

§2495. Issuance of licenses

The department shall, within 30 days following receipt of a complete application, issue an annual license to operate any eating establishment, lodging place, recreational camp, youth camp, campground, public pool or public spa that is found to comply with this chapter and the rules adopted by the department. [PL 2021, c. 125, §13 (AMD).]

When any applicant is found, based upon an inspection by the department or by municipal inspection made according to section 2499, not in compliance with the requirements of this chapter or departmental rules adopted and approved pursuant to section 2496 or 2499, subsection 1, the department may refuse issuance of the license and shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. The department may issue only one conditional license per applicant, which is valid for up to one year. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. [PL 2021, c. 125, §13 (AMD).]

The conditional license is void when the department has delivered in hand or by certified mail a written notice to the conditional licensee or, if the licensee cannot be reached for service in hand or by certified mail, has left notice thereof at the facility. [PL 2021, c. 125, §13 (AMD).]

A conditional licensee may apply for an annual license if the conditional license is voided or expires. A conditional licensee must meet all conditions before applying for an annual license. [PL 2021, c. 125, §13 (NEW).]

The department may redistribute expiration dates for new and renewed licenses to provide for comparable distribution of licenses on a quarterly basis throughout the year and shall prorate the fees for licenses with a term less or more than one year. The prescribed fee must accompany the application for a new license or the renewal of a license. [PL 2021, c. 125, §13 (AMD).]

Licenses must be renewed annually and upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed, and subject to compliance with rules of the department and with this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of the license. [PL 2021, c. 125, §13 (AMD).]

The issuance of the license provided for in this chapter does not provide exemption from other state or local laws, ordinances or rules, notwithstanding any other provision of law. [PL 2021, c. 125, §13 (AMD).]

Licenses erroneously issued by the department are void and must be returned to the department on demand in a notice delivered by hand or by certified mail to the licensee. For cause, the department may revoke or suspend any license pursuant to section 2500. [PL 2021, c. 125, §13 (AMD).]

SECTION HISTORY

PL 1975, c. 496, §3 (NEW). PL 1977, c. 459 (AMD). PL 1981, c. 203, §1 (RPR). PL 1983, c. 553, §21 (AMD). PL 2003, c. 673, §X2 (AMD). PL 2009, c. 211, Pt. A, §8 (AMD). PL 2011, c. 193, Pt. B, §3 (AMD). PL 2017, c. 322, §6 (AMD). PL 2021, c. 125, §13 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is

subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.