

ARTICLE 12 FEES, VIOLATIONS, ENFORCEMENT

Section 12.01 Permit and Review Fees - All persons developing or requiring the issuance of a permit and/or the review and approval of either the Planning Board, the Zoning Board of Appeals, or the Selectmen, shall pay a fee for such permit and/or review process to the Town Treasurer according to the following schedule. These fees shall be used to defray the costs of administering and enforcing the provisions of this ordinance and must accompany the application for the permit or approval being requested. In cases where more than one permit or approval is sought or required, fees are cumulative.

Building Permit	Fee shall not be less than \$25.00 in any case except there shall be no fee if estimated cost does not exceed \$1,000.00 (see Section 2.03) otherwise \$4.00 per \$1,000.00 estimated cost for residential building. New commercial buildings including multi family residential (3 or more units) including additions, but not alterations \$6.00 per \$1,000.00 per estimated cost. (AMENDED 3-12-88, 4/27/02)
Occupancy Permit	\$10.00 (see Section 2.03)
Change of Use Permit	\$10.00 (see Section 2.03)
Sign Permit	\$25.00 (see Section 6.03)
Conditional use review	\$100.00(see Article 4) (Amended 4/27/02)
Special structures	\$50.00 (see Section 8.01) height modification request
Cluster development	\$100.00 plus \$25.00 for each review residential, commercial or industrial unit in the development. (see Section 8.03)
Planned unit	\$100.00 plus \$25.00 for each development review residential, commercial, or industrial unit in the development. (see Section 8.02
Variance Request	\$330.00 (see Section 2.08)

	and 10.04) (AMENDED 3-9-91)
Temporary use review	\$50.00 (see Section 2.07)
Permit to convert	\$50.00 (Title 30 3223 Paragraph 3) from seasonal use to year round use
Review on Non-conforming lots	\$25.00 (see Section 2.08)
Administrative Appeal	\$330.00 (AMENDED 3/9/91)
Site Plan Review	\$300.00 (Amended 4/27/02)
For additional site plan fees refer to the Site Plan Review Ordinance	
Re-Inspection fee	\$25.00 (Amended 9/30/03)

Request to undertake uses not presently permitted by this ordinance but similar to those which are permitted \$50.00 (see Section 2.07) Fees received under this Article will be used by Code Enforcement Officer, Site Review Committee (if established) and the Planning Board towards operational funds. (AMENDED 3-11-89) All fees received from a Variance request of Administrative Appeal shall be used by the Zoning Board of Appeals towards operational costs. (AMENDED 3-9-91)

Privately sponsored request to amend this ordinance \$100.00 (see Sections 2.07 and 13.04)

Section 12.02 Violations, Fines - Persons who have not adhered to the provisions of state law, this ordinance, other local land use ordinances or regulations, or the plans, specifications, or conditions upon which required permits and approvals were sought and obtained are in violation of this ordinance. Violations shall be noted initially by the Code Enforcement Officer's issuance of a code enforcement order (see Section 2.05). Such orders are to be complied with immediately. Violators are subject to fines which shall not exceed \$50.00 for each day of violation.

A violation which consists of the commencement of development activity or the use of land, water, or structures without applying for or before obtaining all of the permits and approvals which this ordinance requires will also subject the violator to the payment of fees double in amount to those established in Section 12.01 violators who have not applied for required permits and approvals must do so.

Section 12.03 Selectmen Orders, Enforcement - The Selectmen acting upon the recommendation of the Code Enforcement Officer, Planning Board, or the Zoning Board of Appeals may protect the public interest and the reasonable expectations of private landowners by ordering violators to cease and/ to remove any violating activity, use or structure and. if necessary, they may order the restoration of conditions in existence prior to the violation.

If fees or double fees are not paid or if a Code Enforcement Order, or an order of the Selectmen is not complied with, the town may bring whatever legal, equitable, or injunctive action is necessary to compel the payment of established fees and to seek the imposition of appropriate fines as well as compliance with its orders. The costs of such proceedings shall also be imposed on the violator.

Section 12.04 Performance Bonds - The Planning Board may require any person undertaking development activity or the use of land, water, or structures in a manner which pursuant to this ordinance requires Planning Board review and approval to post a performance bond equal to twenty-five (25) percent of the estimated cost of the project to insure that all work will be undertaken in accordance with the plans, specifications, or conditions upon which the approval was sought and obtained. The bond shall be payable to the Town of Waterboro and shall be forfeit if the Code Enforcement Officer properly refuses to issue an occupancy permit after the completion of work contemplated in a building permit (see section 2.03) or issues a valid code enforcement order (see Section 2.05) after finding that the plans, specifications or conditions upon which the approval was predicated were not complied with. A performance bond requirement will end upon the issuance by the Code Enforcement Officer of an occupancy permit indicating that work contemplated in a building permit has been completed satisfactorily.