

Warrant for the Hollis Special Town Meeting
for November 7, 2017

STATE OF MAINE

COUNTY OF YORK/ss

To: Kaden Flynn, a Constable in the Town of Hollis in the County of York, State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby requested to notify and warn the inhabitants in said Town of Hollis qualified to vote in town affairs to meet at the Hollis Fire Station at 405 Plains Road in said Town of Hollis on Friday, the Seventh day of November A.D. 2017 (November 7, 2017) at 6:45 a.m. in the morning to act on ARTICLE 1. The polls will open at 7:00 a.m.(seven o'clock in the forenoon) and close at 8:00 p.m. (eight o'clock in the evening) to act on Articles 2 through 10.

Article #1 To elect a moderator by written ballot to preside at said meeting.

Article #2 Shall the Town vote to approve such capital projects as previously approved by the Town and appropriate up to \$3 million to fund such capital projects from future bond proceeds in order to fulfill the wishes of the Town Meeting in having authorized the Select Board to issue a \$3 million bond to repair/upgrade Sand Pond Road, Salmon Falls Road, Deerwander Road, Upper Tarbox Road and Bear Hill Road (Article 20 of the 2017 Annual Town Meeting)?

Select Board - Recommend

Article #3 Shall the Town vote to form a Finance Committee, approve and enact the "Finance Committee Ordinance" and repeal the current Budget Committee and Budget Committee Ordinance at the adoption of this article?

Select Board - Recommend

Article #4 Shall the Town vote to add the following Article in the Hollis Zoning Ordinance:
Article 1 Section 1.3.6-All Applications:
"No application shall be received or processed for any applicant that has a known unresolved violation in the Town of Hollis, unless the application is to resolve an existing violation and this Article is shall be retroactive to January 1, 2017."

Select Board - Recommend

Planning Board - Recommend

Article #5 Shall the Town vote to authorize the Select Board to receive funds generated from the Annual Community Day Activities and deposit them into the Community Day Appropriations Account #2311, and make this a Protected Account with a portion of these funds to be used to sponsor children in the Recreation Summer Youth Program, support the Town Fuel Fund and Town Christmas Fund, and this authorization shall continue in effect until repealed or rescinded by Town vote?"

Select Board - Recommend

Article #6 Shall the Town vote to follow the Maine State Statutes for the recall of municipal officials as outlined in the Title 30-A, Subsection 2505 and repeal the current "Ordinance For The Recall of Elected Municipal Officials"? (Current Town Ordinance For the Recall of Elected Municipal Officials and Maine Revised Statutes Title 30-A Subsection 2505 Recall of Municipal Officials attached.)

Select Board - Recommend

Article #7 Shall the Town vote to update the Hollis Building Code to be compliant with Maine State Statutes (additions are in **bold**, deletions are ~~strike through~~) as reflected in the attached proposed Hollis Building Code Ordinance?

Select Board - Recommend

Article #8 Shall the Town vote to increase the Code Enforcement Office wages by \$41,310.00 to support a full-time Administrative Assistant and full-time Deputy Code Enforcement Officer from the General Fund?

Select Board - Recommend

Budget Committee - Recommend

Article #9 Shall the Town vote to amend the Hollis Budget Committee Ordinance changes in **bold** as reflected in the attached Hollis Budget Committee Ordinance?

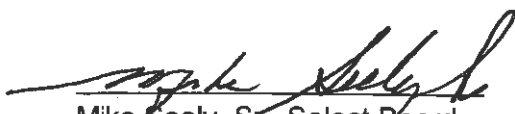
Select Board - Recommend

Budget Committee - Recommend


Article #10 Shall the Town vote to change the position of Treasurer from an elected to an appointed position at the end of the term in June 2018?


Given under our hands this 13th day of September, A. D. 2017


Roger Hicks, Select Board Chair


Mike Seely, Sr., Select Board


Rita Perron, Select Board


Martha E. Huff, Hollis Town Clerk

RECEIVED
SEP 14 2017
BY:  noon time

The Registrar of Voters will hold office hours while the polls are open to correct any error or change a name or address on the voting list; to accept registrations of any person eligible to vote and to accept new enrollments.

A person who is not registered to vote may NOT vote in any election.
A voter not enrolled in a political party may not vote in a primary election.

Hollis, Maine _____, 2017 A.D.

Warrant Return:

Pursuant to the within warrant to me directed, I have notified and warned inhabitants of said town, qualified as herein expressed, to meet at said time and place, and for purposes therein named, by posting an attested copy of said warrant at the Town Hall, Your Country Store, Johnson's Garage, Hollis Select Board Office, and Hollis Town Clerk in said town, being public and conspicuous places in said town, on the _____, 2017 A.D. being at least seven days before the meeting.

Constable of Hollis, Maine

TOWN OF HOLLIS

(PROPOSED)

Finance Committee

Ordinance

Section 1. Purpose and Scope

The purpose of this Ordinance is to establish a Finance Committee comprised of members who have a financial background for the Town of Hollis.

This Ordinance shall govern the committee's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Members; Committee's duties

The Finance Committee shall consist of five (5) regular voting members.

Three (3) members will be a quorum for the purpose of voting and/or conducting committee business. Workshops do not require a quorum as no business or vote will be conducted.

The Finance Committee members will be selected by a panel of Town residents who have financial backgrounds, and recommended to the Select Board for approval and appointment.

Finance Committee members must be residents of the Town of Hollis, a registered voter and will serve a (3) year term. Members will meet at the first opportunity after being appointed and thereafter at the beginning of the fiscal year to elect a chairperson and vice-chairperson to serve for one year unless otherwise provided by law. The Finance Committee Secretary will be hired and appointed by the Select Board.

All meetings of the committee, except workshops, will be videotaped for public viewing.

The Chairperson shall preside at all committee meetings/workshops and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with this Ordinance or other laws to enable the committee to perform its duties and conduct its affairs.

The Chairperson also shall set the agenda for each meeting, provide the agenda to the Administrative Assistant to the Select Board for posting to the Town website and as required by law, act as a liaison between the Select Board and the committee. It will be expected that the Chair or an appointed designee will attend the Annual Town Meeting, Special Town Meetings and will submit a written report of activities to the Select Board to be included in the Annual Town Report.

The Secretary shall maintain a permanent record of all committee meetings and all correspondence of the committee which shall be made a matter of public record except as otherwise provided by law. The Secretary shall be responsible for providing the Administrative Assistant to the Select Board a copy of all approved meeting minutes to be posted to the Town website, attain and copy of all regular and special requested financial reports, file reports for historical reference, assemble the annual Finance Committee budget/capital books and complete other secretarial duties as needed.

The committee is an advisory committee to the Select Board. The responsibilities of the committee are as follows:

- 1) Annual Operating budget - The committee will prepare the annual budget for the Town with the input from each department head and make recommendations to the Select Board.
- 2) Annual Capital budget - The committee will review and make recommendations to the Select Board.
- 3) Warrant Articles - The committee will prepare Articles as they pertain to financial issues and make a recommendation on each concerning appropriation in the Warrant for all Special Town Meetings.
- 4) Review of revenue and expenditures - The committee will make quarterly reviews of revenues & expenditures and present issues/questions to the Select Board.
- 5) Other- The committee shall review and make recommendations to the Select Board on supplemental appropriations, expenditures and investments of Town funds.

Authority & limitations - The State of Maine has instituted a Right to Know Law. The committee (as any taxpayer) has the authority to request any "public" information by the Maine Freedom of Access Act. The committee (as any taxpayer) must abide by the limitations of excluded records as defined by the Maine Freedom of Access Act.

Section 3. Meetings

Budgetary and capital plan timelines, financial reporting availability, and in general, financial issues necessitate the frequency of the Finance Committee meetings.

Special meetings may be called at the discretion of the Select Board, Finance Committee Chairperson or upon the request of a majority of the committee members, provided, however, that notice thereof shall be given to each member and to the Administrative Assistant to the Select Board at least 24 hours in advance.

Notice of all committee meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law. No business may be conducted by the committee except at a regularly called and noticed meeting provided a quorum consisting of a majority of the committee being present.

Section 4. Hearings

Public hearings of the committee shall be called as required by law or on such other occasions, as a majority of the committee may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chairperson shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The committee may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chairperson and without interruption, provided, however, that the Chairperson may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard.

Section 5. Participation and Voting

Any action of the committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law. Majority is defined as a number of members constituting more than half of the total number of members present.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding or other approvals, unless the member was present during all hearings thereon.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chairperson for good cause shown.

Annual attendance at the meetings of this committee is expected to be no less than 75%. If a committee member does not attend the minimum of 75% of the meetings, the Chairperson of the Finance committee shall bring the matter to the Select Board for review and vote. The committee members are appointed by the Select Board; removal from the committee can only be by majority vote of the Select Board.

In the interest of promoting increased participation in Town affairs and so that each member can focus on the important role of the committee, the Select Board will take all necessary steps to appoint persons to no more than one standing Town committee.

Section 6. Decisions

All decisions of the committee shall be made within the time limits, if any, established by law.

All final decisions shall be in writing, shall become a part of the committee permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits offered to the Select Board, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law. The committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The committee may conduct additional hearings and receive additional evidence and testimony as provided herein.

Any conflict or inconsistency between this Ordinance and any applicable law shall be resolved in favor of the law.

Section 7. Waivers; Amendments

This Ordinance, or any provision thereof, may be waived on any occasion by a vote of the Select Board unless otherwise provided by law. This Ordinance may be amended at any time in writing by majority vote of the committee after notice and public hearing on the proposed amendment and approval by the Select Board.

This Ordinance shall be reviewed by the committee on an annual basis.

Adopted: _____

Roger Hicks, Select Board Chair

Mike Seely, Sr., Select Board

Rita Perron, Select Board

Created August 22, 2017

TOWN
OF
HOLLIS MAINE
(PROPOSED)
BUDGET COMMITTEE
ORDINANCE

Enacted: June 2002

Amended: June 2010

Amended: June 2011

Amended: June 2012

Amended: June 2013

Amended: June 2014

Proposed Amendment: November 2017

Certified Copy By: _____

BUDGET COMMITTEE ORDINANCE OF THE TOWN of HOLLIS

Section 1. Establishment

Pursuant to 30-A M.R.S.A. Section 3001, a Budget Committee is hereby established for the Town of Hollis, Maine.

Section 2. Composition, Election, Qualifications, Terms, Vacancies

The Committee shall consist of seven (7) members who shall be elected and who shall be registered voters in the Town. No other Elected Official or Head of a Town Department may be a member. Members shall serve a term of three (3) years. (For purposes of continuity three members of the Committee shall be elected in 2012, two members elected in 2013 and two elected in 2014.) Any unfilled vacancies shall be filled with qualified individuals within 30 days by appointment of the Select Board. Appointees shall serve until the end of the elected term of the Committee member they replace. Any Committee member elected or appointed who misses three (3) consecutive Committee meetings without cause (cause to be determined by the Chair/Vice-Chair) shall have their seat declared vacant by the Committee and request the Select Board to appoint a successor to serve the remainder of the term.

Section 3. Officers, Meetings, Quorum, Procedure

- A. The Committee shall annually elect a Chair, a Vice-Chair, and an Alternate Vice-Chair from among its members.
- B. The Chair shall call meetings as necessary or when so requested by a majority of its members or by the Select Board.
- C. The Chair (or Vice-Chair) shall maintain order at all times, provide public notice of the agenda, and start the meetings as posted in the agenda. He or she will also keep the questioning appropriate to the Budget before the Committee.
- D. A quorum necessary to conduct business shall consist of at least four (4) members. Actions of the Committee shall require a simple majority of the quorum. The Chair or Vice-Chair shall preside at all meetings.
- E. The Chair or Vice-Chair presiding over the meeting may vote on any item before the Committee as long as there is no conflict as described in Section 5 of this Ordinance.

BUDGET COMMITTEE ORDINANCE OF THE TOWN of HOLLIS

- F. The Secretary (hired by the Select Board) shall maintain a record of all proceedings including all correspondence of the Committee. All meetings and records shall be subject to the Maine Freedom of Access Act, M.R.S.A. Sections 401-410.
- G. The Committee may adopt rules of procedure not inconsistent with this ordinance.

Section 4. Powers, Duties, Authority, Recommendations, Official Cooperation

The Committee shall have the following powers and duties:

- A. To accept testimony, review financial data and make monetary recommendations on the annual budget (Expenditures and Income) as submitted by the Elected Officials, Department Heads, and Non-Municipal Agencies (excluding the County Tax and the SAD 6 School Budget).
- B. To accept testimony, review financial data and make monetary recommendations on capital expenditures as submitted by Elected Officials and Department Heads.
- C. To accept testimony, review financial data and make monetary recommendations regarding supplemental appropriations and expenditures and other budgetary actions, whenever proposed by the Select Board.
- D. To review quarterly the Year to Date expenditures of each Department.
- E. The Chair of the Budget Committee shall prepare an operating budget for the Committee and submit the request to the Select Board by December 30 each year.

Section 5. Performance

- A. No member of the Budget Committee shall vote on any Budget before the Committee that has any pecuniary interest in the said Budget, whether it is direct compensation as wages or financial compensation or gain to other family members.

BUDGET COMMITTEE ORDINANCE OF THE TOWN of HOLLIS

The Committee's authority shall be as set out above. The Committee on its own initiative may require the applicant before them to provide additional financial data if a simple majority of the Committee feels it necessary. Any monetary recommendation, as well as the Budget Committee's recommendation on a matter requiring town meeting action, shall be printed with the article in the warrant and on the ballot, if any, along with such other recommendations as may be included by the Select Board or required by law.

Signed: _____
Budget Committee Chair

Date: _____

Maine Revised Statutes

Title 30-A: MUNICIPALITIES AND COUNTIES

Part 2: MUNICIPALITIES

Subpart 3: MUNICIPAL AFFAIRS

Chapter 121: MEETINGS AND ELECTIONS

Subchapter 1: GENERAL PROVISIONS

§2505. Recall of municipal officials

Except as otherwise provided by the municipality's ordinances or charter, an elected official of a municipality may be recalled from office pursuant to this section. For purposes of this section, "official" has the same meaning as section 2604, subsection 2. [2011, c. 324, §1 (NEW) .]

1. Petition for recall. On the written petition pursuant to subsection 5 of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election, an election must be held to determine the recall of an elected official of that municipality.

[2011, c. 324, §1 (NEW) .]

2. Notice of intention. In order to initiate a recall election under subsection 1, the initiator of the petition shall file a notice of intention of recall with the municipal clerk of the municipality. A notice of intention of recall under this subsection must include the name, address and contact information of the person filing the notice and the name and position of the official subject to recall under this section. Only a person registered to vote in the municipality may file a notice of intention of recall under this subsection.

[2011, c. 324, §1 (NEW) .]

3. Petition forms. Within 3 business days of receipt of a notice of intention of recall under subsection 2, the municipal clerk shall prepare petition forms for the collection of signatures under subsection 4 and send notice to the initiator of the petition under subsection 2 that the petition forms are available. The municipality may charge the initiator of the petition a reasonable fee for preparing and providing the petition forms under this subsection. A petition form under this subsection must include:

A. At the top of the form, the name and position of the official subject to recall, the name and contact information of the initiator of the petition and the date by which the signatures

must be submitted to the municipal clerk under subsection 4; [2011, c. 324, §1 (NEW).]

B. Spaces for each voter's signature, actual street address and printed name; and [2011, c. 324, §1 (NEW).]

C. Space at the bottom of the form for the name, address and signature of the person circulating the petition form. [2011, c. 324, §1 (NEW).]

[2011, c. 324, §1 (NEW) .]

4. Collection and submission of signatures. A petition form under subsection 3 may be circulated or signed only by a registered voter of the municipality. A circulator of a petition form shall fill in the information required under subsection 3, paragraph C and sign the form prior to submission of the form to the municipal clerk. The initiator of the petition under subsection 2 shall collect the petition forms from all circulators and submit the signed petition forms to the municipal clerk within 14 days of receipt of notice from the clerk that the petition forms are available under subsection 3. A municipal clerk may not accept a petition form submitted more than 14 days after sending notice of availability to the initiator under subsection 3, and any voter signatures on that form are invalid.

[2011, c. 324, §1 (NEW) .]

5. Petition certification and notification. Within 7 business days of receiving petition forms under subsection 4, the municipal clerk shall determine whether the petition forms meet the criteria under subsection 4 and certify the validity of any signatures on the petition forms. If the municipal clerk finds that the number of valid signatures submitted under subsection 4 meets or exceeds the requirements under subsection 1, the clerk shall certify the petition and immediately send notification of the certification to the municipal officers, the initiator of the petition and the official subject to the recall. If the municipal clerk finds the number of valid signatures submitted under subsection 4 does not meet the requirements for a petition under subsection 1, the municipal clerk shall file the petition and the petition forms in the clerk's office and notify the initiator of the petition.

[2011, c. 324, §1 (NEW) .]

6. Scheduling recall election. Within 10 business days of certification of the petition under subsection 5, the municipal officers shall schedule a recall election to determine whether the official subject to the recall petition should be recalled. The election must be held no less than 45 days nor more than 75 days after certification of the petition under subsection 5 unless a regular municipal election is scheduled to be held within 90 days of the certification of the petition under subsection 5, in which case the recall election must be held on the date of the regular municipal election. If the municipal officers fail to schedule a recall election within 10 days of certification of the recall petition under subsection 5, the municipal clerk shall schedule the recall election pursuant to the date requirements of this subsection.

[2011, c. 324, §1 (NEW) .]

7. Ballots for recall election. If the official subject to the recall does not resign from office within 10 business days of certification of the recall petition under subsection 5, the ballots for the recall election under subsection 6 must be printed. A ballot for a recall election under this section must read:

"Do you authorize the recall of (name of official) from the position of (name of office)?

() Yes () No"

[2011, c. 324, §1 (NEW) .]

8. Results of recall election. Within 2 business days of a recall election under subsection 6, the municipal clerk shall certify and record the election results and notify the municipal officers of those results. If a majority of voters vote to remove the official, the recall takes effect on the date the election results are recorded pursuant to this subsection.

[2011, c. 324, §1 (NEW) .]

9. Limitation of recall. An elected official may be the subject of a recall petition under this section only if the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

[2011, c. 324, §1 (NEW) .]

SECTION HISTORY

2011, c. 324, §1 (NEW) .

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes (mailto:webmaster_ros@legislature.maine.gov) • 7 State House Station •
State House Room 108 • Augusta, Maine 04333-0007

(Proposed)

Building Code

Town of Hollis

History

First Enacted: Mar 1967

Amended: Mar 1970

Mar 1975

Dec 1991

Oct 1997

Jun 2000

Jun 2005

PREFACE

The purpose of this Code is to provide for safety, health and public welfare through structural strength and stability, means of egress, and adequate light and ventilation and protection to life and property from fire and hazards incident to the design, construction, alteration, removal or demolition of buildings and structures.

~~The Town of Hollis has adopted the following as its building codes:~~

~~2005 Edition of "The National Electrical Code"~~

~~2003 Edition of "NFPA 101 Life Safety Code"~~

~~2003 Edition of "International Residential Code" (One and Two Family Dwellings)~~

~~2003 Edition of "International Building Code" (Multi Family and Commercial)~~

The Town of Hollis has adopted the following building codes:

"NFPA 101 Life Safety Code"

"NFPA National Electric Code"

"IAPMO Uniform Plumbing Code"

In addition to the **above** codes listed above, **also enforced by the State of Maine**, the Town of Hollis has adopted the following to assist the Code Enforcement Officer in the administration of his duties:

BUILDING CODE TOWN of HOLLIS
ADMINISTRATION

Section 1: Title

~~This Ordinance shall be know as the "Building Code of the Town of Hollis, Maine" and shall be construed to secure the safety, health and public welfare through the regulation of construction, alteration, relocation and replacement of buildings; providing for permits and prescribing penalties for violations.~~

Section 2: Scope

~~The provisions of this Code shall apply to new construction, alterations and additions, relocation or replacement of any building or part thereof, in the Town of Hollis, except as exempted in Section 6.A below. Provisions of this Code shall not apply to existing dwellings unless altered, and then only to those parts of being altered.~~

Section 1. Title and Authority.

This ordinance shall be known as the "Ordinance Enforcing the Maine Uniform Building and Energy Code (MUBEC) for the Town of Hollis." It is adopted pursuant to the enabling provisions of the Maine Constitution, the provisions of 10 M.R.S.A. § 9724, and the provisions of 30-A M.R.S.A. § 3003.

Section 2. Maine Uniform Building and Energy Code.

The Town of Hollis adopts and enforces the Maine Uniform Building and Energy Code ("M.U.B.E.C."), as required by 10 M.R.S.A. § 9724. The Code Enforcement Officer of the Town of Hollis 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 or other authorized representatives 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. Administration and enforcement of M.U.B.E.C., including permits, fees, violations, penalties and appeals, shall be in accordance with this Ordinance and the Hollis Building Code.

Section 3: Scope.

The provisions of this Code shall apply to new construction, alterations and additions, relocation or replacement of any building or part thereof, in the Town of Hollis, except as exempted in Section 6.A below. Provisions of this Code shall not apply to existing dwellings unless altered.

CODE ENFORCEMENT OFFICER

Section 43: The Board of Selectmen shall appoint the Code Enforcement Officer. The Code Enforcement

Hollis Building Code

Enacted: Mar 1967

Revised: August 17, 2017 June 2005 Attested:

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BUILDING CODE TOWN of HOLLIS

Officer (commonly referred to as the Building Inspector) shall administer and enforce the provisions of this and other applicable ordinances.

An Assistant Code Enforcement Officer may be appointed by the Selectmen, if they deem it necessary, and shall act in the full capacity of Code Enforcement Officer as required. The Code Enforcement Officer and his Assistant shall be knowledgeable in the building trades.

The Code Enforcement Officer, or his Assistant, shall not have any interest, whether directly or indirectly, connected with the work to be inspected by them under this Ordinance.

A. Inspections

The Code Enforcement Officer shall inspect all buildings being constructed, altered, replaced or relocated for the purpose of enforcing the provisions of this Code and all other local and State laws governing the construction, alteration, or replacement of buildings. It shall be the responsibility of the builder to notify the Code Enforcement Office a minimum one (1) working day prior to the time an inspection is required. The Code Enforcement Office will then schedule the inspection within a reasonable amount of time. Inspections required:

Footing Inspection -- strings may be required to show property lines

Foundation Inspection-- Made after poles or piers are set or trenches or basement areas are excavated and forms erected and any required reinforcing steel is in place and prior to the placing of concrete. This inspection may be deferred until forms have been stripped, foundation coated and drainage tiles installed.

Framing Inspection -- Before plumbing, wiring, and chimney are closed in. Framing, plumbing, and electrical inspections will be done at the same time. An additional inspection fee may be charged if done separately.

Electrical Inspection -- Rough in and service to be done at the time of framing inspection. An additional inspection fee may be charged if done separately.

Plumbing Inspection -- Rough in to be done at the time of framing inspection. Waste and supply must have pressure test on the systems before inspection. Systems that do not hold the pressure as required at time of inspection will be considered as failed, and will be rescheduled. An additional inspection fee may be charged if done separately.

Insulation Inspection -- To be done before any wall or ceiling covering is installed. A signed certificate from the contractor that the insulation meets the current energy code. In case of homeowner installation, homeowner will get letter from a contractor or other professional knowledgeable of an energy code to state it meets the current energy code.

BUILDING CODE TOWN of HOLLIS

Final Inspection -- Made after construction is completed and ready for occupancy prior to issuance of an Occupancy Permit.

Other inspections -- In addition to the inspections required above, the Code Enforcement Officer may make or require any other inspections to ascertain compliance with this Code and other laws enforced by the Town of Hollis.

Failure to notify shall be a violation of this Ordinance and subject to the enforcement provisions of this Code.

A. — Inspection

~~The Code Enforcement Officer shall inspect all buildings being constructed, altered, replaced or relocated for the purpose of enforcing the provisions of this Code and all other local and State laws governing the construction, alteration, or replacement of buildings.~~

~~It shall be the responsibility of the builder to notify the Code Enforcement Officer one (1) working day prior to the time a building is ready for inspection (and the Code Enforcement Officer shall inspect it within one working day of notification) for the following:~~

~~1. Foundations and Framing~~

~~a. Foundation Inspection: Commonly made after poles or piers are set or trenches or basement areas are excavated and forms erected and any required reinforcing steel is~~

BUILDING CODE TOWN of HOLLIS

~~in place and prior to the placing of concrete. This inspection may be deferred until forms have been stripped, foundation coated and drainage tiles installed.~~

~~b. Framing Inspection: Before plumbing, wiring, and chimney are closed in.~~

~~2. Final Inspection~~

~~a. Final Inspection: Commonly made after construction is completed and ready for occupancy prior to issuance of an Occupancy Permit~~

~~3. Other Inspections~~

~~In addition to the inspections required above, the Code Enforcement Officer may make or require any other inspections to ascertain compliance with this Code and other laws enforced by the Town of Hollis.~~

~~Failure to notify shall be a violation of this Ordinance and subject to the enforcement provisions of this Code.~~

DEFINITIONS

Section 54: Certain words and phrases shall be construed throughout this Code to have the meaning indicated in this section.

Accessory Structure: A building, the use of which is incidental to that of the main building and which is located on the same lot.

Alteration: As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities; or an enlargement whether by extending on a side or by increasing in height.

Approved: Approved refers to approval by the Building Inspector as the result of investigation and tests conducted by him, or by reason of accepted principles of tests by nationally recognized organizations.

BOCA: ~~Building Officials and Code Administrators International, Inc.~~

BUILDING CODE TOWN of HOLLIS

Building: Means a combination of materials to form a construction that is safe and stable, and adapted to permanent, continuous, or seasonal occupancy for assembly, business, educational, institutional, mercantile, residential, storage or similar purposes; the term "building" shall be construed as if followed by the words "or portions thereof." This includes temporary buildings made of a frame and covered with fabric such as shelters for vehicles.

~~**Building:** Means a combination of materials to form a construction that is safe and stable, and adapted to permanent, continuous, or seasonal occupancy for assembly, business, educational, institutional, mercantile, residential, storage or similar purposes; the term "building" shall be construed as if followed by the words "or portions thereof."~~

Building, Existing: Existing building is a building erected prior to the adoption of this Code, or one for which a legal building permit has been issued, prior to adoption of this Code.

Building Inspector: Building Inspector is the town official who is charged with the administration and enforcement of this Code. The term "Building Inspector" includes the term "Building Official" and "Code Enforcement Officer."

Ceiling Height: Ceiling heights shall be the clear vertical distance from the finished floor to the finished ceiling.

Code: This term shall include Town of Hollis Ordinances and Codes.

Court: Court is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls or a building.

Dwelling: Dwelling is any building which contains one (1) or two (2) "Dwelling Units" used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Dwelling Unit: Dwelling Unit is a single unit providing complete independent living facilities for one or more persons having permanent provisions for living, sleeping, eating, cooking and sanitation. A dwelling unit must contain at least five hundred- (500) square feet of floor space. This term does not include camper trailers.

Expansion: Is defined as meaning: (1) Construction of additions to existing facilities, buildings and structures; and (2) Construction of new freestanding facilities, buildings and structures. Under definition (1) and (2) above, construction is limited to an expansion of existing facilities, buildings and structures reasonably or customarily associated with said existing facilities, buildings and structures.

Hollis Building Code

Enacted: Mar 1967

Revised: August 17, 2017 June 2005 Attested:

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Front Lot Line Means a lot line dividing a lot from a street.

Habitable Room: Habitable room shall mean any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

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Hot Water: Hot water means water at a temperature of not less than 120°F.

Listed and Listing: Terms referring to equipment which is shown in a list published by an approved testing agency qualified and equipped for the conduct or supervision of experimental testing and maintaining an adequate periodic inspection of current products and whose listing shows that the equipment complies with the provisions set forth in this Code.

Loads: Live, Dead and Lateral - Dead loads are the weight of the walls, partitions, framing, floors, ceilings, roofs and all other permanent stationary construction entering into and becoming a part of the Building. Live loads are all loads (including snow loads), except dead loads. Lateral loads are those created on foundations by adjacent soil.

Lot Line: Means a line dividing one (1) lot from another, or from a street or other public space.

Lot of Record: Means a lot duly recorded at the office of the York County Registry of Deeds, as of the effective date of this Ordinance.

Occupied Space: The total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane excluding permitted projections as allowed by this Code.

Owner: Includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

Repair: Means the replacement of existing work with equivalent materials for the purpose of its maintenance.

Story: Story means the habitable part of a building comprised between any floor and the floor or roof next above.

Street: Any commonly traveled thoroughfare, either publicly or privately maintained, which is open to the public, which affords the principal means of access to abutting lots. The definition of "streets" does not include driveway.

Structure: See "Building."

Swimming Pool: An outdoor, man-made receptacle having a surface area of two hundred and fifty (250) sq. ft. or more, designed to hold water to a depth of at least twenty four (24) inches, primarily for swimming or bathing whether in the ground or above the ground.

Window: Window shall mean a glazed opening, including portions of glazed doors.

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Yard: Yard is an open, unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this Code, on the lot on which a building is situated.

Section 65: Right of Entry

The Code Enforcement Officer in the performance of his duties, and at reasonable times, may enter any building with the consent of the owner or his agent, for the purpose of making the inspection required by this Code. If consent is not granted, the Code Enforcement Officer may seek an administrative warrant from District Court. The Code Enforcement Officer and/or his Assistant, shall be defended by the Corporation Counsel of the Town of Hollis until final determination of the proceedings.

Section 67: Permits

Before construction, alteration, relocation, demolition, placement or replacement of any building or part thereof shall be commenced, except as specifically exempted below, the owner or lessee, or the architect, contractor or builder employed by such owner or lessee shall obtain from the Code Enforcement Officer a permit covering such proposed work. A certificate of approval by the official governmental agency shall be furnished with every prefabricated assembly, except where all elements of the assembly are readily accessible to inspection at the site. A final inspection shall be provided in accordance with this Code.

A. Exemptions

1. ~~Normal Maintenance: Normal maintenance (including but not limited to re-roofing and residing) may be made without filling an application or obtaining a permit.~~

2. ~~Minimum Amount: No permit shall be required for the construction, alteration, relocation, or replacement of any building or part thereof, so long as it conforms with the provisions of this Ordinance, within the Town of Hollis, to the extent of \$1,000 or less in total materials cost (or their fair market value equivalent).~~

A. Exemptions

1. **Normal Maintenance:** Normal maintenance (including but not limited to re-roofing and residing) may be made without filling an application or obtaining a permit, unless any underlying material needs to be replaced such as plywood, sheetrock, framing, etc., or if any underlying material is to be added to or removed.

2. **Minimum Amount:** No permit shall be required for the construction, alteration, relocation, or replacement of any building or part thereof, so long

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as it conforms with the provisions of the adopted building code, this Ordinance, within the Town of Hollis if under the minimum amount to be established and set by the Select Board.

B. Application

The application for the permit shall be in writing and shall be made on such form as the Code Enforcement Officer shall prescribe, and shall contain a scale drawing of the proposed new, altered or relocated building, or the replacement contemplated, including a plot plan (unless waived by the Code Enforcement Officer), and a copy of the deed showing ownership of the property being built on. The application shall be filed with the office of the Code Enforcement Officer.

C. Permit Approval

The Code Enforcement Officer, after proper examination of the application shall either issue the requested permit or transmit a notice of refusal within fifteen (15) calendar days, from the day of a completed application is received in the office with all documents required. Notice of refusal shall be in writing and shall state the reasons therefore. However, when the Code Enforcement Officer has reason to believe that the proposed construction would not be in compliance with other local regulations or state laws, he shall not issue any building permit until all questions have been resolved to the satisfaction of the CEO. When a violation of subdivision standards is believed to exist, the Planning Board shall be given an opportunity to examine the proposal.

D. Life of Permit

All building permits shall be void unless work there under is begun within six (6) months from the date of issuance, and completed within eighteen (18) months of issuance, unless the permit is renewed and an additional fee is collected. The additional fee will be based on remaining work to be completed, but not less than 50% of the original fee collected. Permitted work will not be deemed complete until the following work is completed: Site work, including driveway, septic, well and finish grading: Exterior shell package: Safety items such as Smoke Detectors, Egress provisions and no exposed bare electrical conductors.

Existing BLDG Permits, as of adoption of this change, will have eighteen (18) months to comply with this requirement.

E. Display of Permit

Every building permit shall be displayed in a conspicuous place within 48 hours on the premises and shall not be removed until all work covered by the permit has been approved. Not displaying the permit is a violation of this ordinance and could result in a stop work

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order, voiding of the permit, and or penalties.

B. Application

~~The application for the permit shall be in writing and shall be made on such form as the Code Enforcement Officer shall prescribe, and shall contain a scale drawing of the proposed new, altered or relocated building, or the replacement contemplated, including a plot plan (unless waived by the Code Enforcement Officer). The application shall be filed with the office of the Code Enforcement Officer.~~

C. Permit Approval

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The Code Enforcement Officer, after proper examination of the application shall either issue the requested permit or transmit a notice of refusal within ten 14 calendar days. Notice of refusal shall be in writing and shall state the reasons therefore. However, when the Code Enforcement Officer has reason to believe that the proposed construction would not be in compliance with other local regulations or state laws, he shall not issue any building permit until all questions have been resolved to his satisfaction. When a violation of subdivision standards is believed to exist, the Planning Board shall be given an opportunity to examine the proposal.

D. ~~Life of Permit~~

All building permits shall be void unless work there under is begun within six (6) months from the date of issuance, and completed within eighteen (18) months of issuance, unless the permit is renewed and an additional fee is collected. The additional fee will be based on remaining work to be completed, but not less than 50% of the original fee collected. Permitted work will not be deemed complete until the following work is completed: Site work including, driveway, septic, well and finish grading; Exterior shell package; Safety items such as Smoke Detectors, Egress provisions and no exposed bare electrical conductors.

Existing BLDG Permits, as of adoption of this change, will have eighteen (18) months to comply with this requirement.

E. ~~Display of Permit~~

Every building permit shall be displayed in a conspicuous place on the premises and shall not be removed until all work covered by the permit has been approved.

F. Renovations

Renovations, with construction cost equal to or more than 50% of the current assessed value of the structure, will require that the entire structure meet current standards for Smoke Detection and Electrical Circuit Protection to the greatest extent possible, as determined by the Code Enforcement Officer.

Section 78: Fees

Building permits shall not be issued without payment of a fee. The Hollis Board of Selectmen shall establish a Fee Schedule annually.

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Section 89: Certificate of Occupancy

No new building or portion thereof shall be occupied after its construction until a certificate of occupancy is issued from the Code Enforcement Officer. The Inspector may issue said certificate after proper examination shows that all work was performed in compliance with the provisions of this Ordinance.

A. Water Test

Written evidence of a water test performed on the well in service is required prior to the final inspection is scheduled for an Occupancy Permit. This water test will meet state standards, and if state standards are not available, Maine recommended standards will be used. If state recommended standards are not available, DEP recommended standards will be used. This water test will include a test for Arsenic and Radon. The test shall show as 'passed' or 'acceptable' for 'Primary', arsenic, and radon. The 'secondary' results will only be for information to the owner.

In lieu of the above test, a letter from an approved water testing facility as approved by the Code Enforcement Office stating that all Primary water tests, arsenic, and radon meets state standards, or if state recommended standards are not available, DEP recommended standards will be used.

~~A. Water Test Written evidence of a water test performed on the well in service is required prior to issuance of an Occupancy Permit. This water test will meet state standards, and include test for Arsenic and Radon.~~

~~B.~~ B. 911 Address numbers will be posted, using 4" X 4" block numbers, so as to be visible from the street prior to issuance of an Occupancy Permit.

~~C.~~ C. Temporary Certificate

Upon request of the holder of a building permit, or of the owner, the Building Inspector shall issue a temporary certificate of occupancy for part of a building or structure; provided that such temporary occupancy or use would not jeopardize life safety, or property.

Section 910: Disposal of Waste during Construction

Waste material and rubbish shall not be stored nor allowed to accumulate within the building or in the immediate vicinity, but shall be removed from the premises as rapidly as practicable.

Section 1011: Swimming Pools

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No person or firm shall begin construction of or erect a swimming pool without first obtaining a building permit. The Code Enforcement Officer shall issue a permit only after satisfying himself from plans or specifications presented by the applicant that the proposed swimming pool will conform to the following requirements:

- A. Pools to be Kept Enclosed: Every swimming pool shall be enclosed by a fence or wall at least four (4) feet in height, which shall have no openings larger than four (4) inches in the least dimension, constructed so as to exclude children. Any building or related structure may be included as a part of the required enclosure. Any inaccessible banking or earth or any body of water, either of which cannot be traversed readily on foot shall be considered a part of the enclosure. All gates and doors opening through the enclosure shall be self closing and equipped with a latching device for keeping the gate or door securely latched at all times when not in use. Latches shall be installed so that doors may be unlatched from the outside only by reaching over the fence to an inside latch. Any pool constructed below ground level shall have a self-closing

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gate, which is a minimum of four (4) feet in height. It is the intent of this section to provide for personal safety.

- B. Set-Back Requirements: No swimming pool or associated equipment shall be constructed closer than twenty (20) feet from the side or rear lot line, nor closer to the front line of any lot that would be permitted for buildings or other structures by other provisions of this Ordinance.
- C. All electrical service to the pool and equipment shall be wired so as to meet requirements of the National Electrical Code.

Section 11: Conflict With Other Codes and Ordinances

Where there is a conflict between this Code and the requirements of any other code or ordinance of the Town of Hollis, the more restrictive shall apply.

Section 13: Violations

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 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. In addition to the above, any work in violation of this Code shall be removed to allow inspection.

The Select Board is authorized to enter a consent agreement after consultation and consideration from the Code Enforcement Officer to resolve a violation.

Section 12: Violations

~~Any building construction or work performed in violation of the provisions of this Code, which includes the codes adopted by reference herein, or any occupancy of any building without the required certificate of occupancy shall be considered a nuisance. Any persons found guilty of creating such nuisance shall be subject to a fine of not more than \$100 for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this section. In addition to the above, any work in violation of this Code shall be removed to allow inspection.~~

Section 14: Right of Appeal

~~A. Any applicant who is denied a building permit under Section 6.C, or an inspection certificate~~
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under Section 3, may appeal his denial to the Hollis Board of Appeals. All appeals shall be submitted in writing, and shall include sketches or drawings to illustrate the issue for consideration.

- B. The Board of Appeals is hereby authorized to determine whether the Code Enforcement Officer made any errors of interpretation or any errors of procedure in administering this Code, after conducting a public hearing as required by State Law (Title 30, MRSA, Section 2411).
- C. All decisions of the Board of Appeals shall become part of the record and shall include a written statement of findings and conclusions, as well as the reasons or basis for such conclusions. Notice of decisions shall be mailed to the applicant and to the Code Enforcement Officer within seven (7) days of the decision being made.

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Section 1415: Alternative Materials

- A. The provisions of this Code are not intended to prevent the use of any materials or method of construction not specifically prescribed by this Code, provided any such alternative meet the performance standards referred to in this code.
- B. The Code Enforcement Officer may approve any such alternative provided he finds that the proposed design is satisfactory and complies with accepted design criteria.
- C. The Code Enforcement Officer may require that evidence or proof be submitted to substantiate any claims that may be made regarding its use.

Section 1516: Dilapidated/Unsafe Buildings and Structures

- A. Application: The term unsafe building or structure shall apply to buildings or structures or portions thereof, existing or hereafter erected, as follows:
 - 1. Those deemed structurally unsafe, unstable, unsanitary, inadequately provided with exit facilities, constituting a fire hazard, unsuitable or improper for the use of occupancy to which they are put, constituting a hazard of health or safety because of inadequate maintenance, dilapidated, obsolescence or abandonment; or otherwise dangerous to life or property.
 - 2. Vacant buildings or structures or portions thereof deemed to constitute a hazard.
- B. Notice of Unsafe Buildings or Structures:

Upon determining that a building or structure or portion thereof is unsafe, the Code Enforcement Officer shall serve or cause to be served on the owner, or some one of the owners, executors, administrators, agents, lessees or other persons who may have a vested or contingent interest in the same, a written notice containing a description of the building or structure or portion of which is unsafe, and an order requiring that the same to be made safe and secure or removed, as may be deemed necessary by him. If the person to whom such notice and order is addressed cannot be found after diligent search, then such notice and order shall be sent by certified or registered mail to the last known address of such person; and a copy of such notice shall be posted in a conspicuous place on the premises to which it relates. Such mailing and posting shall be deemed adequate service.
- C. Hearing: Any person having a legal interest in the unsafe building may request that the Selectmen hold a public hearing within thirty (30) days of the notice being issued. Notice of the hearing shall

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be given in ample time to allow public attendance.

- D. Restoration of Unsafe Building or Structure: A building or structure or part thereof declared unsafe by the Code Enforcement Officer may be restored to safe condition; provided that if the damage or cost of reconstruction or restoration is in excess of fifty (50%) percent of the value of the building or structure, exclusive of foundations, such building or structures, if reconstructed or restored, shall be made to conform with respect to materials and type of construction, to the requirements of this code; but no change of use or occupancy shall be compelled by reason of such reconstruction or restoration.
- E. Disregard of Unsafe Notice: If the person served with a notice or order to remove or repair an unsafe building or structure or portion thereof and should fail, within a reasonable time, to comply with the requirements thereof, the Code Enforcement Officer shall advise the Selectmen of all the facts in the case, and they shall institute an appropriate action in accordance with the procedures set forth in the applicable section of the Maine Revised Statutes Annotated.

Section ~~16~~17:

This Code shall not nullify the more restrictive provisions of covenants, agreements, other ordinances or laws, but shall prevail notwithstanding such provisions that are less restrictive.

Section ~~17~~18:

Should any section, or part thereof, of this Ordinance be held by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section ~~18~~19:

No amendments to this Ordinance shall apply to outstanding permits issued before the effective day of the amendment. This Code may be amended at any Town Meeting or referendum vote of the
Town.

Section 20:

This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby be effective retroactive to September 28th, 2011.