

DRAFT BUILDING/DEMOLITION PERMIT ORDINANCE DRAFT
Town of Georgetown, Maine

Adopted June 20, 1987	Amended Sept 21, 1988	Amended June 16, 1990
Amended June 18, 1994	Amended June 10, 1995	Amended June 17, 2000
Amended June 18, 2005	Amended June 16, 2007	Amended June 14, 2008
Amended March 11, 2009	Amended June 13, 2009	Amended June 18, 2011
Amended June 16, 2012	Amended June 18, 2016	Amended June 17, 2017
Amended June 16, 2018	Amended August 30, 2020	Amended June 26, 2021
Amended June 16, 2022	Amended June 17, 2023	Amended June 15, 2024

**For Amendment June 13,
2026**

- 1. Authority and Purpose:** This Ordinance is adopted pursuant to the “home rule” provisions of 30-A M.R.S. § 2101. Its purposes are to provide for adequate spacing of buildings with respect to other buildings, roadways, and subsurface waste disposal needs, and to assure compliance with applicable local and State land use laws in those areas of the Town not governed by the Shoreland Zoning Ordinance.
- 2. Applicability:** This Ordinance applies to all areas of Georgetown which are not governed by the Shoreland Zoning Ordinance.
- 3. Planning Board Permit Required:** After the effective date of this Ordinance, a permit issued by the Planning Board shall be required prior to the following:
 - a. the construction or placement of any new or relocated principal structure, Accessory Dwelling Unit (ADU), **Secondary Dwelling Unit (SDU)** or tiny home;
 - b. the expansion of an existing principal structure which results in an increase in the ground area covered by the structure, whether such expansion is supported from the building or by posts or foundation wall, or an increase in the volume and/or height of the structure, or the removal and replacement of the entire structure or any portion thereof;
 - c. the modification of an existing principal structure which results in an increase in the number of bedrooms or dwelling units in the structure;
 - d. construction or expansion of a campground/campsite;
 - e. a first-time structure greater than 100 square feet on an undeveloped lot;
 - f. construction or expansion of a solar farm.
 - g. all commercial structures, principal or accessory.
- 4. Code Enforcement Officer Permit Required:** After the effective date of this Ordinance, a permit issued by the Code Enforcement Officer, Assistant Code Enforcement Officer, or designated alternate shall be required prior to the following:

- a. the construction or placement of any new or relocated accessory structure;
- b. the expansion of an existing accessory structure which results in an increase in the ground area covered by the structure, whether such expansion is supported from the building or by posts or foundation wall, or an increase in the volume and/or height of the structure, or the removal and replacement of the entire structure or any portion thereof;
- c. demolition of an existing structure.
- d. signs for businesses and organizations

5. Exceptions: This Ordinance shall apply to the following, however a building permit will only be required by the Code Enforcement Officer if a variance is required:

- a. a shelter for a small household pet, such as a cat or a dog;
- b. an accessory structure which does not exceed 100 square feet in area;
- c. a temporary roadside stand used for sale of flowers, vegetables, fruit, or similar produce which does not exceed 100 square feet in area;
- d. steps, stairs, or wheelchair ramps used exclusively to gain access to a building doorway;
- e. roofs constructed without attachment to the ground and used exclusively to provide weather shelter to doorways or steps;
- f. a boundary wall or fence;
- g. a temporary enclosure for the repair or maintenance of boats, equipment, or machinery;
- h. a hoop garage or storage container no larger than 240 square feet and 15 feet in height;
- i. normal, routine maintenance and repairs, such as re-shingling a roof, replacing siding or replacing windows.

6. Application and Fee: Applications for permits shall be on forms provided for the purpose and are available on the Town website or from the Planning Board, Code Enforcement Officer, or the Town Clerk. Building/Demolition Permit fees are set by order of the Select Board, after consultation with the Planning Board and a public hearing held by the Select Board. The fee schedule is available on the Town website or from the Code Enforcement Officer or the Town Clerk.

All fees expended by the Town related to the processing of the application, including but not limited to posting fees, advertising fees, legal fees, etc. shall be reimbursed by the applicant by check to the Town of Georgetown.

If a Building Permit is not obtained until after construction or demolition begins, the fee for an “after the fact” permit shall be double the normal fee. This double fee is in addition to any fine

or penalty that may be imposed for failing to obtain a Building Permit prior to starting construction.

7. Permit Decision:

a. For those proposed building activities on which it is authorized to act, the Planning Board shall, upon receipt of a written application, notify the applicant in writing either that the application is a complete application or, if the application is incomplete, the specific additional material needed to make it a complete application. All applications shall either be approved or denied in writing within 30 days of receiving a completed application, including all information requested. Permits shall not be denied if the proposed use is found to be in conformance with the provisions of applicable Town Ordinances.

b. For those proposed building activities on which he or she is authorized to act, the Code Enforcement Officer shall, upon receipt of a written application, notify the applicant in writing either that the application is a complete application or, if the application is incomplete, the specific additional material needed to make it a complete application. Within 30 days of the receipt of a completed application, the Code Enforcement Officer shall determine whether the proposed building activity meets the requirements of this Ordinance. If the Code Enforcement Officer makes a positive finding that all applicable requirements are met, he or she shall issue a permit without undue delay. If he or she finds that the applicable requirements of this Ordinance have not been met, he or she shall immediately issue a written denial of the application, stating the specific provisions which the application fails to meet.

c. Permits may be made subject to reasonable conditions to assure conformity with the purposes and provisions of this Ordinance and other applicable Town Ordinances and State laws. If a permit is denied, the reasons for the denial shall be stated in writing. An appeal to the Board of Appeals from an approval or denial of an application must be made within 90 days of the approval or denial.

d. The successful applicant must post the permit in some visible place on the building site.

e. The successful applicant must mark the exact location of the structure on the site and have the Code Enforcement Officer verify that this location complies with the permit before beginning actual construction.

8. Permit Duration: Permits shall expire one year after the date of issuance. A permit may be extended for an additional year in accordance with the following conditions:

a. A substantial construction start is made during the initial one-year period. Substantial shall mean the completion of at least thirty percent of the permitted project as measured by the estimated total construction cost ~~and~~ as determined by the CEO.

b. Only one extension will be allowed. If after the extension period the permitted project is not complete, the permit shall expire and the applicant will be required to reapply to the Planning Board or CEO as applicable for a new permit.

c. A request for the permit extension may be made to the CEO before the original permit expires. The CEO has the authority to issue an extension.

9. Requirements:

- a. An application to add ~~an additional principal~~ a SDU dwelling, or an ADU or a tiny home to an already developed lot or multiple dwellings to an undeveloped lot must provide verification that each added unit has access to adequate potable water and an adequate septic system. ~~documentation for the following prior to a building permit being issued:~~

- (1) ~~That the property has an adequate potable water supply to serve the additional dwelling unit(s) as well as any existing uses on the property.~~
- (2) ~~A statement from a well or groundwater expert that the water supply has been sampled between the months of June and September and found to be adequate to support the sustained demand of the additional dwelling(s) without causing an adverse impact to surrounding groundwater users.~~
- (3) ~~Written verification from a licensed site evaluator that the additional dwelling(s) will be served by an adequate wastewater/graywater disposal system. Any application for an additional dwelling(s) which will be served by a new wastewater/graywater disposal system shall be submitted with form HHE-200 prepared by a licensed site evaluator.~~

- b. **Structure Setback Requirements for Principal and Accessory Structures:** All newly constructed, placed, relocated, or expanded principal structures, SDUs, ADUs, tiny homes, or accessory ~~accessory~~ structures shall meet the following minimum setback requirements:

- (1) Setback from the center line of any public road, or a common road in an approved subdivision: 50 feet;
- (2) Setback from the center line of any private road: 30 feet;
- (3) Setback from all other lot lines: 20 feet;
- (4) Setback from any cemetery: 25 feet;
- (5) A principal or accessory structure existing at the effective date of this Ordinance which does not comply with the provisions of Section 9 a.(1) and 9 a.(3) shall be subject to the restrictions pertaining to expansion, modification and relocation as set forth in Section 9(h) of this Ordinance.

- b c. Accessory Dwelling Units (ADU):** One ADU may be located on the same lot as a single-family dwelling unit so long as it meets all State and local land use requirements, as well as the below standards:

- (1) One ADU shall be permitted per parcel that has an existing single-family dwelling or two-family dwelling unit, and may be located within the principal structure ~~primary building~~, attached to an existing structure or as an additional detached dwelling unit. ~~in an addition to the primary building, or as an accessory in a separate building.~~

- (2) ~~The lot on which the ADU is to be located must comply with the state minimum lot size law.~~
- (3) An ADU must be at least 190 square feet and may not ~~cannot~~ be larger than 850 square feet.
- (4) An ADU unit may not have more than two bedrooms.
- (5) An ADU must meet all lot coverage, area and setback requirements. **It may be built on a nonconforming lot of record**
- (6) The height of a detached ADU shall not exceed the height of the primary structure.

All permits for ADU's shall be issued with the condition that they may not be rented under a ~~single~~ rental agreement for periods of less than ~~30-90~~ consecutive days per year.

- d. Maximum Height Limit for Structures:** Structures shall not exceed 35 feet in height as measured from the mean original grade at the downhill side of the structure. This provision shall not apply to transmission towers, windmills, attached antennas, chimneys or flagpoles intended for personal use and similar structures having no floor area. Additionally, cupolas, domes, widow's walks or other similar features are exempt from this height limit.

NOTE An affordable housing development may exceed the 35 foot height restriction by no more than 14 feet except in the Shoreland Zone. Subject to review by a municipal fire chief or designee that the Town can provide adequate fire response to the building. No exemption to the height restriction is allowed in the Shoreland Zone.

- e. Lot Size Requirements for Principal Structures:** All applications for permits for new or relocated principal structures, and for permits for expansions or modifications of existing principal structures which would result in an increase in the number of dwelling units or an increase in the volume of waste discharged to a subsurface waste disposal system, shall include written evidence of compliance with the Georgetown Minimum Lot Size Ordinance.

f. Private Roads and Driveways:

- (1) Any private road or driveway must be set back 25 feet from any cemetery.
- (2) Anyone installing a driveway or entrance along a state highway is required by state law to obtain a driveway/entrance permit from the Maine Department of Transportation (DOT) (<https://www.maine.gov/mdot/traffic/drivewaypermits/midcoast/?towns=2>) before a Building Permit can be issued. A copy of the approved permit must be included with the Building Permit application. Additionally, State law requires that if a property owner intends to change the use of the entrance (e.g. from residential only to residential/small business), a permit must be obtained from Maine DOT.

g. Solid Waste Disposal:

Any contractor doing work under a building/demolition permit issued under this Ordinance must provide for private disposal of the construction/demolition waste

produced as part of the work involved; such construction waste will not be accepted at the Georgetown Transfer Station.

h. Non-conforming structures:

- (1) Expansion. A non-conforming structure may be added to or expanded with a permit from the Planning Board, if such addition or expansion does not increase the non-conformity of the structure.
- (2) Relocation. A non-conforming structure may be relocated within the boundaries of the lot on which it is located provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board and provided that the applicant demonstrates that the present subsurface waste-disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules, or that a new system can be installed in compliance with the Rules. In no case shall a structure be relocated in a manner that causes the structure to be more non-conforming.

In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.

- (3) Reconstruction or Replacement. Any non-conforming structure which is located less than the required setback from a lot line, cemetery, or road or which exceeds the maximum height limit for structures and which is removed, damaged, or destroyed, regardless of cause, by more than 50 percent of the market value of the structure before such damage, destruction, or removal, may be reconstructed or replaced provided that a permit is obtained from the Planning Board within eighteen months of the date of the damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the setback or height requirements to the greatest practical extent as determined by the Planning Board in accordance with the purposes of this Ordinance. **Reconstruction of a non-conforming structure shall not be permitted if the structure has been abandoned for more than 18 months as of the date of application.** In no case shall a structure be reconstructed or replaced so as to increase its non-conformity.

Any non-conforming structure which is located less than the required setback from a lot line, cemetery, or road or which exceeds the maximum height limit for structures and which is removed by 50 percent or less of its market value, or damaged or destroyed by 50 percent or less of its market value, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the Planning Board within eighteen months of such damage, destruction, or removal.

i. Campgrounds:

(1) Commercial campgrounds shall conform to the minimum requirements imposed under State licensing procedures and the following:

Note: Sites in the Shoreland Zone are governed by the Shoreland Zoning Ordinance.

- (a) Campgrounds shall contain a minimum of 1,000 square feet of land, not including roads and driveways, for each R.V. and tent site. Land supporting wetland vegetation and land below the normal high-water line of a water body shall not be included in calculating land area per site.
- (b) The areas intended for placement of a recreational vehicle, tent, park model, or shelter, and all utility and service buildings shall be set back seventy-five feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

(2) Individual private campsites not associated with campgrounds are allowed provided the following conditions are met:

Note: Sites in the Shoreland Zone are governed by the Shoreland Zoning Ordinance.

- (a) One campsite per lot existing on the effective date of this Ordinance.
- (b) When an individual private campsite is proposed on a lot that contains another principal use and/or structure, the lot must contain the minimum lot dimensional requirements for the principal structure and/or use, and the individual private campsite separately.
- (c) Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back 75 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.
- (d) Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to the recreational vehicle.
- (e) The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to 1,000 square feet.
- (f) A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing Inspector. Where disposal is off-site, written authorization from the receiving facility or landowner is required.
- (g) When a recreational vehicle, tent, or similar shelter is placed on-site for more than 120 days per year, all requirements for residential structures shall be met, including the installation of a subsurface waste-disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

j. Signs. The following provisions shall govern the use of signs in Georgetown. Signs in existence before this provision is adopted are grandfathered.

(1) Permanent Signs:

- (a) Signs of six (6) square feet or less do not require a permit
- (b) Signs for businesses and organizations are allowed, provided that in aggregate such signs shall not exceed one hundred (100) square feet.

(2) Temporary Signs:

- (a) Temporary signs are allowed and are not subject to a permit.
- (b) No more than four (4) temporary signs are allowed per property.
- (c) The size of a temporary sign shall not exceed eight (8) square feet.
- (d) A temporary sign may be placed on-premise no more than five (5) days prior to the activity and shall be removed within three (3) days of the end of the activity.

(3) General, applicable to all signs:

- (a) Two-sided signs shall be considered one sign.
- (b) All signs shall be set back from all rights-of-way a minimum of ten (10) feet and twenty (20) feet from all other property lines.
- (c) No sign shall be placed in a position that will impair vision, obstruct traffic, or create a hazard or nuisance to the general public.
- (d) Signs relating to trespassing and hunting shall be allowed without restriction as to number, provided that no such sign shall exceed two (2) square feet in area.
- (e) Signs relating to public safety shall be allowed without restriction.
- (f) No sign shall extend higher than twenty (20) feet above the ground.
- (g) Signs may be illuminated only by shielded, non-flashing lights.

k. **Tiny Homes.**

Tiny Homes must:

- (1). Comply with American National Standards Institute Standard A 119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association standard 1192 on plumbing, propane and fire and life safety for recreational vehicles;
- (2) Not exceed 400 square feet in size and must be at least 150 square feet in size;
- (3) Not exceed any dimension allowed for operation on a public way under this Title; and
- (4) Be a vehicle without motive power.

All permits for tiny homes shall be issued with the condition that they may not be rented under a single rental agreement for periods of less than ~~30~~ 90 consecutive days per year.

l. Secondary Dwelling Units (SDU)

- (1) SDU's may be permitted as allowed by law.
- (2) In a designated growth area, the lot on which the SDU is to be located shall comply with the state minimum lot size law.
- (3) An SDU must meet all lot coverage and setback requirements.

m. Demolition Permit: A Demolition Permit is required in order to remove/demolish any existing structure greater than 100 square feet and for any structure, regardless of size, that has been painted prior to 1978. The issuance of Georgetown's demolition

permit does not exempt the applicant from meeting state and federal hazardous waste standards.

- n. Erosion and Sedimentation Control:** All activities which involve filling, grading, excavation or other similar activities which result in un-stabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the Planning Board for approval and shall include, where applicable, provisions for:

- (1) Mulching and re-vegetation of disturbed soil.
- (2) Temporary runoff control features such as hay bales, silt fencing, or diversion ditches.
- (3) Permanent stabilization structures such as retaining walls or rip-rap.

- o. All applications for permits in a Resource Protection District or a non-conforming structure** shall be accompanied by proof that all of the owners of abutting land have been notified of the nature of the application including the general description and proposed location of the structure or activity as appropriate. The Planning Board shall not act on the application for a permit prior to 14 days after the date of notification to all abutters.

p. Compliance with Other Applicable Local Ordinances:

All applications for newly constructed, placed, relocated, or expanded structures shall include evidence of compliance with all other Town ordinances, including but not limited to the Minimum Lot Size Ordinance and Flood-plain Management Ordinance.

10. Appeals to Board of Appeals:

- a. Variance Appeals:** A variance is authorized only for setbacks. The Board of Appeals may, upon written application in accordance with the Board of Appeals Ordinance, section VI.B, grant a variance from the strict application of this Ordinance under the following conditions:

- (1) that the land in question cannot yield a reasonable return unless a variance is granted;
- (2) that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
- (3) that the granting of a variance will not alter the essential character of the locality; and
- (4) that the need is not the result of action taken by the applicant or a prior owner.

The Board of Appeals shall limit any variances granted as strictly as possible in order to ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.

- b. Disability Variances:** The Board of Appeals may grant a variance to an owner of a residential dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Board of Appeals shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by

the person with the disability. The Board of Appeals may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. The term “structures necessary for access to or egress from the dwelling” shall include railings, walls, or roof systems necessary for the safety or effectiveness of the structure.

- c. **Administrative Appeals:** The Board of Appeals may, upon written application of an aggrieved party and after public notice, hear appeals from the decision of the Planning Board or Code Enforcement Officer to grant or deny an application pursuant to this Ordinance. Appeals shall follow the deadlines and process set forth in the Board of Appeals ordinance, with the deadline to run from the written decision subject to the appeal.

Appeals of decisions by the Code Enforcement Officer shall be reviewed by the Board of Appeals on a de novo basis and the Board of Appeals may consider any evidence produced by the appellant or Code Enforcement Officer whether or not it was available to the Code Enforcement Officer at the time of the decision in question.

Appeals of decisions by the Planning Board shall be reviewed by the Board of Appeals on an appellate basis, and the review shall be limited to the record before the Planning Board at the time of the decision in question.

- d. **Reconsideration:** In accordance with 30-A MRSA § 2691.3.F, the Board of Appeals may reconsider any decision within 45 days of its prior decision. A request to the Board to reconsider a decision must be filed within 10 days of the decision that is being reconsidered. A vote to reconsider and action taken on that reconsideration must occur and be completed within 45 days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, Planning Board, Code Enforcement Officer, and other parties of interest, including abutters and those who testified at the original hearing(s). The Board may conduct additional hearings and receive additional evidence and testimony. Appeal of a reconsidered decision to Superior Court must be made within 15 days after the decision on reconsideration.
- e. **Appeal to Superior Court:** An appeal may be taken within forty-five days after any decision is rendered by the Board of Appeals by any party to Superior Court in accordance with State law.

11. Enforcement: This Ordinance shall be enforced by the Code Enforcement Officer. The Selectmen may take such actions as are necessary and proper to restrain, correct, remove, or punish violations of this Ordinance in accordance with 30A MRSA § 4452.

12. Conflict with Other Ordinances: Where a conflict exists between this Ordinance and other ordinances, laws, or regulations, the more strict provision shall apply.

13. Validity and Severability: Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

14. Definitions:

Abandoned: a building that is vacant or unoccupied and deemed to be structurally unsafe, or unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy to which it is put, constitutes a hazard to health or safety because of improper maintenance, dilapidation or obsolescence, or is otherwise dangerous to life or property for one or more years.

Accessory Dwelling Unit (ADU): a self-contained dwelling unit located within, attached to or detached from a single-family ~~or a multi-unit residential structure~~ dwelling unit located on the same parcel of land.

Aggrieved Party: An owner whose land is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance, an Owner whose land abuts land for which a permit or variance has been granted, or a group of five or more citizens of the municipality who have suffered a particularized injury as a result of the granting or denial of such permit or variance.

Accessory Structure: A structure of a nature customarily incidental to or subordinate to that of the principal structure or the primary use to which the premises are devoted that is not a dwelling unit. Examples of accessory structures include, but are not limited to, garages, sheds, bunkhouses, ~~dormitories~~, greenhouses, ~~non-commercial~~ workshops, a free standing residential solar energy system, etc.

Bedroom: A room will be counted as a bedroom for the purpose of sizing of disposal fields and septic tanks, as required by the Maine Subsurface Wastewater Disposal Rules, if it has a minimum floor area of 100 square feet with a minimum dimension between opposite walls of at least eight feet; meets the minimum requirements of the Maine Uniform Building and Energy Code for ceiling height, natural light, ventilation, access, egress, and has a total closet width of at least four feet and/or a bathroom accessible directly from the bedroom with a tub or shower.

Bunkhouse: A detached bedroom having no plumbing; accessory to a single-family dwelling for the temporary accommodation of guests of the property owner while the owner is an occupant of the principal dwelling.

Campground - any area or tract of land to accommodate one or more parties in temporary living quarters, including, but not limited to, tents, recreational vehicles, or other shelters.

Center Line of a Road: A point, measured horizontally, midway between the extreme outside edges of a public right-of-way, or of the land held in government ownership, if the road is a public road; or, if the road is not a public road, a point, measured horizontally,

midway between the extreme outside edges of the travel surface of soil, gravel, asphalt, or other surface material.

Commercial use - The use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which is the production of income from the buying and selling of goods and/or services, exclusive of **the** rental of residential buildings and/or dwelling units.

Cupola/Widow's Walk: A non-inhabitable building feature mounted on a building roof for observation purposes that does not extend beyond the exterior walls of the existing structure, has a floor area of 53 square feet or less, and does not increase the height of the existing structure by more than 7 feet.

Dormitory: A structure used as living quarters (without kitchen facilities) for students, faculty and/or staff as an accessory use to an educational institution. Dormitories are not considered dwelling units for the purpose of this Ordinance.

Dwelling Unit: A room or group of rooms equipped for use as permanent, seasonal, or temporary living quarters containing cooking, sleeping, and toilet facilities. This definition includes single family and multifamily housing, mobile homes, condominiums, apartments, time-share units, and rental units, regardless of the time period rented. Recreational vehicles are not residential dwelling units.

Free Standing Solar Energy System: a solar energy system that is structurally mounted to the ground and that principally generates electrical energy used by one or more residential, agricultural or business uses on the property on which the system is located, even if a portion of the energy from the system is sold or distributed to the grid.

Floor Area: The sum of the horizontal area of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches, decks and docks. Floor area with a ceiling height of six feet or less shall be excluded from this calculation.

Grandfathering: Permitting a use or condition to continue because it existed prior to the adoption of regulations or ordinances limiting or precluding such use or condition. Grandfathering for a structure or use would expire one year after the structure or use ceased to exist or function as originally intended or is abandoned.

Home occupation: An occupation or profession which is customarily conducted on or in a residential structure or property and which (1) is clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and (2) employs only family members residing in the home.

Hoop Garage: A ribbed structure usually made of metal, covered with cloth, canvas or plastic for the storage of vehicles, boats and other goods.

Lot: A parcel of land described on a deed, plot plan, or similar legal document which document has been legally recorded in the Sagadahoc County Registry of Deeds.

Non-conforming structure: a structure which does not meet one or more of the dimensional requirements: setback or height, but which is allowed solely because it was in lawful existence at the effective date of this Ordinance, that is, was grandfathered.

Principal Structure: A building or structure constructed on a lot in which the main or primary use of the premise is conducted. ~~A structure other than one that is used for purposes wholly incidental or accessory to the use of another structure or use on the same lot.~~

Road: A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

Recreational vehicle: a vehicle or an attachment to a vehicle designed to be towed and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, park model, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground.

Secondary Dwelling Unit (SDU): A dwelling unit other than an ADU, or a tiny home that is placed on a lot already containing a dwelling unit..

Setback from a Lot Line: The minimum distance between a property line and the nearest part of a structure.

Setback from the Center Line of a Road: The minimum horizontal distance from the center line of a road to the nearest part of a structure.

Solar Farm: an installation or area of land on which solar panels are placed solely to generate electricity to feed power into an electrical grid or other commercial purpose. A solar farm shall not include a free-standing solar energy system.

Storage Containers: A removable prefabricated structure, sometimes with axles, for the storage of goods.

Structure: Anything built on land for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, steps, stairs, or wheelchair ramps used exclusively to gain access to a building doorway. Also excluded, poles, wiring, and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks and patios, antenna towers, and small wind-powered energy systems.

Temporary: lasting for up to seven continuous months.

Tiny Home: a living space permanently constructed on a frame or chassis and designed for use as permanent living quarters. A "tiny home" does not include a trailer, semitrailer, camp trailer, recreational vehicle or manufactured housing.

Undeveloped lot: a lot that has no structure(s) greater than 100 square feet, septic, well or electrical service on it.

- 15. Effective Date:** This Ordinance was adopted 20 June 1987, with an effective date of 20 August 1987. Changes included herein become effective when adopted by Town Meeting.