

**AMENDMENT TO WINDHAM LAND USE ORDINANCE, CHAPTER 140  
SECTION 1001 (DUTY OF THE CODE ENFORCEMENT OFFICER)  
RE: INTERPRETATION OF LAND USE ORDINANCE AND MUBEC**

**1001 Duty of the Code Enforcement Officer**

A. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance.

1. The Code Enforcement Officer, with the advice and consent of the Town Manager, is authorized to institute or cause to be instituted by the Town Council, in the name of the Town of Windham, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this Ordinance; provided, however, that this section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this chapter.

B. The Code Enforcement Officer shall be authorized to grant the following:

1. Building permits,
2. Certificate of Occupancy, (*See Current Building Code*)
3. Growth Cap Permit, (*See Sec. 915 Subdivision Review*)

C. The Code Enforcement Officer is authorized to interpret provisions of this Ordinance and the Maine Uniform Building and Energy Code (MUBEC) as part of his or her duties. When done in the context of an application for a permit, certificate of occupancy or notice of violation, such interpretation shall be considered an order that is appealable to the Zoning Board of Appeals. The Code Enforcement Officer shall give appropriate consideration to the opinions of design professionals or engineers in making such interpretations, although such opinions will not be required as part of an application, unless otherwise established by this Code.