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AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 391, L.D. 549, Bill, “An Act To Recognize Preexisting Land Uses”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 12 MRSA §685-B, sub-§7-B is enacted to read:

7-B. Presumption of nonconforming uses and nonconforming structures. If a person demonstrates that a use or structure that does not conform with district standards has existed for at least 30 years, there is a rebuttable presumption that the use is a nonconforming use or that the structure is a nonconforming structure.'

SUMMARY

This amendment replaces the bill and provides that if a person demonstrates that a use or structure that does not conform with Maine Land Use Planning Commission district standards has existed for at least 30 years, there is a rebuttable presumption that the use or structure is a nonconforming use or nonconforming structure, which is a use or structure that lawfully existed when district regulations were adopted but that does not currently conform.

COMMITTEE AMENDMENT