

**Town of Sabattus**  
**Property Maintenance Ordinance**  
**Adopted: June XX, 2026**

**Section 1: Purpose**

The purpose of this Ordinance is to ensure the health, safety, and welfare of the residents of and visitors to the Town of Sabattus and to provide for access by safety personnel in the event of an emergency, by setting minimum standards for the maintenance of structures and properties in the Town.

**Section 2: Authority & Administration**

- A. This Ordinance is adopted pursuant to Home Rule Authority as provided by the Constitution of Maine, Article VIII, Part Second, and Title 30-A M.R.S.A §§ 3001, *et seq.*
- B. The provisions of this Ordinance shall be administered and enforced by the Code Enforcement Officer.

**Section 3: Definitions**

The following terms are specifically defined for purposes of this Ordinance.

- 1. **Building:** Any structure having a roof supported by posts, columns or walls and used or intended for supporting or sheltering any use or occupancy.
- 2. **Casualty:** Any unforeseeable, unintended event that damages a structure or a property, including, but not limited to, a fire, windstorm, rainstorm, snowstorm, or other natural disaster.
- 3. **Deteriorate:** To weaken, disintegrate, corrode, rust, or decay and lose effectiveness.
- 4. **Grounds:** The part of a property not containing or otherwise covered by a structure.
- 5. **Junk:** Dilapidated, discarded, and/or used materials or objects, including, but not limited to:

- a. Discarded, worn-out, or junked plumbing, heating supplies, electronic or industrial equipment, household appliances or furniture;
  - b. Discarded scrap and junked lumber;
  - c. Deteriorated or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste, and all scrap iron, steel and other ferrous or nonferrous material; and
  - d. discarded bottles, cans, or other glass or household waste.
6. **Non-Operational Business:** a business or commercial establishment that has not conducted any business or commercial activity for a period of at least one (1) calendar year.
7. **Occupant:** Any person living, sleeping, or having actual possession of a dwelling unit or rooming unit in a property.
8. **Owner:** Any person, whether an individual or legal entity, having legal or equitable title to any property or structure; having possession or control of any property or structure; or having control of any property or structure as the owner's agent or fiduciary including but not limited to executor, administrator, trustee, receiver, or guardian of the estate or as a mortgagee in possession, regardless of how such possession was obtained.
9. **Property:** Any lot, plot, or parcel of land within the Town of Sabattus.
10. **Structure:** Anything built 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 and poles. The term "structure" includes, among other things, buildings, sheds, detached garages, decks, and patios, but does not include steps or paths constructed from impermeable or semi-permeable materials.

#### **Section 4: Maintenance Standards for Structures and Properties**

- A. All structures and properties shall be maintained in compliance with the requirements of the Town of Sabattus land use ordinances and all relevant State statutes.
- B. All fences and gates surrounding structures and properties shall be maintained in good condition and functioning use.

- C. All structures and properties shall be kept free of accumulations of trash, garbage, refuse, junk, or other material which may cause a hazard to the public health, sanitation, and safety.
- D. Grounds and property around vacant buildings shall be kept free of overgrowth of vegetation in excess of three (3) feet.
- E. No more than three (3) motor vehicles shall be parked, kept, or stored outdoors on a property in accordance with the Automobile Graveyard Ordinance for the Town of Sabattus. No vehicle in a state of major disassembly or disrepair, or which is in the process of being stripped or dismantled, shall be kept on a property at any time. Any vehicle stored in an enclosed building shall be exempt from the provisions of the Ordinance.
- F. Owners of rental dwelling units or multifamily dwelling units shall provide trash cans or receptacles with lids to provide for disposal of trash by occupants.
- G. No household furniture or appliances shall be placed on grounds for disposal.
- H. Material intended for the owner or occupant's private use may be stored on the ground so long as such material does not create a nuisance for surrounding properties or the public at large, and such material is adequately screened from public ways and abutting properties. Means of adequate screening shall include but is not limited to fencing of sufficient height to screen such materials from public ways and abutting properties.

#### **Section 5: Damaged Structure**

- A. If the Code Enforcement Officer, Health Officer and/or Fire Chief deem a structure to constitute a hazard or nuisance to public safety, health or welfare, the Code Enforcement Officer shall notify the owner and occupant, if appropriate, in writing via certified mail with return receipt requested.
- B. After written notice, a structure deemed to constitute a hazard or nuisance to public safety, health or welfare shall be repaired or demolished as ordered by the Code Enforcement Officer.
- C. If demolition is required, a demolition permit is required from the Code Enforcement Officer, and all materials must be disposed of in accordance with Town, State and Federal law.

## **Section 6: Removal of Signage Related to Non-Operational Businesses**

All signage related to a non-operational business within the Town of Sabattus shall be removed from a property located within (30) days of said business becoming non-operational.

## **Section 7: Maintenance after Casualty Damage**

When any structure located within the Town of Sabattus is damaged or destroyed by a casualty, the owner shall.

- A. Promptly remediate the structure.

Within 90 days of the casualty, file a notice of demolition or obtain a permit for repair or reconstruction, according to Town Code and Maine law.

- B. Within 120 days of the casualty, begin the removal or repair of the structure.

## **Section 8: Enforcement, Violations, Penalties and Appeals**

- A. This Ordinance shall be enforced by the Code Enforcement.

- B. If the Code Enforcement Officer finds that any provision of this Ordinance is being violated, the Code Enforcement Officer shall provide written notification to the person responsible for the violation. A notice of violation shall

1. Be in writing;
2. Include a statement of the reasons why it is being issued;
3. Describe the violation, including a reference to the ordinance section violated;
4. Specify a reasonable period as to each violation within which corrective action must be completed;
5. State the potential consequences if the violation is not corrected; and
6. Inform the violator of the right to dispute the order and how that right is exercised by appeal and specify the consequences of the failure to appeal.

- C. A Notice of the violation may be served as follows:

1. Delivered in hand to the violator or by leaving a copy thereof at the violator's dwelling house or usual place of abode with a person of suitable age and discretion then living therein in the same household. If service is made personally

or by leaving at his or her dwelling house or usual place of abode a statement signed by the person so serving stating the date of service shall be filed in the office of Code Enforcement Officer. Or,

2. Mailed to the violator by certified mail to his or her last known address. If the return receipt is not returned, a notice shall be conclusively presumed to have been served if it is also sent by regular mail, postage prepaid, which is not returned as undeliverable by the postal service.
- D. A copy of the written notice of violation shall be provided to the Select Board.
  - E. Any person or entity aggrieved by a decision of the Code Enforcement Officer under this Ordinance may appeal such decision to the Board of Appeals. Such an appeal must be filed within (30) days of the date of the decision by the Code Enforcement Officer and shall be on a form maintained and provided by the Town Clerk.
  - F. Any person who violates any provision of this Ordinance, after receiving notice of such violation shall be liable for a civil penalty of no less than \$100 and no greater than \$3,000. Each day on which the violation continues after notice has been served shall constitute a separate violation.
  - G. If a violation of this Ordinance is not corrected within the time allowed, the Town shall pursue all remedies and relief available by law and/or in equity, including, without limitation, the remedies and relief provided in Title 30-A M.R.S.A. §4452. A person determined to have committed a violation shall be responsible for legal fees and costs incurred by the Town in prosecution of the violation. Nothing in this Ordinance shall be construed as a limitation on the Town of Sabattus's authority under the Dangerous Building provisions in Title 17 M.R.S.A. §2851-2859, as may be amended.

## **Section 9: Miscellaneous**

- A. This Ordinance shall become effective upon adoption at Town Meeting.
- B. This ordinance may be amended according to the charter of the Town of Sabattus.
- C. Where the regulations of this Ordinance differ from those described in any statute, ordinance, or other regulations, the provision, which imposes the greater restriction or the higher standard, shall govern.
- D. If any section, clause, provision, portion or phrase of this Ordinance shall be held to be valid or unconstitutional by any court of competent authority, such holding shall not affect, or validate any other section, clause, provision, portion or phrase of the Ordinance.