

TOWN OF WILTON BUILDING AND PROPERTY MAINTENANCE ORDINANCE

Section I. Purpose/Scope.

The purpose of this Ordinance is to set a minimum standard for the condition and maintenance of the exterior of all buildings and structures and the premises surrounding such buildings and structures in the Downtown Village, Commercial, and Residential I zoning areas of the Town of Wilton in order to protect the economic well-being of the town's inhabitants. The appearance of the town as an attractive, well kept, safe, clean community is extremely important to the economic health of its businesses and the corresponding employment opportunities for its residents. Buildings which are not well maintained and which take on an unkempt, dilapidated appearance have a negative, blighting effect not only on the immediately surrounding properties but on the community as a whole and the town's economy. This ordinance is intended to require property owners to maintain their properties in good repair in order to preserve the community's safety and welfare.

Section II. Definitions.

Terms used in this Ordinance shall be defined in the Town of Wilton's Zoning Ordinance and the NFPA Life Safety 101 Code.

Section III. Maintenance Required.

All buildings and structures and all parts thereof in the Downtown Village, Commercial and Residential I Zones shall be maintained in a safe, sanitary and nonhazardous manner. All means of egress, devices, safeguards and equipment shall be kept in good working order. The exterior of all premises and the condition of all buildings, structures and components thereon shall be maintained so as to prevent and repair deterioration, so that the appearance thereof shall reflect a level of maintenance ensuring that the property itself may be preserved safely, and so that hazards to the public health and safety are avoided.

Section IV. Maintenance Standards for Buildings and Structures.

a. Each property owner shall keep all exterior components of every principal accessory structure in good repair, including but not limited to walls, roofs, chimneys, cornices, gutters, downspouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors and storefronts.

b. All surfaces shall be maintained free from deterioration, including but not limited to broken glass; loose or missing shingles or siding; crumbling brick, stone and mortar.

Section V. Maintenance Standards for Premises and Yard Areas.

a. All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to steps, walks, driveways, fences, retaining walls, trees, shrubs. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.

b. All yards, courts or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other noxious or offensive material which may cause a fire hazard or may act as a breeding place for vermin or insects, or create a negative impact on neighboring property values.

Section VI. Maintenance After Casualty Damage.

Any building destroyed by fire or other causes shall be made secure immediately and a permit for demolition or reconstruction shall be obtained within ninety (90) days from the date of the fire or other casualty. Work to either remove or restore a fire damaged building must begin no later than one hundred twenty (120) days from the date of the fire or other casualty.

Section VII. Enforcement, Penalties & Appeals.

a. This ordinance shall be enforced by the Code Enforcement Officer (CEO), or his or her designee. The CEO shall notify the violator, serving a written notice by certified mail or by hand delivery. The notice shall explain the nature of the violation and require corrective action within thirty (30) calendar days from the date of receipt of the notice to correct the violation; or seven (7) days for a health and/or safety violation. If community programs are available, i.e., paint bank programs, volunteer removal of materials, etc., CEO may recommend such programs in the notice.

b. The CEO may offer one (1) special extension per person/per incident of up to 180 days to violators of this ordinance under certain hardship or extenuating circumstances. If a violation is discovered during the winter months (November 1 – April 1) and if winter weather prevents the timely correction of a violation, an extension may be granted. Cases of disability or financial hardship shall also be grounds of an extension. Violators requesting an extension for financial hardship shall be required to prove hardship through financial documentation. These extensions for seasonal, disability, or financial hardship shall be at the discretion of

CEO.

- c. The violator may appeal the CEO's decision to the Town of Wilton's Board of Selectmen. Appeals must be made within seven (7) days of notification by the CEO of a violation. In the case of an appeal, the thirty (30) days allowed to attain compliance shall start the day after the Selectmen have heard an unsuccessful appeal by the alleged violator.

- d. If a violation is not corrected within the time allowed the Town shall pursue all remedies and relief available by law and/or in equity for land use ordinances, including without limitation the remedies and relief provided in 30-A M.R.S.A. § 4452 currently including, without limitation, a minimum penalty of \$100 per day for a specific violation, injunctive relief and reasonable attorney fees, expert witness fees and costs. The Town shall retain all penalties set forth in this ordinance. The CEO may represent the Town in District Court with the written authorization of the Selectmen, pursuant to Rule 80-K. Should the services of the Town Attorney be required the CEO shall first review the case with the Selectmen.

Section VIII. Severability.

This Ordinance is adopted pursuant to 30-A MRSA §3001 and 30-A MRSA §3007(2).

Section IX. Effective Date.

This Ordinance shall be effective upon adoption by the Town of Wilton and may be amended in accordance with Town requirements for amending ordinances.

Enacted: June 10, 3013

Signed



Diane Dunham, Town Clerk