

A Summary of Land Use Regulation in the Town of Bucksport

The Bucksport Town Code regulates land development and the use of structures and properties, and has done so in some capacity since its initial adoption in 1977. The purpose of these regulations is to ensure that the development and use of land and structures will not cause an unreasonable adverse impact on:

1. municipal services such as police and fire protection, school systems, utility services, and road maintenance;
2. scenic, historical and natural resources;
3. existing development;
4. abutting properties; and
5. the public health, safety and welfare.

In addition, the regulations are intended to support the long range land use goals of the town's Comprehensive Plan, most recently updated in 2003.

The primary means for regulating land uses in Bucksport is an application review and permitting process. For some land uses, a review and permitting process conducted by the Code Enforcement Office is required, while other land uses are subject to a more involved review conducted by the Town's Planning Board. For some types of businesses or site improvements, approval by the Town Council, Town Clerk, Public Works Director or Sewer Department Director is also required.

Land use review and permitting requirements are contained in the following sections of the Town Code:

Chapter 5 Building Standards and Property Maintenance

Chapter 6 Business Licensing and Regulations

Chapter 9 Sewers and Drains

Chapter 10 Roads and Streets

Appendix C Subdivision Ordinance

Appendix D Floodplain Management Ordinance

Appendix H Sign Ordinance

Appendix J Automobile Graveyard, Automobile Recycling Business and Junkyard Ordinance

Appendix K Land Use Ordinance

Appendix L Street Name and Numbering Ordinance

A summary of the permit requirements for each section of the Town Code identified above is provided below. For a complete description of the application review process and fee information, please refer to the appropriate chapter or appendix of the Code, or contact the Code Enforcement Officer.

Chapter 5 Building Standards and Property Maintenance

A building permit is required for the following:

- the construction, erection, installation or renovation of any structure, except as otherwise allowed;
- swimming pools;
- the relocation of a mobile home on the same property; and

- the removal or demolition of any structure connected to a public sewer system when the hook-up to such system is being terminated.

A structure includes anything constructed or erected, the use of which requires a fixed location on or in the ground, or an attachment to something having a fixed location on the ground.

Prefabricated and built on site buildings, manufactured housing, carports, porches, masonry chimneys & fireplaces, stacks for industrial purposes, and commercial antennas are structures subject to permitting.

A building permit is not required for the following:

- ordinary repairs and property maintenance, including, but not limited to, window and door improvements, roofing and siding replacements and repairs, painting, drywall installation, kitchen and bath improvements;
- temporary installations of structures providing storage and office space at a construction site;
- parking or storing a recreational vehicle on any property or in an established campground; and
- sidewalks, fences, driveways, parking lots, and field or garden walls or embankment retaining walls.

A plumbing permit is required for the following:

- the installation or replacement of all water distribution and drainage pipes,
- water heaters,
- new faucets, valves and plumbing fixtures, and
- the installation, expansion or replacement of septic systems or system components.

A municipal electrical permit is not required for electrical installations. The acquirement of any necessary State electrical permits is the responsibility of the property owner or authorized agent.

Chapter 6 Business Licensing and Regulations

Town Council approval is required for the following:

- on-premise licensing from the Bureau of Liquor Enforcement, or for the transfer of location of existing on-premise licenses;
- live music, dancing, live entertainment, performance or show of any kind in any establishment which serves or allows on-premise consumption of alcoholic beverages;
- licensing of bottle clubs with the Bureau of Alcoholic Beverages, or for the transfer of location of existing bottle clubs;
- bowling alleys, shooting galleries, pool, bagatelle, billiard rooms, or any combination of the above;
- licensing of any B.Y.O.B. by the Bureau of Liquor Enforcement;
- closing-out sales conducted by any retail sales business;
- itinerant vendors;
- junkyard and automobile graveyard/automobile recycling businesses;
- lunch wagons;
- pawnbrokers;
- parades and any public exhibition offered for a monetary fee or other valuable article;

- roller skating rinks;
- festivals;
- taxicabs, taxi stands and vehicles for hire; and
- victualers (sellers of food).

Town Clerk approval is required for the following:

- kennels maintained for breeding, hunting, show, training or exhibition purposes; and
- pinball machines for public patronage.

Chapter 9 Sewers and Drains

A permit (issued by the Sewer Department Director) is required to uncover, use, alter, or disturb any public sewer or appurtenance thereof. There are 2 classes of building sewer permits: (1) for residential and commercial services, and (2) for services to establishments producing industrial wastes.

Chapter 10 Roads and Streets

A permit (issued by the Public Works Director) is required for the following:

- the construction or alteration of any driveway, entrance or approach within the right-of-way of any town road;
- grade improvements to or relocation of any existing driveway, entrance or approach within the right-of-way of any town road; and
- the change in degree or kind of use of any existing driveway, entrance or approach within the right-of-way of any town road.

Appendix C Subdivision Ordinance

Planning Board approval is required for any new subdivision, or an amendment or revision of an existing subdivision. Several exceptions apply.

Appendix D Floodplain Management Ordinance

A Flood Hazard Development Permit must be obtained from the Code Enforcement Office for any construction or other development, including the placement of manufactured homes, within any areas of special flood hazard.

Appendix H Sign Ordinance

A permit from the Code Enforcement Office is required to erect, alter or replace any business advertising sign. The general repair and maintenance of any sign does not require a permit.

A permit is not required for the following types of signs:

- Signs bearing only property numbers, post box numbers, names of occupants of the premises or other noncommercial identification.
- Flags or insignia of any Municipal, County, State or Federal Government.
- Legal notices, including no hunting, no trespassing, and the like.

- Signs erected for the purpose of expressing a political or religious opinion, belief, or sentiment provided that they do not constitute a trespass.
- MDOT Official Business Directional Signs.
- Signs not visible from a public right of way.
- Signs painted on windows.
- Signs installed inside any building.
- Garage or yard sale signs.
- Temporary sidewalk signs.
- Signs erected at a recreational facility in recognition of benefactors of that facility.
- Signs serving as public notice of a community event.
- Municipal and state highway traffic control signs and street identification signs.
- Railroad crossing signs and signals.
- Real estate “for sale”, “for rent” or “for lease” signs.

Appendix J Automobile Graveyard, Automobile Recycling Business and Junkyard Ordinance

A license is required from the Town Council for an automobile graveyard, automobile recycling business or junkyard. A person operating a business that involves the recycling of automobiles may operate under a license for an automobile graveyard or a license for an automobile recycling business.

Appendix K Land Use Ordinance

The Land Use Ordinance identifies two levels of review and approval that are required for certain land uses. Level 1 review is conducted by the Code Enforcement Officer and applies to new land uses or changes to existing land uses that pose a minor risk of detrimental effects. Level 2 review is conducted by the Planning Board and applies to new land uses and changes to existing land uses that pose a greater risk of detrimental effects than uses subject to Level 1 review. The appropriate level of review for new land uses is identified in the table of land uses in Section 9 of the ordinance. Section 10 identifies the process for determining the appropriate level of review for changes to existing land uses. In some cases, a change will require no review. Upon approval of a Level 1 or Level 2 application, a land use permit is issued.

Appendix L Street Name and Numbering Ordinance

The purpose of this ordinance is to establish procedures for naming roads and numbering structures for identification. No permits are required.

Other Permit Requirements

Many land development activities subject to town approval are also regulated by State and Federal agencies. Please check with the Code Enforcement Officer for guidance on what other approvals may be required.