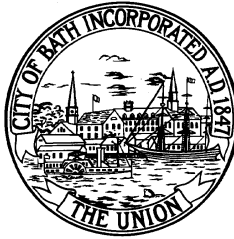


CITY OF BATH, MAINE

City Hall 55 Front Street
Bath, Me 04530

www.cityofbath.com



CODES ENFORCEMENT OFFICE

Phone (207) 443-8334

FAX (207) 443-8337

TDD (207) 443-8368

Accessory Dwelling Units

An accessory dwelling unit (ADU) in Bath is a dwelling unit that's created on a property that has a single family or two-family dwelling unit on it. The property can also have other uses on it. The ADU can be created within the walls of the existing building, by adding on to the building, or by putting it in a detached building on the property. Unlike a conventional dwelling unit, ADUs are exempt from the "lot area per dwelling unit" requirements of the Land Use Code (zoning ordinance). In most zoning districts, new dwelling units require a certain amount of lot size to be allowed. ADUs do not. The Land Use Code requirements for ADUs are below.

An ADU cannot be larger than 850 square feet in total floor area, or 80% of the floor area of the principal dwelling unit(s) in the building if it or they are smaller than 1000 square feet. This includes space within the walls of the building, porches and decks, and basement space used for living purposes. If a building feature, such as a porch, serves more than one dwelling unit, the floor area is divided between/among the dwelling units it serves.

An ADU cannot be rented for a period of less than 90 days.

Creation of an accessory dwelling unit creates new sewerage.

The sewer related requirements for properties served by City sewer are below. ADUs that tie into a building's existing sewer piping do not require a new sewer line to the City main, or a sewer permit, but do require payment of a sewer impact fee, which is a one time payment at the time of permit application, based on the number of bedrooms in the ADU (up to two are allowed) that helps fund the operation and upgrading of the City's sewer system. An ADU in a detached building requires its own sewer line that connects the building to the City sewer main, a sewer permit, and payment of the sewer impact fee. If an ADU is served by a septic system (instead of City sewer), the system must be properly sized to accommodate the ADU. ADUs not on the City sewer system require no sewer permit or sewer impact fee.

ADUs have to meet applicable building and fire codes.

Creating an ADU in, or by adding on to an existing single-family house requires the dwelling units to be separated from each other with one hour fire rated walls and

ceilings. This is typically accomplished by sheetrocking existing walls and ceilings to add fire resistance, depending on how the existing walls and ceilings are constructed.

Adding an ADU to a two-family dwelling requires one of the following:

1. The whole building has to be sprinklered with a residential type system (NFPA 13 R), and the dwelling units have to be separated from each other by one hour rated construction.
2. The whole building has to be sprinklered with a commercial type system (NFPA 13), and the dwelling units have to be separated from each other with ½ hour rated construction.
3. Only the new dwelling unit has to be sprinklered, with a residential type system (NFPA 13 R) if it is separated from the other dwelling units by a 2 hour rated fire wall. The dwelling units in the original building would need to be separated from each other with one hour rated construction.

If the project of converting a two-family dwelling to a three-family dwelling costs over 15% of the assessed value of the two-family dwelling, or \$50,000, whichever is less, the plans for the project will have to be stamped by a Maine licensed architect.

The new ADU has to have its own electrical panel.

The wiring in the ADU can only serve the electrical loads in the ADU. Common loads such as a heating plant that serves the whole building, or lighting in common areas such as halls, stairways, the basement, etc.) cannot be served from the ADU's panel. Comingled loads in a two-family dwelling that is having an ADU added to it do not have to be separated due to the addition of the ADU.

The Codes Officer can advise you on your project, and we're glad to answer any questions.

10-18-22