

**TOWN OF HAMPDEN, MAINE
FIRE PREVENTION CODE**

- ADOPTED: Hampden Town Council, April 5, 1993
Effective Date: May 5, 1993
- AMENDED: Hampden Town Council, June 19, 2006
Effective Date: July 19, 2006
- AMENDED: Hampden Town Council, March 19, 2007
Effective Date: April 18, 2007
- AMENDED: Hampden Town Council, April 6, 2015
Effective Date: May 6, 2015

CERTIFIED BY: *Denise R Godson*
Town Clerk

Affix Seal

**FIRE PREVENTION CODE
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Sec. 1. Fire Prevention Code Adopted.

In accordance with 30-A M.R.S. Section 3003, as amended, NFPA 1, *Uniform Fire Code*, of the National Fire Protection Association, 2006 Edition, as adopted and amended by the State of Maine by 16-219 C.M.R. ch 3 (effective 9/3/07), be and is hereby adopted as the Fire Code of the Town of Hampden.

Sec. 2. Amendments to Published Version.

The Uniform Fire Code NFPA 1-2006 Edition is adopted in its published form, as amended by the State of Maine by 16-219 C.M.R. ch 3 (effective 9/3/07), as if fully set forth herein except as follows:

Section 1.10 shall be deleted in its entirety.

Sec. 3. Authority Having Jurisdiction.

The authority having jurisdiction in this Code shall be defined as the Town of Hampden Code Enforcement Officer, Building/Fire Inspector, Public Safety Director or other person designated by the Public Safety Director or Town Manager.

Sec. 4. Civil Penalties.

- a) Any person, firm or corporation violating any of the provisions of the Code, or failing to comply with any order issued pursuant to any section thereof, shall be guilty of a civil violation and upon conviction thereof shall be subject to a civil penalty. The requirements of Title 30-A M.R.S. Section 4452 shall apply to the determination of penalties for violations of this Ordinance. The minimum penalty for a specific violation of this Ordinance shall be \$100 and a maximum of \$2,500; provided, however, the maximum penalty may exceed \$2,500, but shall not exceed \$25,000, 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 ordinance provision. Each day of violation shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden.
- b) The imposition of the penalties herein described, shall not prevent the legal officer of the Town from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation; or prevent illegal occupancy of a building, structure or premises; or stop an illegal act, conduct of business or use of a building or structure in or about any premises.

Sec. 5. Appeals

- a) Except as expressly provided in this Ordinance, 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. Any aggrieved person shall have the right to appeal to the Board of Appeals from a decision of the authority having jurisdiction. This right of appeal does not include the right to appeal enforcement decisions. Any appeal shall be commenced on a form provided by the authority having jurisdiction.
- b) The Board of Appeals may modify or reverse the decision of the authority having jurisdiction upon making a determination that: (1) the true intent of this Code or the rules, regulations, or ordinances adopted by the Town have been incorrectly interpreted, (2) the provisions of this Code do not fully apply, or (3) an equally good or better method of providing for fire prevention can be used. The Board of Appeals may only modify or reverse the decision of the authority having jurisdiction upon a concurring vote of at least four members.

Sec 6. 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.