

CHAPTER 11

BUILDING CODE ORDINANCE FOR THE TOWN OF FREEPORT, MAINE

1. **Maine Uniform Building and Energy Code**
Effective December 1, 2010, the Town of Freeport applies and enforces the Maine Uniform Building and Energy Code (“M.U.B.E.C.”), as required by Title 10 M.R.S.A. § 9724.
2. **Fee Schedule**
Fees for plan examinations, permit applications and inspections under M.U.B.E.C. shall be paid in accordance with a fee schedule established by the Town Council, as such may be amended by the Town Council from time to time.
3. **Enforcement, Violation and Penalties**
The Codes Enforcement Officer shall serve as the Building Official as defined in Title 25 M.R.S.A § 2371 and shall enforce M.U.B.E.C. within the Town of Freeport. Any person who violates a provision of M.U.B.E.C. or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the Codes Enforcement Officer or a permit or certificate issued under the provisions of M.U.B.E.C. commits a civil violation and shall be subject to fines and penalties as provided in Title 30-A M.R.S.A § 4452. Each day that a violation continues shall be deemed a separate offense.
4. **Unlawful Continuance**
Any person who continues any work in or about a structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, commits a civil violation and shall be subject to fines and penalties as provided in Title 30-A M.R.S.A § 4452.
5. **Board of Appeals**
Appeals from decisions of the Codes Enforcement Officer under M.U.B.E.C. may be taken to the Board of Appeals as an administrative appeal pursuant to the provisions of the Freeport Zoning Ordinance.
6. **Public Rest Rooms in Retail Establishments**
 - a. Any building or facility used for retail trade, and containing from 2500 to 4999 sq.ft. of (floor area, gross) as defined in the Zoning Ordinance, regardless of its division into more than one separate retail establishment, shall locate the rest rooms required by the State plumbing Code, Minimum Plumbing Facilities, for total number of employees, in at least one central location which is accessible to the public, available for public use free of charge, open during regular business hours, and identified as a public rest room.

- b. Any building or facility used for retail trade and having a minimum of 5000 sq. ft. of (floor area, gross) as defined in the Town of Freeport Zoning Ordinance, regardless of its division into more than one separate retail establishment, shall provide public rest rooms which are in at least one central location, accessible to the public, available for public use free of charge, open during regular business hours and identified as public rest rooms, according to the following formula:

Building Size (square feet)	Rest Rooms
5,000 – 10,000	Male (1 water closet, 1 lavatory) Female (1 water closet, 1 lavatory)
10,001-15,000	Male (2 water closets, 2 lavatories) Female (2 water closets, 2 lavatories)
Each additional 10,000 sq. ft.	Male (1 water closet, 1 lavatory) Female (1 water closet, 1 lavatory)

Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed except the number of water closets in such cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.

- c. If restrooms in a building of facility are required to be available to the public, signage identifying their availability shall be placed in a minimum of two locations: in a visible location inside the building near each public entrance and in a visible location inside the building on or near the rest rooms' facilities.

The public rest rooms shall be in addition to those required for the total number of employees by the State Plumbing Code, Minimum Plumbing Facilities. However, if the employee rest rooms meet the requirements described in Paragraph A above for public rest rooms, they may be counted toward the number of required public rest rooms. If employee rest rooms are not available to the public, they shall be physically separated from the required public rest rooms.