WINTERPORT LOT DIMENSION ORDINANCE
Adopted June 11, 2026

1. Title

   This ordinance shall be known and may be cited as the Winterport Lot Dimension Ordinance, and will be referred to herein as the "Ordinance."

2. Authority

   This Ordinance is adopted pursuant to Municipal Home Rule authority granted by the Maine Constitution, Article VIII, Part 2, Section 1 and Title 30-A M.R.S. § 3001.

3. Purpose

The intent of this Ordinance is to manage development of land in order to protect public health, safety, and welfare and to encourage land use development according to the established character of the Town.

4. Applicability

   This Ordinance is applicable to all land area within the Town of Winterport. No building, structure, or land area shall hereafter be constructed or used for any purpose or in any manner except as permitted by this Ordinance. No new lot shall be created except in conformity with all of the regulations herein.

5. Non-conformance

   a. General

      i. Transfer of Ownership: Non-conforming lots may be transferred, and the new owner may continue the existing use of the nonconforming lot, subject to the provisions of this Ordinance.

      ii. Repair and Maintenance: This Ordinance allows, without a permit, the normal upkeep and maintenance of non-conforming structures, including repairs and renovations which do not involve expansion of the non-conforming structure, and such other changes in a non-conforming structure as federal, state, or local building and safety codes may require.

   b. Non-conforming Lots

      i. Non-conforming Lots: A non-conforming lot of record as of the effective date of this Ordinance or amendment thereto may be built upon without the need for a variance, provided that such lot is in separate ownership and not contiguous with any other lot in the same ownership, and that all provisions

of this Ordinance except lot area and frontage can be met. Variances relating to setback or other requirements not involving lot area or frontage shall be obtained by action of the Board of Appeals.

ii. Contiguous Built Lots: If two or more contiguous lots are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that the State Minimum Lot Size Law and Subsurface Wastewater Disposal Rules are complied with. If two or more principal structures existed on a single lot of record on the effective date of this Ordinance, each may be sold on a separate lot provided that the above referenced law and rules are complied with. When such lots are divided each lot thus created must be as conforming as possible to the dimensional requirements of this Ordinance.

iii. Contiguous Lots - Vacant or Partially Built: If two or more contiguous lots are in single or joint ownership of record at the time of or since adoption or amendment of this Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements.

6. Validity and Severability

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

7. Conflict with Other Ordinances

This Ordinance shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other ordinance, code, or statute Whenever the requirements of this Ordinance are more inconsistent with the requirements of any other ordinance, code, or statute, the more restrictive shall apply.

8. Dimensional Requirements

(1) All lots shall meet or exceed the following minimum dimensional requirements unless additional area is required by other provisions of this Ordinance:

Minimum lot size for first dwelling unit or other principal structure	**Additional minimum required are for each additional dwelling unit or principal structure (not including accessory structures or Accessory Dwelling Units, as regulated by 30-A M.R.S. § 4364-B)**	**Minimum road frontage**	**Minimum setbacks**
If not served by Town water and sewer: 40,000 square feet; if served by Town water and sewer: 10,000 square feet	If not served by Town water and sewer: 10,000 square feet; if served by Town water and sewer: 5,000 square feet	50 feet (may include deeded right-of-way)	Rear and side lot lines: 10 feet; Front: 25 feet

9. Enforcement and Administration.

Enforcement and administration of this Ordinance shall be governed in full by the Winterport Land Use Ordinance, including all applicable review processes, approval requirements, Code Enforcement Authority, violation procedures, penalties, and remedies therein