

## CHAPTER VI: LIFE SAFETY

### A. Authority

1. This Ordinance is enacted pursuant to authority granted under the Maine Constitution and 30-A M.R.S.A., Section 3001.

### B. Purpose

1. The purpose of this Ordinance is to establish a licensing method to guarantee the health, safety, and welfare of the inhabitants of any structure in Town that are renting property.
2. This Ordinance will also assist with safeguarding water bodies as the Ordinance will observe potential contamination as a result of malfunctioning septic systems or soil erosion.

### C. Definitions

1. As used in this Ordinance, the terms shall be defined as indicated below. All non-defined terms shall have the same definition as set forth in the Town of Nobleboro Land Use Ordinance.
  - a. **License Premise:** A location specified in the application for a license pursuant to this Ordinance or within a license issued pursuant to this Ordinance.
  - b. **Rental Unit:** Any structure that is rented, leased, traded, condo-minimized, home-shared or bartered for use, or value of any kind for a time period. These shall not include outdoor units such as, but are not limited to, tents, yurts, or any type of camper, which falls under the definition of Campgrounds in the Nobleboro Land Use Ordinance.
    - 1) Rental units cannot be sublet by the tenant/renter unless they are the designated representative or agent for the property owner.
    - 2) Rental permits are not transferable when ownership of property changes.
  - c. **Rental - Long-Term:** A rental unit to be used for a period up to 364 days with the option to renew an agreement for extending a continuous stay.
  - d. **Rental - Short-Term:** A residential property which may be used as a rental unit for a period between one (1) day and thirty (30) days with no intent to renew an agreement for extending a continuous stay.

- e. **Rental – Seasonal:** A dwelling unit, or portion thereof, that is the primary residence of the property owner or on the owner's primary residence property that is rented for vacation, leisure or recreation purposes for a day, a week or a month, and typically under 30 days but not for more than an entire summer or winter season, to a person who has a place of permanent residence to which the person intends to return.
- f. **Home Sharing Pilot:** Matching older persons who own homes with spare rooms to adults in need of affordable housing.

## **D. Registration Requirement**

- 1. Effective **April 1, 2024**, all Rental Units located within the Town of Nobleboro shall not begin, or continue operations, unless it has received, and is in possession of, a Rental Permit pursuant to this Ordinance.
- 2. The requirements of this Ordinance shall not be construed or applied to prohibit Rental Units from continuously operating with municipal approval since before the issuance of this Ordinance. However, within 6 months after the ordinance is passed all such Units must comply with the requirements set in this Ordinance.

## **E. Submission, Review, Renewal, Appeals, Violations and Fees**

### **1. Applicant Submission and Initial Review:**

- a. Each applicant for a Rental Permit shall complete and file an application on the form provided by the Code Enforcement Officer, together with the applicable nonrefundable license fee, as well as the following supporting documents:
- b. A copy of the Nobleboro Application for Rental Units document outlining the information relating to the property and owner, contact information in the event of an emergency, and information on the scope of the rental units.
- c. Evidence of all applicable local and State approvals or conditional approvals required to allow units to be rented out. This includes, but is not limited to, required variances and approvals by the Planning Board.
- d. Evidence of ownership for the site that is under review. A valid form may include a copy of the deed or a signed form of interest.
- e. If the applicant is not the owner of the property, the owner of the property must provide a written consent form stating they are aware of the intended use to rent the site and demonstrate that the ability for sub-renting/sub-leasing is a permitted use in the lease agreement (designated representative or agent for the property owner).

- f. The Applicant will provide a floor plan of each building levels, including—but not limited to—basement spaces and enclosed additions. The floor plan must provide the following information:
  - 1) A smoke detector in each bedroom, kitchen area, and rooms with a wood or coal burning device.
  - 2) A minimum of one (1) carbon dioxide detector or gas detector if there is a gas or propane appliance on site.
  - 3) An egress route for each unit in the event of an emergency.
  - 4) The size and intended use for each room.
  - 5) Location of at least one (1) inspected five (5) pound fire extinguisher that is accessible to the tenants.
- g. An applicant must provide a copy of septic design for the site or a recent (up to one (1) year) septic inspection report on the size and function of the system.
- h. An applicant must provide evidence of compliance with the requirements of this Ordinance and all applicable standards listed in the Nobleboro Land Use Ordinance.
- i. If the Code Enforcement Officer determines that a submitted application is not complete, the Town shall notify the applicant within ten (10) business days of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the request, the application may be denied.

## **2. Renewal:**

- a. Each license is valid for a period of one (1) year. Owners are required to comply with the most recent standards listed in this Ordinance, unless proven to be unfeasible as determined by the Code Enforcement Officer. The owner must verify any changes that have occurred over the one (1) year period.
- b. After two consecutive rental permit renewals reinspection of the rental unit by the Town of Nobleboro's Code Enforcement Officer or designee required.
- c. If a rental permit is not renewed within 45 days of the renewal date the rental permit is suspended until a new application is submitted.
- d. Licensee will be notified of suspension.

## **3. Violations and Penalties:**

- a. Property owners are responsible for informing renters of any violations that are occurring on the site.
- b. If a property owner has received a minimum of three (3) complaints of any combination of violations of this ordinance, there will be a suspension of the Rental Permit for a four (4) week period.
- c. If the Code Enforcement Officer provides sufficient evidence that the violations have not been addressed, the suspension period may be extended beyond the four (4) week period until the issue has been resolved.
- d. Violations of Nobleboro's Life Safety Ordinance will be met with a financial penalty in addition to the suspension listed under Section \_\_\_\_\_.
  - 1) A first time offender will receive a minimum of a \$1,000 fine for a recorded violation on their property.
  - 2) Repeat offenders will receive a minimum of a \$2,500 fine for each recorded violation on their property.

**4. Appeals:**

- a. An appeal from any final decision of the Code Enforcement Officer under this Ordinance may be taken by any party to the Board of Appeals within thirty (30) days of the decision, pursuant to Article 5 (Appeals) of the Nobleboro Land Use Ordinance.

**5. License Fees:**

- a. The fees shall be set by the Town of Nobleboro Select Board as part of the Town's licensing and permit fee schedule.

**F. Severability**

- 1. If any Section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not impact the validity of the remaining portions thereof.