

CASTINE RENTAL HOUSING ORDINANCE



ENACTED BY THE TOWN IN MEETING ASSEMBLED

THE 2ND DAY OF JUNE 2018

(AND AS THEREAFTER AMENDED)

ATTEST: THIS IS A TRUE DOCUMENT.

DATED: 2 JUNE 2018

SIGNATURE: _____

AFFIX SEAL

SUSAN M. MACOMBER
CASTINE TOWN CLERK

CASTINE RENTAL HOUSING ORDINANCE

ARTICLE I. RENTAL UNIT LISTING

Section 1. Purpose.

The purpose of this ordinance is to provide a program for the listing of residential rental properties located within the Town of Castine ("Town") providing the town with emergency contact information and to provide owners and managers basic safety guidelines for housing. The Ordinance does not create a licensing program, and the fact that a rental property is listed with the town should not be construed to mean that the town has made any determination that the property is fit for human habitation, or that it complies with any codes, ordinances, statutes or regulations. Nor does this Ordinance create a duty by the Town to verify, and the Town has not taken any action to verify whether the property is fit for human habitation, or that it complies with any codes, ordinances, statutes or regulations. Nothing in this Ordinance shall create any cause of action or claim against the Town or its officials or employees.

Section 2. Definitions.

Any undefined term shall have the meaning ascribed thereto in the Town's Zoning Ordinance. If a term is not defined in this article or the Zoning Ordinance, it shall have its customary dictionary meaning.

Dwelling shall mean a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters and containing cooking, sleeping and toilet facilities physically separated from any other rooms or dwelling units which may be in the same building.

Habitable room shall mean any room used for sleeping, living, cooking or dining purposes, but excluding closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

Owner shall mean any person, agent, firm, corporation or other legal entity having a legal or equitable interest in a rental unit or rental property, including but not limited to a mortgagee in possession, the beneficiary of a trust, or the holder of a life estate.

Rental property shall mean any property (including associated land, buildings, accessory structures, accessory dwelling units, common areas, parking areas, and other appurtenances) used or occupied as, or containing, any rental unit(s).

Rental unit means a dwelling unit, rooming unit, or habitable room that is occupied for residential purposes in exchange for consideration.

Rooming unit shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Town official shall mean Town Manager or his/her designee.

Transient occupancy shall mean occupancy that is less than two weeks duration in the same or similar units owned by the same owner.

Section 3. Applicability.

This article applies to all rental units or rental property located within the Town of Castine, but shall not apply to the following housing arrangements unless the arrangements were created to avoid the application of this article:

- (a) Transient occupancy in a hotel, motel, inn, or other similar lodging facility.
- (b) Group homes, community living arrangements, or foster homes.
- (c) Hospital, nursing home, congregate care facility, assisted living facility, extended medical care facility, or other similar facility.
- (d) On-campus residential facility which is owned, operated or managed by Maine Maritime Academy.

Section 4. Required Listing of rental units and rental properties.

- (a) No later than August 15 of each year, the Owner of any rental unit or rental property shall list such rental unit or rental property with the town official. Listing shall be renewed annually.
- (b) The listing shall be made on such form (Annual Rental Listing Form) and in accordance with such instructions as may be provided by the town official, and shall include at least the following information:
 - (1) The names and addresses (both street and mailing) of all owners of the rental unit or rental property. If the owner is a corporation or other legal entity, the names and addresses of its officers, partners, members, or trustees shall be provided.
 - (2) Emergency contact information for the owner, including addresses, telephone numbers and email addresses, if any.
 - (3) The name, address (both street and mailing), and emergency contact information for any local agent, including telephone numbers and e-mail address, if any.
- (c) Basic Safety Guidelines for Housing shall be included on the Annual Rental Listing Form to provide safety information to owners and managers.
- (d) The designation of a local agent does not relieve the owner of the responsibility for compliance with this article.
- (e) The owner shall list the rental unit or property in a timely manner. If a rental unit or rental property is not listed by the deadline established in this Article, the late fee shall be \$25. Such late fee may be increased by vote of the Selectboard. If a rental unit is not listed during a calendar year in which it has been in existence, the late fee shall be due retroactively.
- (f) No owner or local agent shall lease, rent or permit the occupancy of any rental unit or rental property unless the unit or property is listed in accordance with this Ordinance.

Section 5. Transition provisions.

The initial registration of any rental unit or rental property existing prior to August 14, 2018, shall be made by not later than August 15, 2018.

ARTICLE II. GENERAL PROVISIONS

Section 1. Penalties.

Any person who is found to be in violation of any provision or requirement of this Ordinance shall be subject to a civil penalty as set forth in 30-A M.R.S.A. § 4452 (<http://legislature.maine.gov/legis/statutes/30A/title30-Asec4452.html>). Each violation of a separate provision or requirement shall constitute separate offenses and penalties may be assessed on a per-day basis. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including but not limited to staff time involved in the investigation and prosecution of the violation(s), attorney's fees, expert witness fees, and costs. All civil penalties shall inure to the benefit of the Town of Castine.

Section 2. Severability.

If any provision of this Ordinance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated.



Town of Castine
Annual Rental Listing Form
Castine Rental Housing Ordinance

1. Property Address		Rental Type (Check all that apply) <input type="checkbox"/> Single Family Residence <input type="checkbox"/> Two-Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Single Room(s) Zoning District _____
Tax Map _____ Lot # _____		
Street # _____ Street Name _____		
***Rental Listing Information (ownership, manager or emergency contact, property, and tenant information) must be updated every year.		
Total number of tenants at this location _____ Total number of on-site parking spaces _____		
2. Owner Information (If owner is a corporation or similar entity, provide name of key contact person)		
Last Name _____ First Name _____		
Business Name _____		
Mailing Address Street # _____ Street Name _____ PO Box _____ City _____ State _____ Zip Code _____		
Telephone # _____ 2nd Telephone # _____ E-Mail Address _____		
3. Property Manager Information (If same as above, check here: _____)		
Last Name _____ First Name _____		
Business Name _____		
Mailing Address Street # _____ Street Name _____ PO Box _____ City _____ State _____ Zip Code _____		
Telephone # _____ 2nd Telephone # _____ E-Mail Address _____		
4. Emergency Contact Information		
Is there an emergency contact other than the names listed above? Yes _____ No _____		
Last Name _____ First Name _____		
Telephone # _____ 2nd Telephone # _____ E-Mail Address _____		
5. Certification		
I certify that the information provided above is true and complete. Further, I acknowledge that designating a local agent does not relieve the owner from responsibility of complying with this and other state and local regulations.		
Authorized Signature: _____ Date: _____		
Printed Name: _____		
Thank You.		
Please submit the completed Annual Rental Listing Form by <u>August 15</u> to: Town of Castine, 67 Court Street, PO Box 204, Castine ME 04421		

BASIC SAFETY GUIDELINES FOR HOUSING

APARTMENTS (Multi-family Dwelling Unit)

- Each apartment shall be labeled (i.e., Apartment 1, Apartment A, etc.).

BUILDING ADDRESS

- All buildings must have black street numbers on a white reflective background, placed in a location that is visible from the street in all weather conditions.

DETECTORS, SMOKE & CO (ref. Maine State Fire Marshall Detector Requirements dated 05/10/2018)

- Electric powered (with battery back-up) smoke detectors shall be located inside each bedroom, as well as 15-feet outside the bedroom, and on each level if applicable. Detectors are recommended near fuel burning heating systems. Smoke detectors should be replaced every 10 years.
- At least one electric powered (with battery back-up) carbon monoxide (CO) detector shall be located inside the apartment within 15-feet of the bedroom,
- Talking detectors or detectors with a flashing light shall be used in apartments occupied by an individual with a disability.

DETECTORS, FUEL GAS

- Beginning January 1, 2022, an approved fuel gas detector shall be installed in every room containing an appliance fueled by propane, natural gas or LP gas in each unit of a multi-family occupancy or residential rental unit. See Title 25 MRSA, Section 2469 for complete details.

ELECTRICAL

- Extension cords and not allowed, except for temporary use (i.e., cleaning, construction, etc.).
- Electrical panels shall be covered and easily accessed. All circuit breakers shall be properly sized and clearly labeled. Screw-in fuses should not be used.
- Electrical switch and receptacle boxes must have cover plates.

EXITS

- In most cases, two well lit exits are required from each building, typically stair and hallway. These exits shall not be blocked or obstructed by anything including snow or personal belongings. Exit doors shall not be blocked, padlocked, or nailed shut.
- All fire escapes shall be in good condition with clear access.
- Bedroom windows shall be large enough for egress.

FIRE EXTINGUISHERS

- One fire extinguisher shall be provided on each level, located in plain sight, and inspected annually.

HEATING EQUIPMENT

- The apartment's heating equipment (including oil tanks) shall be in good working order with no fuel leaks, be properly vented, and, in the case of a furnace/boiler, have an emergency shut-off switch.

STORAGE/TRASH

- Stairs and hallways shall be clear of any trash or personal belongings such as bicycles, furniture, or appliances.
- Combustible and flammable liquids and gasses are not allowed inside the building unless they are stored in UL labeled containers and lockers.
- There should be a designated area outside the apartment for accumulated trash.