

TOWN OF BELGRADE, MAINE

MANUFACTURED HOUSING AND MOBILE HOME PARK ORDINANCE

JUNE 12, 1990

EFFECTIVE DATE: JUNE 12, 1990

PROPOSED

Changed 5-10-90

ADAPTED 6/12/90

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SECTION 1. GENERAL PROVISIONS

1.1 Title

This Ordinance shall be known and may be cited as the "Manufactured Housing and Mobile Home Park Ordinance of Belgrade, Maine" and shall be referred to herein as "this ordinance."

1.2 Legal Authority

This Ordinance has been prepared and enacted pursuant to the provisions of Title 30-A Section 435B, Regulation of Manufactured Housing; and Title 30-A, MRSA, Section 3001, Home Rule; as amended.

1.3 Purpose

The purpose of this Ordinance is to promote the health, safety and general welfare of the residents of the Town; to ensure adequate design, construction and maintenance of structures and premises; and to minimize the potential harms from new development; through the regulation of the placement of house trailers, manufactured housing and mobile home parks.

1.4 Applicability

All manufactured housing and mobile home units and parks hereinafter developed, erected, located, moved, reconstructed, altered, or enlarged in the Town of Belgrade shall conform to the provisions of this Ordinance and its amendments.

1.5 Nonconformance

1.5.1 Nonconforming Structures

Older mobile homes and trailers, and manufactured homes which fail to meet the standards set forth in Section 3, paragraph 3.1.2, which were lawfully established as of the effective date of this Ordinance, shall be considered nonconforming structures and may continue and may be maintained, repaired, and improved in accordance with the dimensional requirements of this Ordinance. No such nonconforming structure may be replaced by another nonconforming structure, but may be replaced by a manufactured home or other structure that is in conformance with the requirements of this Ordinance.

1.5.2 Nonconforming Parks

1.5.2.1 Alterations and Expansions

Any alteration or expansion of an existing nonconforming park shall conform to the provisions of this Ordinance.

1.5.2.2. Nonconforming Lots and Setbacks

Nonconforming lots in an existing park may continue to be used provided that existing nonconforming setbacks are not further reduced. Furthermore, when units are replaced, setbacks shall be met wherever practical, and if nonconforming setbacks exist, they shall be improved to reduce the nonconformity, wherever practical.

1.6 Conflict with Other Ordinances

Wherever the requirements of this Ordinance and its amendments are inconsistent with the requirements of any other applicable ordinance, code or statute, the more restrictive requirements shall apply. Wherever requirements within this Ordinance appear inconsistent, the more restrictive and more comprehensive provisions shall apply.

1.7 Validity and Severability

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

1.8 Amendments

This Ordinance may be amended by a majority vote of the Town at a Town Meeting in accordance with the statutory procedures specified for the enactment of ordinances.

1.9 Effective Date

This Ordinance shall take effect and be in force from the date of its adoption by a majority vote of the Town at a Town Meeting.

SECTION 2. CONSTRUCTION OF LANGUAGE AND DEFINITIONS

2.1 Construction of Language

Except where specifically defined in this Ordinance, all words used shall carry their customary dictionary meaning. The word "shall" is always mandatory. The word "may" is permissive.

2.2 Definitions

Alteration--Structural changes to a building or structure which modify the square or cubic footage enclosed within the building or structure or which change the exterior dimensions of the building or structure or any changes to an existing mobile home park which modify the facilities, services or layout of the park subsequent to the enactment of this Ordinance.

Buffer--A portion of a lot along a property boundary reserved for the purpose of mitigating the impacts of the use of the parcel on adjacent parcels. Within this portion of the lot, improvements consisting of landscaping, fencing, earth-mounding or other similar devices, may be installed and maintained.

Expansion--Any increase in the size of an existing mobile home park, including but not limited to, the areas in lots, buffers, open space and right-of-way, and any increase in the density of units within an existing park resulting from additional numbers of lots created within the park without an increase in the area in lots.

House Trailer--See Manufactured Housing.

Lot Lines-- The lines bounding a lot as defined below.

Front Lot Line-- The line separating the lot from the right-of-way, public or private road. On a corner or through lot, the line separating the lot from either right-of-way, public or private road.

Rear Lot Line--The lot line opposite the front lot line. On a corner lot the rear lot line shall be opposite the front line of least dimension.

Side Lot Line--Any lot line other than the front lot line, the rear lot line or the shore lot line.

Manufactured Housing--A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For the purposes of this Ordinance, 3 Types of manufactured housing are included. Those 3 types are:

A. Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in the traveling mode

are 14 body feet or more in width and are 750 or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

This term also includes any structure which meets all the requirements of the preceding paragraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the U.S. Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et. seq.:

B. Those units commonly called "modular homes," which the manufacturer certifies are constructed in compliance with Title 10 Chapter 957 and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained in the unit: and

C. Those units called "older mobile homes," "house trailers" and "trailers," which are terms that may be used interchangeably, and mean any factory built home which fails to meet the definition of "manufactured housing" above.

Mobile Home--The term includes "newer mobile homes" and "older mobile homes." See Manufactured Housing.

Mobile Home Park--A parcel of land under unified ownership approved by the Town for the placement of 3 or more manufactured homes.

Mobile Home Park Lot--The area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home. The Town may require a lot to be designated on a mobile home park plan.

Mobile Home Subdivision or Development--A parcel of land approved by the Belgrade Planning Board under the provisions of the Town's Subdivision Regulations for the placement of manufactured houses on individually owned lots.

Permanent Foundation-- The term means all of the following:

1. A full, poured concrete or masonry foundation;
2. A poured concrete frost wall or a mortared masonry frost wall, with or without a concrete floor;

3. A reinforced, floating concrete pad for which the Town may require an engineer's certification if it is to be placed on soil with high frost susceptibility; and

4. Any foundation which, pursuant to the building code of the Town is permitted for other types of single-family dwellings.

Pitched, Shingled Roof-- A roof with a pitch of 2 or more vertical units for every 12 horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing material.

Setback--The minimum horizontal distance from the lot line or shore line to the nearest part of a building.

Trailer-- See Manufactured Housing.

SECTION 3. PERFORMANCE STANDARDS

3.1 Individual Manufactured Housing Units

Only manufactured housing units which meet the following standards may be permitted as new dwellings within the Town of Belgrade;

3.1.1 Certification of Payment of Sales Tax

No new manufactured housing may be constructed or located within the Town by any person other than a dealer licensed by the State with a sales tax certificate, without:

1. A bill of sale indicating the name, address, dealer registration number and sales tax certificate number of the person who sold or provided the manufactured housing to the buyer locating the housing in the Town, or

2. If no such bill of sale is presented, evidence of certification of payment of the sales tax in accordance with Title 36, MSRS, Section 1760, Subsection 40, and Section 1952-B shall be presented..

Permits shall not be approved or deemed valid until payment of the sales tax has been certified.

3.1.2 Design Standards

All manufactured housing to be sited in the Town of Belgrade shall be at least 12 feet in width, shall contain at least 600 square feet of living space and continuous skirting around the base of the home.

3.1.3 Lot Size and Setbacks

1. Units Outside of Mobile Home Parks

Manufactured housing located outside of a mobile home park shall be placed on lots that conform with the provisions of Belgrade's Minimum Lot Size and Building Permit Regulations.

2. Units on Lots in Mobile Home Parks

Manufactured housing located in a mobile home park shall be placed on lots in compliance with the provisions of paragraphs 3.2.4 and 3.2.5 of this ordinance.

3.1.4 Safety Standards

These standards shall apply to all manufactured housing built before June 15, 1976, or not built according to the National Manufactured Housing Construction and Safety Standards Act of 1974 United States Code, Title 42, Chapter 70:

1. Exits

A. Required egress doors shall not be located where a lockable interior door must be used in order to exit.

B. Homes shall have a minimum of two exterior doors not less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.

2. Fire Detection Equipment

At least one smoke detector (which may be a single station alarm device) shall be installed in the home at the following locations:

A. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from that bedroom area, in which case the detector shall be installed on the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.

B. When located in hallways, the detector shall be between the return air intake and the living area.

C. The smoke detector shall not be placed in a location which impairs its effectiveness.

E. Each smoke detector shall be installed in accordance with it's listing. The top of the detector shall be located on a wall 4 inches to 12 inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection on the

connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector connected by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the overcurrent protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on the same branch circuit or any circuit protected by a ground fault circuit interrupter.

3.1.5 Sales

No manufactured housing, house trailer or mobile home shall be exhibited or offered for sale in any residential district, except by the owner thereof or his/her agent.

3.1.6 Exceptions

1. Movement and Relocation

A manufactured home which does not meet the design and dimension requirements of paragraph 3.1.2 above, which was legally sited within the Town of Belgrade as of June 1, 1990, may be moved to another location within the Town provided that all other applicable requirements of this and other ordinances of the Town are met.

2. Sales

The requirements of paragraph 3.1.2 and 3.1.3 shall not apply to manufactured housing, house trailers and mobile homes in the hands of dealers as stock in trade, so long as said units remain unoccupied.

3. Temporary Units

A manufactured home which does not meet the design or dimension requirements of paragraph 3.1.2 may be used as temporary housing for up to 2 years while a permanent dwelling is under construction under the following conditions:

A. The mobile home is located on the same lot as the dwelling under construction;

B. The approved water supply and sewage disposal systems (or hookups) for the lot shall be capable of serving first the temporary mobile home and finally the permanent dwelling and shall be installed prior to the placement of the mobile home on the lot;

C. The mobile home shall be placed so as to meet yard setback requirements to maximum extent possible while permitting construction;

D. The mobile home shall be occupied only by the owner of the permanent building under construction;

E. The mobile home shall be removed from the lot within (2) years of the date of issuance of the permit for the permanent dwelling. In all cases the temporary unit shall be disconnected from the sewage disposal system and occupancy of the temporary unit discontinued upon occupancy of the permanent dwelling.

3.2 Mobile Home Parks

Mobile home parks shall comply with the following minimum requirements, prior to issuance of a permit:

3.2.1 Access

No lots for the placement of individual homes shall have direct access onto any public way. All parks shall have at least one paved road with unobstructed access to a public street or highway. Park roads which intersect with public roads shall meet the following standards:

1. Angle of Intersection

The desired angle of intersection shall be 90 degrees. The minimum angle of intersection shall be 75 degrees.

2. Road Surface

Roads shall be paved for a minimum of 300 feet from the traveled way of the public road.

3. Grade

The maximum permissible grade within 50 feet of the intersection shall be 3%.

4. Minimum Sight Distance

The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line within the height of the eye 3 1/2 feet above the pavement and the height of object 4 1/4 feet. Where necessary, the park land bordering the intersection shall be cleared of all growth and sight obstruction to achieve the required visibility.

5. Distance from Other Intersections

The centerline of any other street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.

3.2.2 Buffers

1. A 50 foot-wide buffer strip shall be provided along all property boundaries that:

A. Abut residential land which has a gross density of less than half of that proposed in the park, or

B. Abut residential that is zoned at a density of less than half of that of the proposed park.

Further, no structures, streets or utilities may be placed in the buffer strip except that they may cross a buffer strip to provide services to the park.

2. Within 25 feet of any property line and within the buffer strip visual screening and/or landscaping shall be provided. The visual screening may consist of fences, berms, landscaping (such as shrub and trees) and/or natural vegetation. This screening shall effectively screen at least 80% of the homes from view from the adjacent property and shall be maintained throughout the life of the project.

3.2.3 Location

The park shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water. The park shall not be located near swamps or other potential breeding places for insects and rodents, or on land which is exposed to noise, smoke, fumes and odors.

3.2.4 Lot Size

Mobile home park lots shall meet or exceed the following standards

1.	Minimum Lot Area <u>Sq. Feet</u>	Minimum Lot Frontage <u>Linear Feet</u>
A. Lots served by public sewer	6,500 sq. ft.	50 feet
B. Lots served by individual subsurface disposal systems	20,000 sq. ft.	100 feet
C. Lots served by central subsurface wastewater disposal systems	12,000 sq. ft.	75 feet

In addition, the overall density of parks served by central subsurface disposal systems shall be no greater than one (1) unit per 20,000 square feet of total park area.

D. Lots located in shoreland zoning As stated in Belgrade's Shoreland Zoning Ordinance

districts

2. The bounds of each lot shall be clearly marked, and the space shall be surfaced or seeded to provide adequate drainage beneath and adjacent to any mobile home parked thereon.
3. Lots shall have a continuous supply of safe and sanitary water.
4. Lots shall be connected to an adequate sewage disposal system.
5. Lots shall have an electrical power service connection of not less than one hundred (100) ampere capacity.
6. Lots shall be provided with a minimum of a 12" thick gravel pad sized to the proposed mobile home.

3.2.5 Lot Setbacks

The following lot setbacks shall apply to all homes and accessory buildings:

Front Setback	20 feet	Public Road Setback	50 feet
Side Setback	15 feet	Shoreline Setback	100 feet
Rear Setback	10 feet		

3.2.6 Overall Size of Park

Any park providing spaces for three (3) or more individual mobile homes shall be sized by the sum of the following:

1. Area in the Right-of-Way of Roads;
2. Area in the Buffer Strip around the Park;
3. Area in Open Space; and
4. Area in the Lots.

3.2.7 Parking

Each mobile home shall be provided with two (2) off-street parking spaces for motor vehicles. Parking spaces shall have an area of 100 ft. by 20 ft. for each vehicle.

In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of one (1) space each three (3) mobile home lots. Such parking shall be hard surfaced and the spaces shall be reserved for that sole use. This requirement shall be waived if a parking lane provides an equivalent number of spaces.

3.2.8 Playground Area

A playground area containing not less than one hundred (100) square feet of play area for each individual home lot shall be provided and restricted exclusively to playground use, and such areas shall be protected from streets and parking areas, and shall have a well-drained, stabilized surface, maintained in good repair.

3.2.9 Sales and/or Storage

No mobile home or trailer shall be stored or exhibited for sale for commercial purposes within a mobile home park.

3.2.10 Streets

1. All streets in a mobile home park shall have a minimum base of 18 inches of clean, well-drained gravel maintained in good repair and well lighted at night. Street grades shall generally be not more than eight (8%). Paved street surfaces shall meet or exceed the following standards:

Minimum depth of 2"	<u>Paved Width</u>
Street for two-way traffic	20 feet (23 ft. r/o/w)
Street for one-way traffic	14 feet (23 ft. r/o/w)
Parking lane on any street if provided	7 additional feet

2. Any park street for which no parking lane is provided shall be posted against on-street parking, and this rule shall be enforced by the park owner or his/her agent.

3. Where sidewalks or other common walkway systems are provided to separate pedestrian from vehicular traffic, the minimum walkway width shall be 3.5 feet.

3.2.11 Trash Disposal

Mobile home park owner or his/her agent shall provide an approved rubbish collection system and have rubbish removed from the site no less than once per week.

SECTION 4. ADMINISTRATION

4.1 Permits Required

4.1.1 Permits for Individual Manufactured Housing Units

No person, firm, corporation or other legal entity shall locate a manufactured home in the Town of Belgrade, or move a manufactured home from one lot or parcel of land to another, without a permit from the Code Enforcement Officer.

4.1.2 Permits for Manufactured Housing and Mobile Home Parks

No person, firm, corporation or other legal entity shall construct maintain and/or operate any mobile home park in the Town of Belgrade unless such person obtains a permit issued by the Code Enforcement Officer.

1. New Permits

New parks and alterations or expansions of existing parks established after the effective date of this Ordinance shall require review and approval by the Planning Board under the provisions of this Ordinance and the Town's Subdivision Regulation prior to the issuance of the permit by the Code Enforcement Officer.

2. Renewal Permits

The Code Enforcement Officer, upon receipt of a written application may annually renew mobile home park permits upon compliance with the provisions of this Ordinance. Alterations or expansions of existing parks undertaken without approval shall be cause for immediate revocation of existing permits. Subdivisions developed and sold with individually owned lots do not require annual permit renewals. A copy of the park rules must be on file at Town Hall effective 30 days after town approval.

4.1.3 Evidence of Right, Title or Interest

A permit shall be issued only to a person showing written evidence of right, title or interest in the property in question.

4.1.4 Plumbing Permit Required First

No permit shall be issued for any unit or park involving the construction or installation of plumbing facilities unless a design for such facilities has been secured by the applicant or his/her authorized agent, according to the requirements of the State Plumbing Code and this Ordinance.

4.1.5 Permit Required Before Construction Begins

No construction and no earth moving activity, other than that necessary for survey or site analysis, shall begin before a required permit has been issued.

4.1.6 Permit Display

The permit shall be displayed in a conspicuous place on the site, clearly visible from the nearest traveled street and shall not be removed until the work covered by the permit has been approved.

4.1.7 Permit Expiration

Permits and project approvals issued under this Ordinance shall automatically expire two (2) years from the date of issue unless a special schedule has been approved by the Planning Board. The Planning Board may grant an extension for project completion of up to one (1) year.

4.2 Applications

Applications for permits shall be submitted in writing on forms provided for the purpose. The Code Enforcement Officer and the Planning Board may require the submittal of whatever information is necessary to determine conformance with the provisions of this Ordinance.

4.2.1 Application Fees

1. Fees for Parks

A. New or Expanded

Fees for review and approval of new parks or of the expansion of existing parks shall be in accordance with the following schedule:

\$35.00 per lot application and approval fee

PLUS

\$25.00 per lot consultant fee of which the unused portion to be returned to the developer.

B. License Fees

The annual license fees shall be as follows:

1. Parks with 3-50 approved lots shall be \$25.00 plus \$2.00 per lot.

2. Parks with 51 or more approved lots will be \$25.00 plus \$2.00 per approved lot for the first 50 lots and \$1.00 per lot for every lot over 50.

Prior to the issuance of a renewal license, the Code Enforcement Officer shall inspect the park to insure continued compliance with the requirements of the Ordinance.

4.2.2 Application Information

All applications for a permit shall be accompanied by a plan, accurately drawn to scale, showing the actual dimensions of the lot to be built upon or used; the exact location and size of all buildings, structures and outdoor designated used areas (such as storage yards, parking lots, driveways, etc.) already on the lot; the exact location and size of all buildings, structures and use areas proposed for the lot; the existing and proposed use for each

property; and such other information as may be necessary to determine that the proposed activity conforms with this Ordinance. Applications and their accompanying plans and permits shall be maintained as permanent records in the Belgrade Town Office.

2. Applications for Park

All applications for manufactured housing and mobile home parks shall conform to the submission requirements of the Town of Belgrade's Regulations for the Review of Subdivision Applications, as well as provide such other information as may be necessary to determine that the proposed activity conforms to this Ordinance.

4.2.3 Application Procedures

1. Individual Manufactured Housing and Mobile Home Units

Within 10 business days of receipt of an application, the Code Enforcement Officer shall determine whether the application is complete. If the application is incomplete, the Code Enforcement Officer shall notify the applicant of the specific additional information necessary to make a complete submittal. Within 10 business days of receipt of a completed application, the Code Enforcement Officer shall approve, deny or refer to the Planning Board for review all applications. The Code Enforcement Officer's decisions shall be in writing on forms designed for the purpose. In case of denial, the Code Enforcement Officer shall identify the specific provision(s) of the Ordinance which the application fails to meet. A copy of the Code Enforcement Officer's decision shall be maintained as a permanent record in the Belgrade Town Office.

2. Manufactured Housing and Mobile Home Parks

An applicant informed by the Code Enforcement Officer that he/she requires the review and approval of the Planning Board shall file an application with the Planning Board on forms provided for the purpose.

A. Concurrent Review

The Planning Board shall conduct a concurrent review of the application to determine compliance with the provisions of this Ordinance and the Town's Subdivision Regulations.

B. Decisions

In issuing its decision the Planning Board shall make findings of fact in writing establishing that the proposed development does or does not meet the standards of Section 3.2.

C. Conversion of Parks

No lot in a mobile home park may be sold or conveyed without the prior approval of the Planning Board. Any such lot sold or conveyed

shall meet the lot size requirement for a sitebuilt, single family dwelling as outlined in Belgrade's Minimum Lot Size and Building Permit Regulations Ordinance.

4.2.4 Bond

Every mobile home park developer shall post a performance bond in an amount equal to one hundred percent (100%) of the projected construction cost to ensure compliance with the requirements of this Ordinance.

The Bond shall remain in effect for one (1) year following completion and final acceptance of the project. The Bond shall be released following inspection by the Code Enforcement Officer or his/her designee and certification that the project has been constructed in compliance with the Ordinance.

4.3 Enforcement

4.3.1 Code Enforcement Officer

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. The Code Enforcement Officer in the discharge of official duties, and upon proper identification, shall have authority to enter any building, structure or premises to inspect for compliance with this Ordinance at reasonable hours, and with the consent of the property owner, occupant or agent.

4.3.2 Violations

If the Code Enforcement Officer shall find that any of the provisions of this Ordinance or any conditions of the Planning Board or Board of Appeals are violated, he/she shall notify by certified mail the person(s) responsible for such violation(s) indicating the nature of the violation(s) and the State regulations regarding fines, and order the action necessary to correct it. He/she shall order discontinuance of illegal use of land, building or structures or additions, alterations or structural changes; or discontinuance of any illegal activity.

4.3.3 Legal Action and Violations

The Town Officers, on notification by the Code Enforcement Officer, shall institute or cause to be instituted, in the name of the Town, any and all actions, legal and equitable, that may be appropriate or necessary for the enforcement of the provisions of this Ordinance.

4.3.4 Penalties for Violations

Any person, firm or corporation being the owner, contractor or having control or use of any structure or premises who violates any of the provisions of this Ordinance shall upon conviction be fined in accordance with the provisions of Title 30-A, MRS.A, Section

4452. Each day such a violation is permitted to exist after notification shall constitute a separate offense. All fines shall be paid to the Town of Belgrade. Such persons shall also be liable for court costs and reasonable attorney fees incurred by the Town.

4.4 Appeals

Appeals shall be from decisions of the Code Enforcement Officer or the Planning Board to the Board of Appeals, except for Planning Board decisions concerning subdivisions when the appeal shall be to the Superior Court. For any appeal involving land within the Shoreland Zoning districts, the Department of Environmental Protection shall be notified of the results of the appeals hearing. Any appeal denied by the Board of Appeals may be appealed to the Superior Court in accordance with Maine State Rules of Civil Procedures, Rule 80B.

