

**Building Moratorium**  
**State of Maine**  
Enacted – 9/21/2001

Statute Applicable To

**MAINE LAND USE REGULATION COMMISSION**

Department of Conservation

22 State House Station, Augusta, Maine 04333-0022 Tel. (207) 287-2631

**AS AMENDED THROUGH THE FIRST SESSION  
OF THE 120<sup>TH</sup> LEGISLATURE**

**Effective Date  
September 21, 2001**

**10. Moratorium.** The commission may adopt a moratorium on the processing or issuance of development permits on a township-by-township basis, on portions of a township or on portions of the territory under its jurisdiction. Any moratorium adopted by the commission must meet the following requirements.

A. The moratorium must be necessary:

- (1) To prevent the shortage or overburdening of public facilities which would otherwise occur during the effective period of the moratorium or which is reasonably foreseeable as a result of any proposed or anticipated development; or
- (2) Because the application of existing comprehensive plans, land use or zoning regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

B. The moratorium must be of a definite term not to exceed 180 days except that the moratorium may be extended for additional 180-day periods provided that the commission:

- (1) Finds that the problem creating the need for a moratorium still exists; and
- (2) Finds that reasonable progress is being made to alleviate the problem creating the need for a moratorium.

C. Any organized town or plantation which has petitioned the commission to remove that town or plantation from the jurisdiction of the Maine Land Use Regulation Commission in compliance with section 685-A, subsection 4, may, through a town meeting, vote to adopt a moratorium to provide a period of time for the town or plantation to adopt a local comprehensive plan and zoning ordinance and to establish a municipal reviewing authority. The moratorium must be in compliance with paragraphs A and B. The municipal officers, acting in place of the commission, may extend the moratorium pursuant to paragraph B after notice and hearing.