

CHAPTER 25

CITY OF PRESQUE ISLE

Maine Uniform Building and Energy Code Ordinance



Approved by the City Council:	September 4, 1996
Repassed by the City Council:	February 7, 2000
Amended by the City Council:	September 18, 2000
Amended by the City Council:	January 6, 2003
Repassed by the City Council:	January 21, 2004
Amended by the City Council:	November 15, 2004
Repassed by the City Council:	January 7, 2008
Amended by the City Council:	February 2, 2009
Amended by the City Council:	December 7, 2009
Amended by the City Council:	December 6, 2010
Repassed by the City Council:	January 3, 2012
Repassed by the City Council:	January 4, 2016
Repassed:	January 8, 2020

Attest: _____
Thomas C. King, City Clerk

City Seal

Chapter 25

Maine Uniform Building and Energy Code

An Ordinance of the City of Presque Isle adopting the Commercial Building Code component of the Maine Uniform Building and Energy Code (“MUBEC”), regulating and governing the conditions and maintenance of all property, buildings and structures; by providing for the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and uses; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Presque Isle; providing for the issuance of permits and collections of fees, making of inspections; providing penalties for the violation thereof; known as the building code; repealing the existing 2003 edition of the *International Building Code* of the City of Presque, State of Maine.

PREAMBLE: This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

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

SECTION 1. ADOPTION OF BUILDING CODE

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *The International Building Code*, 2009 edition, including Chapters 1 – 10, Chapters 12 – 16, Chapters 18 – 26, and Chapters 31 – 35 as published by the International Code Council, be and is hereby, adopted as the Building Code of the City of Presque in the State of Maine; for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing for the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and uses; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Code Enforcement Officer are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

SECTION 2. INCONSISTENT ORDINANCE REPEALED

That Chapter 25 of the City of Presque Isle entitled *International Building Code, 2003 Edition* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. ADDITIONS, INSERTIONS AND CHANGES

That the following sections are hereby revised as follows:

1. Section 101.1

Delete “City of Presque Isle; and
Insert “State of Maine” in its place.

2. 101.4.3

Delete “International Plumbing Code”; and
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

Delete “International Private Sewage Disposal Code”; and
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

3. Section 109

Insert Five Dollars (\$5.00) per thousand Dollars of valuation or part thereof for residential construction, and Eight Dollars (\$8.00) per thousand dollars of valuation or part thereof for commercial construction. Thirty Five Dollars (\$35.00) **MINIMUM PERMIT FEE**. Thirty Dollars (\$30.00) demolition fee for residential and One Hundred Dollars (\$100.00) for commercial. Twenty Five Dollars (\$25.00) use fee. Two Dollars and fifty cents (\$2.50) per square foot sign permit fee.

Any person who shall commence any work for which a permit is required by this Ordinance without first having obtained a building permit therefore, shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work.

4. Section 113

Change to read: The Board shall modify or reverse the decisions of the Code Official by a concurring vote of the majority of the members present and voting. A quorum shall consist of three (3) members.

5. Section 114 Violation Penalties:

Change to read: any person who shall violate a provision of this Code shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit of certification issued under the provisions of this Code, shall be found guilty of a civil offense, punishable by a fine of not more than \$2,500. Each day that a violation continues shall be deemed a separate offense.

- Delete* Chapter 11 Accessibility
- Delete* Chapter 17 Structural Testing and Special Inspections
- Delete* Chapter 27 Electrical
- Delete* Chapter 28 Mechanical Systems
- Delete* Chapter 29 Plumbing Systems
- Delete* Chapter 30 Elevators and Conveying Systems
- Delete* Appendix A – K

SECTION 4. VALIDITY CLAUSE

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 of Presque Isle here by 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.

SECTION 5. SAVING CLAUSE

That nothing in this Ordinance or in the Building Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. 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.

SECTION 6. 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.