



TOWN OF ISLAND FALLS
VACANT BUILDING ORDINANCE
Amendment I, II

Section 1. Purpose.

- A. Vacant or abandoned properties, particularly residential properties, create and pose significant and costly problems for the Town. These properties often become a drain on the Town budget and detract from the quality of life of the neighborhood and the Town as a whole. Vacant buildings are an impediment to neighborhood redevelopment and rehabilitation, decrease property values and prevent neighborhood stabilization. These structures are unsightly, often structurally unsound or otherwise dangerous, attract criminal activity, and otherwise create a threat to public health, safety, and welfare of neighboring properties and the general public.
- B. A significant obstacle in providing effective and prompt enforcement of Town ordinance or other applicable laws as they relate to a property owner's responsibilities, as they relate to vacant or abandoned buildings, is the inability to contact the owners of abandoned properties. These buildings are often also the subjects of foreclosure actions by lien holders, which take considerable time to resolve.
- C. Certain categories of vacant or abandoned properties, such as homes of seasonal residents or members of the armed forces on active duty deployment, are less likely to cause problems and Town costs are not of concern in this Ordinance.
- D. The Purpose of this Ordinance is to provide just, equitable and practical methods for identifying, managing and responding to the numerous issues associated with vacant or abandoned buildings. This Ordinance is intended to prevent or mitigate dangers to health, safety and welfare, promote responsible management, provide a safe neighborhood for residents, safeguard property values, expedite housing repairs, and provide for prompt contact with owners or managers by Police, Fire, and Code Enforcement when issues or emergencies develop.

Section 2. Definitions.

As used in this ordinance:

Owner: Any person, agent, firm, corporation or other legal entity having a legal or equitable interest in a vacant building, including but not limited to a mortgagee in possession, the beneficiary of a trust, or the holder of a life estate.

Property Manager: An entity, corporation, or individual or the designee of the owner that is responsible for maintaining, securing and inspecting vacant buildings.

Vacant or Abandoned Building: Any building or other structure that is unoccupied by a person or occupied by unauthorized persons for 90 days, except garages or accessory buildings.

Section 3. Applicability.

- A. This ordinance applies to all vacant or abandoned buildings located within the Town of Island Falls.
- B. Notwithstanding any portion of this Ordinance, this Ordinance does not apply to primary residences of members of the armed forces on active duty, vacation or resort facilities, or residences of persons on extended vacation or alternative living arrangements with the intention to make use of the property.

Section 4. Registration Required.

- A) The owner of a vacant or abandoned building must obtain a vacant or abandoned registration permit for the period during which it is vacant.
- B) When a building or structure becomes vacant or abandoned as defined in this Ordinance, the owner of the building must apply for and obtain a vacant building registration permit and pay any fee within 90 days of the building becoming vacant.
- C) Standard Vacant Building Registration Permit.
 - 1. The Code Enforcement Officer shall issue a standard vacant or abandoned building registration permit upon being satisfied that the building has been inspected and is in compliance with the vacant building maintenance standards set forth in this ordinance.
 - 2. A standard vacant or abandoned building registration permit is valid for 1 year from the date of approval.
- D) Interim vacant or abandoned Building Inspection Permit.
 - 1. If a vacant or abandoned building is inspected and determined not to meet one or more of the maintenance standards in the Ordinance, the Code Enforcement Officer shall issue and order for any work needed to bring the property into compliance with this Ordinance.

Section 5. Registration Permit

- A) Application by the owner of a vacant building or structure for a vacant building registration permit must be made on a form provided at the Town Office in Island Falls. Applicants must disclose all measures to be taken to ensure that the building will be kept secure from trespassers, safe for entry of police officers and firefighters in times of exigent circumstances or emergency, and together with its premises be free from nuisance and in good order in conformance with vacant building maintenance standards, and other codes adopted by the Town of Island Falls.

- B) A fee of \$100.00, as established by the Board of Selectmen on January 24, 2018 will be charged annually for a Vacant Building Registration Permit. The fee must be paid at the time of application. No permit shall be issued prior to payment of the permit. If an owner has secured all the duly required permits to demolish the building or structure, no fee is required of the building or structure if, in fact it is demolished within 90 days of becoming vacant; should this 90 day period expire, a fee becomes due immediately.

Section 6. Inspection

- A) Upon and at the time of application, the owner of a vacant building or structure shall arrange for an inspection of the premises by the Code Enforcement Officer. The purpose of such an inspection is to determine and ensure compliance with vacant building maintenance standards.

Section 7. Maintenance Standards

An owner of a vacant building must adequately protect it from intrusion by trespassers and from deterioration by the weather. A vacant building shall be deemed adequately protected from intrusion by trespassers and from deterioration if it satisfies the following vacant building maintenance standards:

- A) **Building openings:** Doors, windows, area ways and other openings must be weather tight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and other such openings must be covered by glass or other rigid materials which are weather protected and tightly fitted and secured to the opening.
- B) **Roofs:** The roof and flashings shall appear to be structurally sound and tight.
- C) **Public Health:** The building and premises shall be free from debris, rubbish, garbage, excessive vegetation, including but not limited to any combustible waste and refuse and the building shall be sanitary.
- D) **Foundation Walls:** The foundation walls shall be structurally sound so as not to pose a threat to public health and safety and shall be capable of supporting the load which normal use may cause to be placed thereon.
- E) **Exterior walls:** The exterior walls shall be free of holes, breaks, and loose or rotting materials, exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust.
- F) **Overhanging Extensions:** All balconies, canopies, marquees, signs, metal awnings, stairways. Fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound.
- G) **Chimneys and towers:** Chimneys, cooling towers, smokestacks, and similar appurtenances shall be structurally safe and in good repair.
- H) **Walkways:** Walkways shall be safe for pedestrian travel.

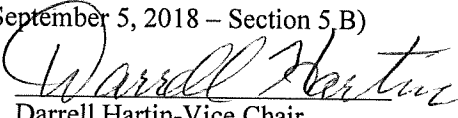
- D) **Accessory and appurtenant structures:** Accessory and appurtenant structures such as garages, sheds, and fences shall be free from safety, health and fire hazards and shall comply with these vacant building maintenance standards.
- J) The owner of a vacant building or structure must comply with all building, fire, life safety, zoning and other applicable codes or ordinance.

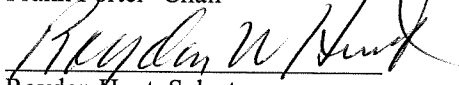
Section 8. Violations and Penalties.

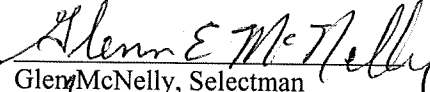
Any person who is found to be in violation of any provisions or requirements of this ordinance shall be subject to a civil penalty as set forth in 30-A M.R.S.A. ss4452. Each violation of a separate provision or requirement, and each day of violation, shall constitute a separate offense.

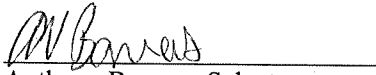
Adopted this 17th October, 2018 (approved on September 5, 2018 – Section 5 B)


Frank Porter- Chair


Darrell Hartin-Vice Chair


Royden Hunt, Selectman


Glenn McNelly, Selectman


Anthony Bowers, Selectman

ATTEST:

Carolyn M. Roy, Town Clerk