

## **The Town of Hollis Minimum Standards for Rental Housing and Vacant Buildings dated 8/15/2018**

### **Definitions.**

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Basement shall mean the portion of a building below the ground floor having not more than half of its clear height below the adjoining grade.

Dwelling Unit shall mean any house, building or part thereof which is occupied or intended to be occupied, in whole or in part, for living and sleeping by one (1) or more occupants. Dwelling premises shall mean the land and auxiliary buildings thereon used or intended to be used in conjunction with a dwelling.

Enforcement authority means and includes the building authority or his or her designee, and the health authority.

Habitable room shall mean a room used, or intended to be used, for living, sleeping, cooking, or eating purposes and excludes bathrooms, toilet rooms, laundries, pantries, halls, closets, heater rooms, utility rooms, and attics. Basement or cellar areas are not habitable rooms except as permitted in this article.

Multiple dwelling shall mean any dwelling containing more than two (2) dwelling units, rooming units, or combination of both.

Occupant shall mean any person, including an owner or operator, residing in or having actual possession of a dwelling unit or rooming unit.

Operator shall mean any person who has charge, care, management, or control of any dwelling or part thereof in which dwelling units or rooming units are let or offered for occupancy.

Owner shall mean any person or persons who alone or jointly legally owns the property.

Supplied shall mean installed, furnished, or provided by the owner at his or her expense.

### **Minimum Standards for Dwellings Established.**

The following are the established minimum standards for buildings used for dwelling purposes in the town. All such buildings not now conforming to these standards will be required to meet such minimum standards, and buildings newly constructed or converted for dwelling purposes shall meet such minimum standards. The standards set forth herein are intended to be minimum only and shall not be construed otherwise, nor shall they apply wherever a greater standard is required by any other ordinance or law.

Sec. 1. Minimum standards for structural elements.

No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, rooming house, rooming unit, or a combination of the same, which does not comply with the following minimum standards:

- (a) Foundations, basements, cellars, exterior walls, roofs. Every foundation, basement, cellar, exterior wall, and roof shall be substantially weathertight, watertight; shall be structurally sound and in good repair; and shall be safe for the intended use as well as capable of supporting whatever load normal use may cause to be placed thereon.
- (b) Every exterior wall or portion thereof shall be painted or stained. Insulation shall be installed and maintained so as not to present a health or safety hazard to occupants. Water from roofs shall be so drained and conveyed therefrom as not to cause repeatedly wet floors, walls, or ceilings, or hazard to adjacent buildings or the occupants thereof.
- (c) Interior floors, walls, ceilings and doors. Every floor, wall, ceiling, and door shall be in a structurally sound condition and in good repair.
- (d) Exterior windows, doors and skylights. Every window or door, including basement or cellar door and hatchway, and skylight shall be substantially weathertight, watertight, and shall be kept in sound working condition and good repair.
- (e) Stairways, stairwells, stairs and porches. Every inside and outside stairway, stairwell, stairs, and porch and any appurtenances thereto shall be structurally sound, in good repair, and safe to use.
- (f) Chimneys, flues and vent. Every chimney and every flue, vent, and smoke pipe and any attachments thereto shall be structurally sound, in good repair, and safe to use.
- (g) Required equipment and utilities. Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed and installed that it will function safely and effectively and shall be maintained in good working condition.

## Sec. 2. Sanitation and maintenance of equipment; division of responsibility therefor.

Every dwelling, dwelling unit, rooming house, rooming unit, dwelling premises, or combination of the same, shall be kept and maintained in a sanitary and clean condition, and facilities shall be provided, in accordance with the following division of responsibility:

- (a) Maintenance of assigned areas. Every occupant of a dwelling, dwelling unit, or rooming unit shall maintain in a clean and sanitary manner that part of the dwelling, dwelling unit, or rooming unit, and dwelling premises which he or she occupies and controls.
- (b) Maintenance of shared areas. Every owner or operator of a multiple dwelling or rooming house shall maintain in a clean and sanitary condition the shared or public areas of the dwelling and dwelling premises.

## Sec. 3. Standards for unoccupied residential structures.

The owner of any unoccupied structure containing dwelling units or rooming units or any combination thereof shall comply with the following minimum standards:

(a) Foundations, basements, cellars, exterior walls, roofs. Every foundation, basement, cellar, exterior wall and roof shall be substantially weathertight, watertight; shall be structurally sound and in good repair; and shall be safe for the intended use as well as capable of supporting whatever load normal use may cause to be placed thereon.

(b) Interior floors, walls, ceilings and doors. Every floor, wall, ceiling and door shall be in a structurally sound condition.

(c) Exterior windows, doors and skylights. Every window or door, including basement or cellar door and hatchway, and skylight shall be substantially weathertight, and watertight and shall be kept secured to prevent ingress of people.

(d) Stairways, stairwells, stairs and porches. Every outside stairway, stairwell, stairs and porch and any appurtenances thereto shall be structurally sound, in good repair and safe to use.

(e) Chimneys, flues and vent. Every chimney shall be structurally sound.

#### Sec. 4. Minimum plumbing standards.

No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, rooming house, or rooming unit which does not comply with the following minimum standards:

(a) Basic facilities. Every dwelling unit shall contain within its walls, in sound operating condition, a kitchen sink, a private flush toilet, lavatory basin, and bathtub or shower.

(b) Water supply. Every kitchen sink, lavatory basin, and bathtub or shower required by this article shall be properly connected with hot and cold-water lines.

(c) Maintenance of plumbing fixtures. All fixtures required by this article and all fixtures installed in addition thereto shall be properly installed and maintained in sound mechanical condition, free from defects, leaks, or obstructions, and in accordance with the state plumbing.

#### Sec. 5. Minimum lighting standards.

No person shall occupy as owner-occupant or shall allow another to occupy any dwelling, dwelling unit, rooming house, or rooming unit which does not comply with the following minimum standards:

(a) Habitable rooms. Every habitable room, other than rooms used primarily for sleeping, shall contain at least two (2) separate duplex convenience outlets or at least one (1) duplex convenience outlet and one (1) ceiling-type or wall-type electric light fixture.

(b) Rooms used primarily for sleeping, bathrooms, utility rooms, cellars and basements. Every room used primarily for sleeping, water-closet compartment, bathroom, laundry room, furnace room, cellar and basement shall contain at least one (1) ceiling-type or wall-type electric light fixture.

(c) Passageways and common stairway. Every passageway and stairway shall have at least one (1) ceiling-type or wall-type electric light fixture adequate to provide safe passage.

(d) Extension cords. No temporary wiring shall be used except extension cords which run directly from portable electrical fixtures to convenience outlets, ceiling or wall-type fixtures and which do

not lie under rugs or other floor coverings, nor extend through doorways, transoms or similar openings through structural elements.

(e) Maintenance of lighting fixtures. All fixtures required by this article and all fixtures installed in addition thereto shall be maintained in good and safe working conditions and shall be installed in accordance with the electrical code of the town.

#### Sec. 6. Inspections.

The health or building authority or his or her designee, upon showing proper identification, shall have the right to enter at any and all reasonable times into or upon any dwelling or dwelling premises within the Town for the purpose of inspecting the dwelling or dwelling premises in order to determine compliance with the provisions of this article and for the purpose of examining and inspecting any work performed under the provisions of this article, and it shall be a violation of this article for any person to interfere with or prevent such inspection.

#### Sec. 7. Notices.

When any violation is found to exist within the meaning of this article, the health or building authority or his or her designee shall give the owner, operator or occupant, or both a written order or notice which shall set forth the violation and shall contain a reasonable time limit for the correction thereof.

#### Sec 8. Reinspection's.

After the expiration of the time for correction of a violation, the health or building authority or his or her designee shall make a reinspection of the premises, and if the violation has not been corrected and no appeal is pending as hereinafter provided, such authority may make such further order as he deems advisable or he may proceed to take legal action against the person liable for such violation.

#### Sec. 9. Properties unfit for human habitation; and posted against occupancy.

Any dwelling, dwelling unit, rooming house, rooming unit, or any structure or portion thereof being used for human habitation which is in violation of the provisions of this article to the extent that it is unfit for human habitation according to the standards contained herein or other applicable standards may be condemned for habitation and posted against occupancy by the building authority or his or her designee. Property unfit for human habitation shall include but not be limited to:

(a) Properties which are either damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested in such a manner as to create a serious hazard to the health, safety, and general welfare of the occupants or the public;

(b) Properties which lack plumbing, ventilating, lighting or heating facilities or equipment adequate to protect the health, safety and general welfare of the occupants or the public;

(c) Properties which, because of their general condition, state of the premises, number of occupants, or location, are so unsanitary, unsafe, overcrowded or otherwise dangerous or detrimental that they create a serious menace to the occupants or the public;

#### Sec. 10. Notice of condemnation and posting; order to vacate.



The building authority or his or her designee shall give notice in writing to the property owner or operator of such condemnation and posting, and in the event such property is occupied, he or she shall give like notice to the occupant, which shall also include a reasonable time limit within which such property shall be vacated.

Sec. 11. Property not to be occupied again for habitation.

No property which has been condemned and posted against occupancy shall again be used for the purpose of habitation until the building authority or his or her designee shall in writing approve of its use and shall likewise authorize the removal of the posted notice. Notices not to be removed; property not to be used or let; exception. It shall be a violation of this article for any person to deface or remove any such posted notice without the prior approval of the building authority or his or her designee, and it shall also be a violation of this article for any person to occupy or let to another for occupancy any property which has been condemned and posted as provided above without receiving the prior approval of the building authority or his or her designee.

Sec. 12. Violations.

(a) Any owner, occupant, or operator of a building, structure, or premises shall be guilty of an offense and subject to penalties who allows a violation to occur or remain at any building, structure, or premises that he or she owns, occupies, or controls; or fails to comply with any lawful order issued pursuant to this Article.

(b) The imposition of a penalty for a violation does not excuse that violation or allow it to continue.

Sec. 13. Enforcement & Violations.

(a) Any owner, occupant, or operator of a building, structure, or premises shall be guilty of an offense and subject to the penalties and remedies provided in Chapter and 30-A M.R.S. § 4452. The minimum penalty for a specific violation is \$100, and the maximum penalty is \$2,500 per day.

(b) The enforcement authority is authorized to institute, or cause to be instituted by the Town Attorney, in the name of the Town any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

(c) A \$50 reinspection fee shall be charged each time the property is reinspected.

**EFFECTIVE DATE.**

This Ordinance takes effect immediately upon adoption. This Ordinance shall take effect immediately upon voter approval at the Special Town Meeting November 06, 2018. Article 4: Shall an ordinance entitled, "The Town of Hollis Minimum Standards for Rental Housing and Vacant Buildings dated 8/15/2018" be enacted?

**SEVERABILITY.**

Should any section or provision of this Ordinance be declared by any court to be invalid, such a decision shall not invalidate any other section or provision.


Municipal Officer's Certification of Official Text of a Proposed Ordinance [30-A M.R.S.A. § 3002(2)]

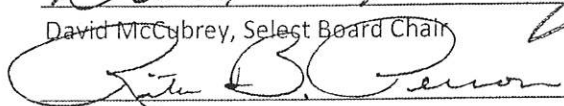
To the Town Clerk of Hollis, Maine:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled, "The Town of Hollis Minimum Standards for Rental Housing and Vacant Buildings dated 8/15/2018" which is to be presented to the voters for their consideration on November 06, 2018 at the Hollis Special Town Meeting Article # 4.

Pursuant to 30-A M.R.S.A. § 3002 (2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the votes, and you will ensure that copies are available at the town meeting /polling places on the day of the vote.

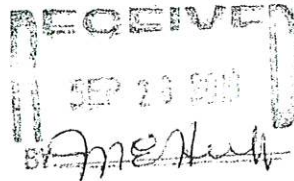
Dated: 9-25, 2018

  
David W. McCybrey, Select Board Chair

  
Rita B. Perron, Select Board

\_\_\_\_\_  
(vacant seat)

Town of Hollis Select Board



Town of Hollis Maine

Hollis Special Town Meeting results for November 6, 2018.

Article 1: Lila Wilkins was elected moderator for the Special Town Meeting.

Article 2: Select board Overseer of the Poor for a term expiring June of 2019.

Rogala, John,	1775
Blank ballots	503
total ballots cast	2278

Article 3: Ordinance establishing a Medical Marijuana Moratorium...

Yes	1004
No	1199
Blanks	75
Total ballots cast	2278

Article 4: Ordinance entitled Minimum standards for Rental buildings be enacted...

Yes	1274
No	894
Blanks	110
Total ballots cast	2278

Official Special Town Meeting results 11/7/2018

Martha E. Huff, Hollis Town Clerk

*Martha E. Huff* 11/7/2018

A True Attested Copy of the Results of the Nov 6, 2018  
Hollis Special Town Meeting, Article #4 - The Town of Hollis  
Minimum Standards for  
Rental Housing -  
*Martha E. Huff* 2/16/2023

