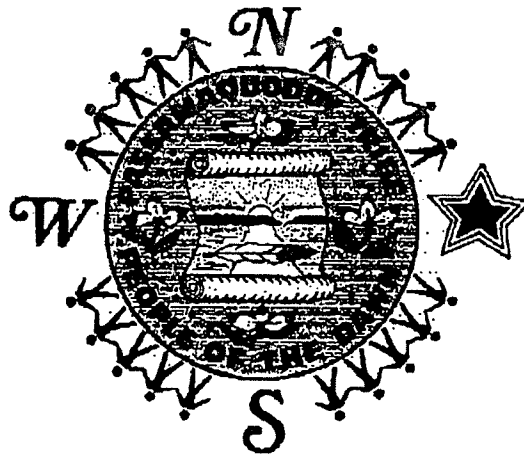




**HOUSE LOT REGULATIONS**



**PASSAMAQUODDY TRIBE  
TRUST LANDS**

**APPROVED:           JUNE 28, 2000**

**PASSAMAQUODDY TRIBAL TRUST LANDS  
HOUSE LOT REGULATIONS**

Any enrolled member of the Passamaquoddy Tribe on the Census of the Indian Township or Pleasant Point Reservation may-be entitled to the assignment of two acre of land for the use of a camp lot.

**SECTION 1: APPLICATION**

*All applicants for the assignment of land for use as a house lot shall:*

- Obtain applications from the Joint Council Clerk or Forestry Department.

*Application shall include:*

- Name and address of applicant
- Requested area for lot.
- Statement of intended use of lot.
- Proof of tribal membership.
- Sketch plan of structures and lot to include proximity to wetlands, or water bodies, roads, adjacent lot lines, and other structures, map or aerial included.

**SECTION 2: APPLICATION STEPS**

1. The application can be obtain/accepted at any time for Joint Council Clerk and the Forestry Department.
2. Once the application is determined to be completed the application shall be presented to designated agent.
3. The designated agent and the applicant will visit the site.
4. After the designated agent and applicant have reviewed the camp lot it will be presented to the Natural Resource Committee.
5. After application has been reviewed by the Natural Resource Committee it will be forwarded to the Joint Tribal Council for final approval.
6. Joint Tribal Council has the authority to cancel any camp lot assignment at any time and shall give 30 day notice to remove any structures. See Section 3.3
7. Road Estimations will be provided in application.

**SECTION 3: REVIEW CRITERIA**

The Joint Council shall review the application based upon the following required criteria forwarded from the Natural Resource Committee.

**SECTION 3.1: APPLICANT CRITERIA**

All applicants must meet the following criteria.

1. Must be 18 years of age or older.
2. Must be enrolled on the census of Indian Township or Pleasant Point Reservations.
3. May not have more than one camp lot.
4. Applicant may not transfer camp lot to non-tribal person(s). Restriction apply for other tribal members.
5. Applicant is responsible to read and understand the Regulations before any work is started.

**SECTION 3.15: TRANSFER OF LOT**

All house lot owners wishing to sell or transfer ownership of their designated house lot must inform the NRC of their intention to transfer/sell and to whom they are going to transfer/sell to. Failure to do so shall result in a penalty, under this ordinance, and such transfer/sale shall be deemed invalid.

**SECTION 3.2: LOT AND STRUCTURE CRITERIA**

1. The lots and structures are shown on th sketch plan must meet the following criteria:
2. House lot may not exceed more than 2 acre in size.
3. No lots may be located in a designated, restricted, or preserved area.
4. No lots may be located in a designated flood plan.
5. A strip of ½ acre shall be between each lot assigned.
6. All permanent structures must be set back at least (100 feet) from the high water mark of all water bodies—with the exception of houses and other buildings already built as of the date of this ordinance is enacted.
7. No structures may be located within 75 feet of the boundaries of any wetland—with the exception of houses and other buildings already built as of the date this ordinance was enacted.
8. No structure may be located within 100 feet of any deer wintering area.
9. All lots must be provided with proper drainage to avoid run off erosion and sedimentation of water bodies, a 75 foot no ground disturbance zone shall be in place to the camp building site. There shall be no changes to occur within the low water

- mark to the high mark, rocks, and beach area shall be let in a natural untouched state.
10. All new House lots and existing camp lots must have at least half of the construction completed (according to plans submitted) within 24 months from date of issue or the lot reverts to the tribe.
  11. Gates for individual House Lot roads are allowed as long as it is not an existing public road.
  12. For existing roads—new House lot owner and camp owner who built the road must attempt a good faith negotiation as to terms of usage. If either party is unable to come to an agreeable solution the Natural Resource Committee will be the Mediator and recommend to the Joint Tribal Council for final decision.
  13. If sections 3.2 (9) or (10) have not been met, the assigned of the camp lot may meet with Joint Tribal Council for review and determination of assigned status. Joint Tribal Council may decide to extend time frames for any of the said provision may decide not to extend it.
  14. All current House lot owners shall be grandfathered as to House lot size. However, the current House lot owners shall adhere to the other provisions of this ordinance i.e. setbacks, buffer zones, etc. The NRC shall develop procedures and time lines to allow the current camp lot owner to transition into compliance.

#### **HOUSE LOT CUTTING VIOLATIONS**

House lot that revert back to the Tribe due to failure to comply with sections 3.2 (9) or (10) will be charged for each tree cut or felled as follows:

- If the tree is no more than 6 inches in diameter, \$25.00
- If the tree is over 6 and up to 10 inches in diameter, \$50.00
- If the tree is over 10 and up to 18 inches in diameter, \$75.00
- If the tree is over 14 and up to 18 inches in diameter, \$100.00
- If the tree is over 18 and up to 22 inches in diameter, \$125.00
- If the tree is greater than 22 inches in diameter, a forfeiture of \$150.00

#### **PENALTIES:**

A violation of these regulations will result in a minimum fine of \$50.00 not to exceed \$1000.00 (in addition to charges for House Lot cutting violations, if any) and corrective measures for each violation.

**SECTION 3.3**

Violations include but not limited to:

1. Illegal dumping of toxins.
2. Building too close to wet lands.
3. Illegal crossing of wet lands and or stream.
4. Unapproved boat landing.
5. Building too close to lake.
6. Failure to comply with building criteria.
7. Failure to comply with Camp and House lot Regulations.

**FINES TO INCLUDE:**

1. First Violation \$50.00 up to \$1000.00
2. Second Violation \$50.00 up to \$1000.00
3. Third Violation Forfeiture of House Lot.

**SECTION 3.4:**

This chapter governs the distances between disposal fields, holding tanks, and septic systems regarding Two Acre House Lot.

1. Sewer System will be no closer than 150 feet in distance from the high water mark.
2. Sewer System will be no closer than 75 feet in distance to water well.
3. Sewer System will be no closer than 75 feet to wet lands.
4. Any and all Violations will revert back to Section 3.3.

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**CERTIFICATION**

**I, Mary J. Nicholas, Clerk of the Joint Tribal Council of the Passamaquoddy Tribe, do hereby certify that this is a true copy of the House Lot Regulations duly adopted by the Passamaquoddy Tribe at a meeting of its Joint Tribal Council held on June 28, 2000 at the Indian Township Reservation.**

**Dated:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_  
Mary J. Nicholas

