

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve, Directing the Office of the State Fire Marshal To Amend Its Rules Relative to Construction Permit Applications

Sec. 1 Rules. Resolved: That the Department of Public Safety, Office of the State Fire Marshal shall amend its rules pertaining to a construction permit application to include the following.

1. Application. The rules must specify the:

- A. Contents of the application, consistent with the standards applicable for the permit;
- B. Form of submissions;
- C. Length of time within which the State Fire Marshal must conduct inspections of completed work; and
- D. Consequences when a construction fails an inspection, including information on what measures the applicant must take to correct work not performed according to the approved permit.

2. Written comments. The rules must include a mechanism to include a municipal public safety agency's comment on a construction permit application. The comments from a municipal public safety agency must be taken into account when the Office of the State Fire Marshal approves or denies a construction permit application. The rules must address situations in which no comments from a municipal public safety agency were included in the construction permit application.

3. Review; appeal. The rules must set a length of time for the State Fire Marshal to act on and review a construction permit application and how an applicant may appeal a denial of a construction permit application.

4. Additional work; safety requirement. The rules must establish standards for requiring additional work and more stringent safety measures than first identified on the approved construction permit; and be it further

Sec. 2 Major substantive rules. Resolved: That rules adopted pursuant to section 1 are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

SUMMARY

This resolve requires the Department of Public Safety, Office of the State Fire Marshal to amend its rules pertaining to the construction permit application process. It requires the rules to specify what needs to be included in the construction permit application, to permit inclusion of comments from a municipal public safety agency, to include a review and appeals process and to set standards for requiring additional work and more stringent safety measures.