

TOWN OF LIVERMORE FALLS PROPERTY MAINTENANCE ORDINANCE

Section I. Purpose/Scope

The purpose of this Ordinance is to set a minimum standard for the condition and maintenance of the exterior of all buildings and structures and the premises surrounding such buildings and structures in the Village District of the Town of Livermore Falls. Buildings which are not well maintained and which take on an unkempt, dilapidated appearance have a negative, blighting effect not only on the immediately surrounding properties but on the community as a whole. This ordinance is intended to require property owners to maintain their properties in good repair in order to preserve the community's safety and welfare. It is also the intent of this Ordinance to gain compliance through voluntary compliance.

Section II. Definitions

Nuisance Condition- This term has been defined by M RSA Title 17 Section 2802. It reads as follows: "The erection, continuance or use of any building or place for the exercise of a trade, employment or manufacture which, by noxious exhalations, offensive smells, or other annoyances, become injurious and dangerous to the health, comfort or property of individuals, or of the public; causing or permitting abandoned wells or tin mining shafts to remain unfilled or uncovered to the injury or prejudice of others; causing or suffering any offal, filth or noisome substance to collect, or to remain in any place to the prejudice of others; obstructing or impeding, without legal authority, the passage of any navigable river, harbor or collection of water; corrupting or rendering unwholesome or impure the water of a river, stream, pond or aquifer; unlawfully diverting it from its natural course or state, to the injury or prejudice of others; and the or obstructing or encumbering by fences, buildings or otherwise, of highways, private ways, streets, alleys, commons, common landing places or burying grounds are nuisances within the limitations and exceptions mentioned. Any places where one or more old, discarded, worn out or junked motor vehicles as defined in Title 29, section 1, subsection 7, or parts thereof, are gathered together, kept, deposited or allowed to accumulate, in such manner or in such location or situation, either within or without the limits of any highway, as to be unsightly, detracting from the natural scenery or injurious to the comfort and happiness of individuals and the public, and injurious to property rights, are declared to be public nuisances."

Structure- Anything built or constructed and permanently affixed on a property that cannot be considered grounds or landscaping. It especially includes residential, commercial or industrial buildings with usable interior space. It also refers to auxiliary buildings such as storage sheds or garages.

TRUE COPY ATTEST
BY Amanda M. Allen
CITY CLERK
TOWN OF LIVERMORE FALLS

JUNE 9TH, 2015 THIS ORDINANCE TITLED "TOWN OF LIVERMORE FALLS PROPERTY MAINTENANCE ORDINANCE" WAS ACCEPTED ANNUAL TOWN ELECTION

Village Area-The village area shall include all of the area defined by the Jay town line on the north, the Androscoggin River on the west, the CMP right of way on the east and on the south by an east-west line from the river to the power lines and encompassing all properties abutting Gilbert Street, the south loop.

Section III. Maintenance Required.

All buildings and structures and all parts thereof in the "Village District" shall be maintained in a safe, sanitary, nonhazardous manner and/or nuisance conditions. The exterior of all premises and the condition of all buildings, structures and components thereon shall be maintained so as to prevent and repair deterioration, so that the appearance thereof shall reflect a level of maintenance ensuring that the property itself may be preserved safely, and so that hazards to the public health and safety are avoided.

Section IV. Maintenance Standards for Premises and Yard Areas

- a. All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to steps, walks, driveways, fences, retaining walls, trees, shrubs. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.
- b. All yards, courts or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other noxious or offensive material which may cause a fire hazard or may act as a breeding place for vermin or insects, or create a negative impact on abutters.

Section V. Enforcement, Penalties & Appeals

- a. This ordinance shall be enforced by the Code Enforcement Officer (CEO), or his or her designee. The CEO shall notify the violator, serving a written notice by certified mail or by hand delivery. The notice shall explain the nature of the violation and require corrective action within thirty (30) calendar days from the date of receipt of the notice to correct the violation; or One (1) days for a health and/or safety violation.
- b. If a violation is not corrected within the time allowed the Town shall pursue all remedies and relief available by law and/or in equity for land use ordinances, including without limitation the remedies and relief provided in 30-A M.R.S.A. § 4452 currently including, without limitation, a minimum penalty of \$100 per day per violation and maximum penalty of \$2500 per day per violation. The Town shall retain all penalties set forth in this ordinance. The CEO may represent the Town in District Court with the written authorization of the Selectmen, pursuant to Rule 80-K.

Section VI. Severability.

This Ordinance is adopted pursuant to 30-A M.R.S.A. §3001 and 30-A M.R.S.A. §3007(2).

Section VII. Effective Date

This Ordinance shall be effective upon adoption by the Town of Livermore Falls.