Code 2018**
- **NFPA 101 - National Fire Protection Association Life Safety Code 2018**
- **MUBEC – Maine Uniform Building and Energy Code**

#### Premises Inspection Checklist

- ☐ **SANITATION:** exterior property and premises shall be maintained in a clean, safe, and sanitary condition.
- ☐ **GRADING AND DRAINAGE:** premises shall be graded and maintained to prevent erosion of soil and to prevent the accumulation of stagnant water and within the structure.
- ☐ **SIDEWALKS AND DRIVEWAYS:** all sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- ☐ **WEEDS:** noxious weeds, excessive plant growth, and grass growth in excess of 10 inches is prohibited.
- ☐ **RODENT HARBORAGE:** all structures and premises shall be kept free from rodent harborage and infestation.
- ☐ **ACCESSORY STRUCTURES:** all accessory structures, including garages, fences, and walls shall be maintained structurally sound and in good repair.
- ☐ **MOTOR VEHICLES:** not more than one unregistered vehicle or uninspected vehicle shall be parked or kept or stored on the premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.
- ☐ **DEFACEMENT OF PROPERTY:** no person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building by placing any markings, carvings or graffiti.

#### Building Exterior Inspection Checklist

- ☐ **EXTERIOR:** the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare.
- ☐ **PREMISES IDENTIFICATION:** buildings shall have address numbers placed in a position to be plainly legible and visible from the street contrasting from the background a minimum of 4 inches in height and a minimum stroke of 1/2 inch.
- ☐ **FOUNDATION WALLS:** foundation walls shall be maintained plumb and free of open cracks and breaks.
- ☐ **EXTERIOR WALLS:** exterior walls shall be free from holes, breaks, and loose or rotting material and maintained weatherproof.
- ☐ **ROOFS AND DRAINAGE:** the roof and flashing shall be sound, tight, and not have defects that admit rain.
- ☐ **WINDOWS AND DOORS:** windows and doors shall be kept in a sound condition, good repair, and weather tight and shall be free from cracks and holes.
- ☐ **DOORS:** exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

### Building Interior Checklist

- ☐ **INTERIOR:** the interior of a structure and equipment shall be maintained in good repair, structurally sound, and in sanitary condition.
- ☐ **INTERIOR SURFACES:** all interior surfaces shall be maintained in good, clean, and sanitary conditions. Peeling, chipping, flaking, or abraded paint, cracked or loose plaster, decayed wood or other defective surface conditions shall be corrected.
- ☐ **STAIRS AND WALKING SURFACES:** stairs and railings shall be maintained in good condition.
- ☐ **RUBBISH AND GARBAGE:** all exterior and interior shall be free from any accumulation of rubbish or garbage.
- ☐ **DISPOSAL OF RUBBISH:** occupancy of a structure shall dispose of rubbish in a clean and sanitary manner in approved containers.
- ☐ **VENTILATION OF HABITABLE SPACE:** every habitable space shall have at least one openable window facing directly outdoors or to a court.
- ☐ **VENTILATION OF BATHROOMS:** every bathroom shall have an openable window facing outdoors or to a court or mechanical ventilation exhausted to the exterior.
- ☐ **MINIMUM ROOM WIDTHS:** habitable rooms shall not be less than 7 feet in any dimension with exceptions for ceiling height area. Kitchens shall have a clear passageway no less than 3 feet between counterfronts, walls or appliances.
- ☐ **BEDROOMS:** bedrooms shall have 70 square feet of floor area for the first person and 50 square feet of floor area for each additional occupant. Kitchens and non-habitable spaces shall not be used for sleeping purposes.
- ☐ **BATHROOM REQUIRED:** every dwelling unit shall contain its own bathtub or shower, lavatory, water closet, and kitchen sink which shall be maintained in a sanitary, safe working condition.
- ☐ **PLUMBING AND FIXTURES:** plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks, and defects.
- ☐ **WATER SUPPLY:** sinks, lavatories, bathtubs or showers, water closets or other fixtures shall be properly connected to the public water supply system or approved private water system and shall be supplied with hot or tempered and cold water.
- ☐ **SANITARY DRAINAGE:** plumbing fixtures shall be properly connected to either a public sewer or private sewage disposal system.
- ☐ **HEAT SUPPLY:** dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F in all habitable rooms.
- ☐ **RECEPTACLES:** every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area and bathroom shall contain at least one grounded-type receptacle with a ground fault circuit interrupter.
- ☐ **LIGHTING FIXTURES:** shared hallways, interior stairways, bathrooms, kitchens, laundry rooms, boiler rooms, and furnace rooms shall contain at least one lighting fixture.



### **Fire Safety Inspection Checklist**

- ☐ AISLES: width of escape aisles shall be unobstructed.
- ☐ SPRINKLER SYSTEMS: automatic sprinkler systems shall be inspected, tested, and maintained.
- ☐ SMOKE ALARMS: shall be located in every dwelling unit on every level including the basement and within 21 feet of every sleeping room; in every sleeping room; in every interior stairwell of multiple family buildings; installed on a ceiling at least 6 inches from any wall or on a wall located in between 4 to 6 inches from an adjacent ceiling.
- ☐ CARBON MONOXIDE DETECTORS: located in every dwelling unit on every level and within 21 feet of every sleeping room, installed according to manufacturers instructions.

### **Additional Requirements for New Construction**

- ☐ PRIMARY AND SECONDARY MEANS OF ESCAPE: every sleeping room and every living area shall have not less than one primary means of escape which shall be a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at finished ground level. Except for buildings protected throughout by an approved automatic sprinkler system, every sleeping rooms and every living area shall have an outside door or window, stairway, passage, or hall meeting certain conditions providing a way of unobstructed travel to the outside of the dwelling at finish ground level that is independent and remote from the primary means of escape.
- ☐ FIRE-RATED ASSEMBLIES: fire-resistance-rated walls, fire stops, partitions
- ☐ FIRE DOORS: fire and smokestop doors shall be maintained and functional.
- ☐ SPRINKLER SYSTEMS: automatic sprinkler systems shall be inspected, tested, and maintained.





**City of Presque Isle**  
**Rental Registration Application**



**APPLICATION TYPE**

☐ Owner Occupied Rental Property    ☐ Non-owner Occupied Rental Property

Owner & Property Information			
<input type="checkbox"/> Check here if owner has multiple rental properties. Other properties use a separate form and complete <b>Section A &amp; B</b>			
<input type="checkbox"/> Allow property and contact information to be placed in the free City Rental Directory to help in promoting your units			
<b>Section A</b>	<b>Property Address:</b>	<b>Frequency of Rental</b> <input type="checkbox"/> Annually <input type="checkbox"/> Quarterly <input type="checkbox"/> Monthly <input type="checkbox"/> Weekly <input type="checkbox"/> Other specify _____	<input type="checkbox"/> Property Units are Eligible for HUD or Section 8 Vouchers
		<b>Year Property Was Built:</b>	<b>Number of Rental Units</b>
<b>Section B</b>	<b>Property Owner's Name (Individual and company name):</b>		
	<b>If company is incorporated, include a Point of Contact:</b>		
	<b>Owner's Mailing Address:</b>	<b>Owner Email:</b>	
	<b>Owner's Phone Number:</b>		
<b>Owner's Cell Phone Number:</b>			
	<b>Does the Owner live more than fifty (50) mile radius from Presque Isle?</b> <input type="checkbox"/> No (Continue to Section D) <input type="checkbox"/> Yes (Complete Manager Information)		
<b>Property Manager Information</b> (Property Manager must be located within a 49 mile radius of Presque Isle) Continue to Section D			
<b>Section C</b>	<b>Property Manager Company or Agent's Name:</b>		
	<b>Manager's Mailing Address:</b>	<b>Manager's Email:</b>	
		<b>Manager's Phone Number:</b>	
		<b>Manager's Cell Phone Number:</b>	
<b>Authorization</b>			
<b>Section D</b>	<i>I acknowledge that as owner or owner's manager that I am aware of the City of Presque Isle's Property Maintenance Code and Land Use and Development Code (density) and the legal ramifications for knowingly violating said codes. Further, I understand the City may inspect my property by complaint or being selected on an annual randomized basis for compliance with the City's Codes.</i>		
	<div style="border-top: 1px solid black; margin-top: 20px;"><b>Signature of Owner</b></div> <div style="margin-top: 10px;">Date: _____</div>	<div style="border-top: 1px solid black; margin-top: 20px;"><b>Signature of Property Manager</b></div> <div style="margin-top: 10px;">Date: _____</div>	

