

# Notification of the Assessor's Ordinance for the Town of Mercer

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Adopted February 6, 1992  
DRAFT To be amended March 6, 2026

ENACTED: \_\_\_\_\_  
Date

EFFECTIVE: \_\_\_\_\_  
Date

CERTIFIED BY: \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Note:

Text with **strike through (red)** is to be eliminated.

The text underlined (blue) is new text to be added with the amendment.

## NOTIFICATION OF ASSESSORS ORDINANCE OF THE TOWN OF MERCER, MAINE

### SECTION 1. TITLE AND PURPOSE

This ordinance shall be known as the “Notification of Assessors Ordinance of the Town of Mercer, Maine,” and will be referred to herein as, “this Ordinance.” It is enacted by the inhabitants of the Town of Mercer to help achieve fair taxation by requiring that the Assessors be notified of any new taxable real property created within the Town by the construction, expansion, or placement, ~~or relocation~~ of any dwelling or other structure of value, as specified in this Ordinance. The word, “Assessors,” as used in this Ordinance refers to the duly elected Municipal Officers acting as the Town of Mercer’s Select Board. The term “structure” refers to a building or buildings on a single parcel constructed, erected or placed within a fixed location on or in the ground or attached to something on or in the ground which occupies a ground floor area in excess of 150 square feet.

Note: This is not a building code. It imposes absolutely no regulations or standards with which buildings must comply.  
This is not a building permit. There is no application, review, or cause for denial or restriction.  
~~It~~ This Ordinance simply requires that the Assessors be notified of whatever new real property is built, ~~or moved into town~~ or existing property renovated.

### SECTION 2. AUTHORITY:

- 2.1 This Ordinance is enacted pursuant to the authority given the Town in 30-A M.R.S.A. 3001 (Home Rule)
- 2.2 The effective date of this Ordinance shall be April 2, 1992, by vote of the legislative body of the Town of Mercer. ~~Proposed wording change:~~ March 7, 2026.
- 2.3 This Ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit, or provision of law, including all Town of Mercer Ordinances.
- 2.4 This Ordinance shall apply to the construction, or placement, ~~or relocation~~ of any dwelling or other structure of value, including mobile homes, which occupies a floor area in excess of 150 square feet, and to any expansion in excess of 150 square feet of any existing dwelling or other structure ~~of value~~. It shall not apply to travel trailers, campers, or the like.

### SECTION 3. ADMINISTRATION:

- 3.1 Notification of new taxable, real property, as specified above, shall be provided to the Assessors before the annual date of assessment, April 1, following the creation of the property. **Proposed wording change:** Notification of new taxable, real property, as specified above, shall be provided to the Assessors **BEFORE** construction, of any kind, begins.
- 3.2 Notification of Assessors forms will be available from the Town Clerk at the Town Office. They need only be completed and submitted to the Clerk, who shall maintain a file of them for the Assessors' reference. **Proposed wording change:** ...forms will be available from the Town Clerk, at the Town Office and also on the Town's official website. They need only be completed and submitted to the Clerk, who shall file and notify the Assessors and the Code Enforcement Officer (CEO).
- 3.3 No fee shall be required, no standards imposed, nor any inspection of any structure be made, except for the purpose of assessing. **Proposed wording change:** for the purpose of tax assessing.
- 3.4 The CEO shall enforce the provisions of this Ordinance, with the assistance of the Assessors.
- 3.5 The CEO shall immediately report any violations of this Ordinance to the Assessors.
- 3.6 Notification of Assessors forms shall include:
- a. a sketch showing location and layout of proposed structure(s);
  - b. for new dwellings, proposed septic system location, design, intended use and capacity;
  - c. for conversion of seasonal to year-round use, evidence that the existing subsurface disposal system meets the standards of the Maine State Plumbing code or that the site conditions will permit the installation of a system that meets the requirements of the Plumbing Code, if the present system malfunctions;
  - d. shoreland zoning permit for construction within the shoreland district;
  - e. knowledge of the State Fire code.
- 3.7 It shall be the duty of the CEO to enforce the provisions of this Ordinance. If the CEO shall find that any provision of this Ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of such notices shall be maintained as a permanent record.
- 3.8 When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the CEO, are hereby authorized and directed to institute any and all actions and

proceedings, either legal or equitable, including seeking injunctions or violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality. (It is not the desire of the Town to become embroiled in legal enforcement action. Every reasonable effort to settle misunderstandings will be made before seeking such action.)

3.9 The Notification of Assessors form shall be valid for a period of two (2) years from date of issuance.

#### **SECTION 4. FAILURE TO COMPLY:**

4.1 A fine of \$25.00 shall be imposed by the Municipal Officers for failure to comply with the provisions of this Ordinance. **Proposed wording change:** A fine of \$500.00 shall be imposed...

4.2 The fine fee may be revised after a majority vote by the Assessors.

#### **SECTION 5. VALIDITY AND AMENDMENTS:**

5.1 Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provisions.

5.2 This Ordinance may be amended by majority vote of the Town at any Town Meeting, the warrant for which gives notice of the proposed change.

#### **SECTION 6. APPEALS:**

6.1 A decision of the CEO may be taken within 30 days to the Board of Appeals in accordance with Title 30-A-MRSA, Section 2691.

**ATTEST:** A true copy of an ordinance entitled, "Notification of Assessors Ordinance of the Town of Mercer Maine," as certified to me by the Municipal Officers of Mercer on the 6<sup>th</sup> day of February, 1992. **Proposed wording change:** on the 7<sup>th</sup> day of March, 2026.

**SIGNATURE:**

**Jennifer Hebert**

**Town of Mercer Clerk**