

**TOWN OF HAMPDEN, MAINE  
MAINE UNIFORM BUILDING AND ENERGY CODE ORDINANCE**

ADOPTED: Hampden Town Council, March 16, 2015  
Effective Date: April 15, 2015

CERTIFIED BY: Denise R. Hodsdon  
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Town Clerk

Affix Seal

**LIFE SAFETY CODE ORDINANCE  
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**TOWN OF HAMPDEN, MAINE  
MAINE UNIFORM BUILDING AND ENERGY CODE ORDINANCE**

***Section 1. Maine Uniform Building and Energy Code.***

Effective December 1, 2010, the Town of Hampden applies and enforces the Maine Uniform Building and Energy Code (“MUBEC”) as required by 10 M.R.S. §9724. MUBEC contains the minimum standards for the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and their service equipment, both existing and proposed, located within the Town of Hampden. The purpose of this Ordinance is to establish administration and enforcement provisions in relation to MUBEC. The Town has the authority to enact this Ordinance under 10 M.R.S. §9724(5).

***Section 2. Administration.***

- 2.1** The Code Enforcement Officer and/or the Building/Fire Inspector of the Town of Hampden shall serve as the building official as defined in 25 M.R.S. § 2371 and shall be responsible for issuing building permits and certificates of compliance.
- 2.2** The Code Enforcement Officer and/or the Building/Fire Inspector shall be responsible for inspecting all permitted construction for compliance with all components of MUBEC, as such components may be revised from time to time by the Technical Building Codes and Standards Board.
- 2.3** The property owner, at the owner’s sole expense, may elect to comply with MUBEC through inspections and reports by third-party inspectors certified pursuant to 10 M.R.S. § 9723. The owner shall be responsible for contractual arrangements with a duly certified third-party inspector. The Code Enforcement Officer and/or the Building/Fire Inspector may issue the certificate of compliance for a building or structure upon receipt of a copy of the Construction File and an original inspection report from the certified third-party inspector. The Town of Hampden and the Code Enforcement Officer and/or the Building/Fire Inspector have no obligation to review a report from a third-party inspector for accuracy prior to issuing the certificate of compliance.
- 2.4** The administration and enforcement of MUBEC, including permits, certificates of compliance, fees, and violations, shall be in accordance with Article 5 of the Town of Hampden, Maine Zoning Ordinance and the Town of Hampden, Maine Fees Ordinance. For the purposes of MUBEC, a certificate of compliance under the Zoning Ordinance shall constitute a certificate of occupancy.

### ***Section 3. Climatic and Geographic Design Criteria for the Town of Hampden***

- 3.1.** As referenced in MUBEC, the following climatic and geographic design criteria are established for the Town of Hampden:
  - 3.1.1.** Ground Snow Load: 70 lb./ft
  - 3.1.2.** Wind Design
    - Speed: 90 miles per hour
    - Topographical effects: None
  - 3.1.3.** Seismic Design Category: B
  - 3.1.4.** Subject to Damage From
    - Weathering: Severe
    - Frost Line Depth: 5 ft.
    - Termite: None to Slight
  - 3.1.5.** Winter Design Temp: -5°F
  - 3.1.6.** Ice Barrier Underlayment Required: Yes
  - 3.1.7.** Flood Hazards: 9/4/1987
  - 3.1.8.** Air Freezing Index: 1750
  - 3.1.9.** Mean Annual Temp: 45°F

### ***Section 4. Knox Box Program***

- 4.1.** The Knox Box Program for the Town of Hampden shall be used for access to buildings for emergency purposes only.
- 4.2.** The Public Safety Director or designee shall serve as the administrator for the Knox Box Program, as defined by the Knox Company.
- 4.3.** The number, make, model and location of the box(s) shall be determined by the Code Enforcement Officer, Building/Fire Inspector, or Public Safety Director or designee.
- 4.4.** All keys required to operate the building's life safety signaling and fire suppression systems, electrical rooms and panels, and a master building key shall be placed within the Knox Box.
- 4.5.** All new buildings constructed or additions to current buildings performed after the adoption of this amendment shall conform to this provision.
  - 4.5.1.** One- and two-family dwellings and townhouses are excluded from this requirement.

***Section 5. Administrative Appeals.***

- 5.1** The owner of a building or structure may appeal to the Town of Hampden Board of Appeals from a decision of the Code Enforcement Officer and/or the Building/Fire Inspector refusing to grant a building permit or to issue a certificate of compliance. Any other aggrieved person may appeal the issuance of a building permit or a certificate of compliance. Any appeal must be commenced within 30 days of the decision. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, and appeal procedures.
- 5.2** The Board of Appeals may conduct an appellate review of the matter that is the subject of the appeal. The appellant shall have the burden to demonstrate that the decision of the Code Enforcement Officer and/or the Building/Fire Inspector was contrary to the provisions of MUBEC.
- 5.3** The Board of Appeals may modify or reverse the decision of the Building Official upon making a determination that the decision of the Code Enforcement Officer and/or the Building/Fire Inspector was contrary to the provisions of MUBEC. The decision of the Board shall be final.

***Section 6. Civil Penalties.***

The provisions of 30-A M.R.S. §4452 shall apply to the determination of penalties for violations of MUBEC or this Ordinance. The minimum penalty for starting work without a permit required by MUBEC or this Ordinance shall be \$100.00, and the maximum penalty shall be \$2,500.00. The minimum penalty for any specific violation of this code shall be \$100.00, and the maximum penalty shall be \$2,500.00. The maximum penalty may exceed \$2,500.00, but shall not exceed \$25,000.00, when it can be shown that there has been a previous conviction of the same party within the past two (2) years for violation of the same provision. If the economic benefit resulting from the violation exceeds the applicable penalties set forth herein, the maximum civil penalties may be increased to an amount not to exceed twice the economic benefit resulting from the violation. Economic benefit includes, but is not limited to, the costs avoided or the enhanced value accrued at the time of the violation as a result of the violator's noncompliance with the applicable legal requirements. Each day of violation shall constitute a separate violation. All civil penalties shall inure to the benefit of the Town of Hampden.

***Section 7. Savings Clause.***

If any provision of this Ordinance is found by a court of competent jurisdiction to be invalid, that finding shall not affect the remaining provisions of the Ordinance.

***Section 8. Effective Date.***

In accordance with Section 213 of the Town Charter, this Ordinance shall become effective at the expiration of thirty (30) days after the date of adoption by the Town Council.