

## **SECTION 4      PERMIT REQUIREMENTS**

### **4.1 Permit Requirements**

Permits shall be required for the following:

**4.1.1** All buildings or structures, or signs hereinafter erected, altered, enlarged or moved in the City of Gardiner.

**4.1.2** The installation or construction of a dwelling unit, mobile home or manufactured home.

**4.1.3** The installation or construction of any non-residential building or structure.

**4.1.4** An expansion of a nonconforming use or structure.

**4.1.5** Conversion of a single-family dwelling into a two-family or multi-family dwelling.

**4.1.6** A change of use to one that is allowed in a particular district.

**4.1.7** New or expanded land use activity as listed in the Land Use Table.

**4.1.8** Any activity listed in the Land Use Table that requires review.

**4.1.9** The installation of internal plumbing and subsurface wastewater systems.

**4.1.10** Any development within the regulated floodplain pursuant to this Ordinance.

**4.1.11** Any activities or development within the Shoreland Zone pursuant to this Ordinance.

**4.1.12** The construction or enlargement of a road, driveway, entrance way and associated drainage features such as culverts, basins and similar features.

**4.1.13** The construction, enlargement, repair and installation of public sewer and water pipes and structures.

**4.1.14** Sludge management activities pursuant to this Ordinance.

### **4.2 Permits Not Required**

Permits are not required for the following:

**4.2.1** An “allowed” use as indicated in the Land Use Table.

**4.2.2** The normal repair and maintenance of any structure. (See “Building Permits” Addendum end of this section)

### **4.3 Permits Required Prior to Development**

A permit shall be obtained for all activities listed in section 4.1, prior to the start of any development, construction, site work or commencement of a land use activity.

### **4.4 Permits Issued After Appropriate Review**

All permits shall be obtained from the Code Enforcement Officer after meeting the appropriate review requirements established in this Ordinance.

**4.4.1** The applicant shall obtain a permit from the Code Enforcement Officer within one year from the date the Planning Board approved a planning board review or site review application.

**4.4.2** For demolition permits, a historically significant structure may be subject to a demolition delay of 30 days allowing the CEO to determine if the structure proposed for demolition is a historic resource.

The following criteria shall be used to determine if a building is significant:

- (1) The building is listed or **be eligible for** listing on the State or National Register of Historic Places, or is partially or completely within the boundaries of an area so listed; or
- (2) The building has documented associations, with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City, the state or the nation.

### **4.5 Plumbing and Subsurface Wastewater Permits**

An internal plumbing permit and a subsurface wastewater permit shall be obtained for all land use and construction activities or the applicant shall submit a statement to the Code Enforcement Officer indicating that the structure for which the application is made does not require an internal plumbing or subsurface waste water permit as per the ordinances and regulations of the City of Gardiner or state law or regulation. Activities served by city sewer are not required to obtain a subsurface wastewater permit.

### **4.6 Public Sewer and Water Permits**

Permits shall be obtained for the construction, enlargement, repair and installation of public sewer and water pipes and structures as per applicable city ordinances.

### **4.7 Expiration of Permit**

A permit secured under the provisions of this Ordinance shall expire if the work or change is not commenced within one year of the date on which the permit is granted, and if the work or change is not substantially completed within two years of the date of the permit. The applicant shall be required to obtain a new permit including any required review for any expired permit.

### **4.8 Permit Fees**

A non-refundable permit fee and review fee established by the Gardiner City Council shall be paid.

## **4.9 General Permit Requirements**

**4.9.1** Each permit shall be issued by the Code Enforcement Officer on the applicable forms provided by the city.

**4.9.2** All permit applications shall be signed by the owner (s) of the property, or a person with right, title, or interest in the property, or a duly authorized agent, and such signature shall certify that the information is complete and correct.

**4.9.3** The applicant shall have the burden of proving that the proposed activity is in conformity with the purposes and provisions of this Ordinance.

**4.9.4** A permit shall be issued only if the application is deemed complete and has been reviewed and fully complies with all the provisions of this Ordinance.

**4.9.5** A permit shall be issued only if the applicant demonstrates that any conditions of a Planning Board approval for the project have been met or that provisions for complying with any conditions of approval are incorporated into the permit.

**4.9.6** If a performance guarantee is required as part of the approval of the project, a permit shall be issued only when the applicant provides written evidence that the performance guarantee has been established and is acceptable in amount and form to the City Manager.

**4.9.7** All decisions and applicable permit conditions pertaining to a permit application shall be stated in writing.

**4.9.8** Applications for permits and all related plans and drawings shall be maintained as a permanent record by the City Manager or designee.

**4.9.9** A person issued a permit pursuant to this Ordinance shall have a copy of the permit posted in a visible location at the site while the work authorized by the permit is performed.

*(Adopted Secs 4.9.5 -9: October 7, 2015 / Effective: November 7, 2015)*

# Building Permits

The City has adopted the *International Building Code*, the *International Residential Building Code* as well as other various ordinances/codes which affect land use activities. *Property owners are responsible for complying with all city ordinances and codes.* The Code Enforcement Office is available to speak with you about any planned construction activities.

## **COMMERCIAL OR RENTAL PROPERTIES:**

Property owners/contractors of commercial or rental property shall contact the City Code Enforcement Officer for permits/information before undertaking any construction, replacement or repair projects.

## **RESIDENTIAL PROPERTIES:**

Property owners are encouraged to contact the City Code Enforcement Office with any questions about permits before beginning construction, replacement or repairs.

***Property owners considering construction, replacement or repairs to a building within the Shoreland Zone or Flood Plain, shall contact the CEO before beginning any construction, replacement or repairs, including those listed below.***

The structural components of a building include, but are not limited to interior/exterior walls, floor, roof, foundation and any materials permanently affixed to a structural component.

The following are a number of ***non-structural*** residential home building/improvement activities which **do not** require a building permit from the City:

- Above ground, inflatable swimming pools
- Air conditioning
- Caulking/weather stripping
- Decks- replacing/repairing a non-structural item, i.e. a deck board – minor repair
- Doors – replacements which do not involve the removal, enlargement or reduction in size of door frame
- Electrical/lighting
- Flooring – repairing or replacement
- Furnace or other heating sources and power vents installed by licensed professionals
- Insulation
- Painting/staining/wall paper/paneling - exterior/interior
- Patios
- Rain gutters
- Roof - non-structural repair – minor
- Roofing – Installing new roof covering over 1 layer of existing shingles
- Siding – Installing new vinyl siding over existing siding
- Steps- replacing treads
- Trim – repairing or replacing w/similar materials
- Walls – exterior/interior non-structural repair - minor
- Windows – replacement windows which do not require the removal, enlargement or reduction in size of window frame and are in non-sleeping areas

**FOR ALL OTHER CONSTRUCTION, REMOVAL, REPAIRS, REPLACEMENTS - CHECK WITH THE CODE ENFORCEMENT OFFICE TO DETERMINE IF A PERMIT IS NEEDED.**