

**AMENDMENTS TO
CHAPTER 60 OF THE TOWN OF SOUTH BERWICK CODE OF ORDINANCES
APPLYING THE MAINE UNIFORM BUILDING & ENERGY CODE**

Be it hereby ordained, by the Town Council of the Town of South Berwick, Maine, in Town Council assembled, that Chapter 60, **BUILDING CONSTRUCTION**, of the South Berwick Code of Ordinances is amended as follows.

Be it further ordained: Because the Maine Uniform Building and Energy Code (M.U.B.E.C.) must be applied and enforced on December 1, 2010 in South Berwick which is in less than 30 days, and the Council finds and declares that such circumstances constitute an emergency within the meaning of Article II, section 11 of the Charter, these amendments shall take effect on December 1, 2010.

Section 60-1, **Adoption of Building Code**, is deleted in its entirety and replaced with the following new Section 60-1:

Sec. 60-1. Administration and enforcement of the Maine Uniform Building and Energy Code.

Effective December 1, 2010, the Town of South Berwick applies and enforces the Maine Uniform Building and Energy Code ("M.U.B.E.C."), as required by 10 M.R.S.A. § 9724. The Code Enforcement Officer of the Town of South Berwick shall serve as the building official as defined in 25 M.R.S.A. § 2371 and shall be responsible for issuing building permits and certificates of occupancy. The Code Enforcement Officer shall be responsible for inspecting all permitted construction for compliance with all components of M.U.B.E.C., as such components may be revised from time to time by the Technical Building Codes and Standards Board. Administration and enforcement of M.U.B.E.C., including permits, violations, penalties and appeals, shall be in accordance with Article VI of Chapter 140, Zoning, of the South Berwick Code.

Section 60-2, **Inconsistent ordinances repealed**, is deleted in its entirety.

Section 60-3, **Additions, insertions and changes**, is deleted in its entirety and replaced with the following new Section 60-3:

Sec. 60-3. Additional requirements.

- A. Notwithstanding the exceptions to permit requirements in M.U.B.E.C., permits are required for the following in the Town of South Berwick:
1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, including those of which the floor area does not exceed 200 square feet (18.58m²);
 2. Prefabricated swimming pools including those that are less than 24 inches (610 mm) deep;
 3. Decks including those that do not exceed 200 square feet (18.58m²) in area, that are not more than 30 inches (762mm)

above grade at any point, are not attached to a dwelling and do not serve the exit door.

- B. Separation required. The garage shall be separated from the residence and its attic area by not less than "5/8 inch (15.9 mm)" Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than "5/8 inch (15.9 mm)" Type X gypsum board or equivalent.
- C. Fees Schedule. The permit fee schedule is determined by multiplying the square footage of each floor of each category of structure by the applicable rate, as shown in the table below:

Building Permit Fees

Category	Rate
A. All new residential structures to include homes and additions to living areas	\$0.50
B. All unfinished accessory residential structures including decks, porches, garages, barns, and sheds	\$0.20
C. Swimming pools (must be fenced)	
(1) Aboveground	\$0.20
(2) In ground	\$0.20
D. Commercial/retail, per story	\$0.30
E. Institutional	\$0.50
F. Industrial	\$0.50
G. Signs - flat rate	\$25.00
H. Demolition of buildings - flat rate	\$25.00
I. Special use permit	\$25.00
J. Minimum permit fee, flat rate	\$25.00

(When work has begun prior to issuance of a permit, the above fees shall be doubled.)

Review and Hearing Fees

Category	Rate
A. Zoning Board of Appeals	\$70.00 + cost of notices
B. Change of use permit	\$60.00
C. Subdivision fees	
(1) Preapplication	No charge
(2) Sketch plan	
Minor	\$100.00
Major	\$200.00
(3) Preliminary plan	\$200.00
Plus per unit/lot	\$200.00
(4) Final plan	\$150.00
D. Site plan	
(1) Minor	\$100.00
(2) Major	\$200.00

Section 60-4, **Effect on other provisions**, is deleted in its entirety.

Section 60-5, **When effective**, is deleted in its entirety.