

## 2020 Code Changes

Article \_\_\_\_ To see if the town will vote to amend the current Land Use Code as follows:

Section 170-106, General requirements and standards, Subsection A(3)(f), is amended to read: “Where the proposed subdivision is located on a lake, pond, river, saltwater body or stream, a portion of the waterfront area shall be included in ~~reserved land reserved under Subsection A(3)(a) above, which~~ The dimension along the waterfront shall be a minimum of 200 feet, plus 10 additional feet for each unit/lot, or the entire extent of the waterfront, whichever is less. The dimension perpendicular to the waterfront shall be no less than 100 feet.”

(The intent is to clarify that the 200 feet of waterfront land that is required to be reserved as open space in certain subdivisions is measured along the waterfront.)

Article \_\_\_\_ To see if the town will vote to amend the current Land Use Code as follows:

Section 170-53, Retail/wholesale sales or services, is amended to read: “No retail/wholesale sales or services of food, beverages or other items intended for immediate human consumption shall be offered or solicited except on privately owned property ~~, in which the retail sales or services are located, except for restaurants, which may offer on premises consumption incidental to the operation of the restaurant on a deck, porch or equivalent structure or in a garden, patio or equivalent area. Before approval or~~ No use or operation of a drive-up or take-out window, the applicant or operator shall submit to the Town a litter control plan suitable for the service provided. No drive-up or take-out window may interfere with the public’s use of a public way. This provision shall not apply to civic events or statewide or regional events of nonprofit organizations shall occur without a permit from the Planning Board, which permit shall be for the term of one year and may be renewed on an annual basis by the Code Enforcement Officer. Upon the application for such permit or renewal, the applicant shall submit an acceptable litter control plan, evidence that the applicant has the financial resources and technical ability to carry out the litter control plan, and evidence that the drive-up, walk-up, or take-out window will not interfere with the public’s use of any public way, all of which shall be satisfactory as determined by the Planning Board. The Planning Board shall take into account any complaints, citations, notices of violation, and orders to stop issued to or about the applicant or any previous operator of the same site, as reported by the Code Enforcement Officer. The Planning Board may condition any such permit upon compliance with the litter control plan and/or the lack of interference with the public’s use of any public way. No use or operation that is not functionally water dependent shall occur from any structure over the water.”

The Code Enforcement Officer may grant temporary permits under this section for civic, statewide, or regional events of nonprofit organizations.”

Section 170-27(E), Schedule of Uses, is amended by adding a new line and a new footnote, as follows:

<u>GR</u>	<u>SR</u>	<u>DB</u>	<u>WW</u>	<u>LC/M</u>	<u>GB</u>	<u>RP</u>
		P <sup>19</sup>				P <sup>19</sup>

<sup>19</sup> A Mobile Food Vendor is defined as a seller of food, beverages or other items intended for immediate human consumption from a mobile van, truck, cart, or other conveyance.”

(The intent is make provision for the regulation of mobile food vendors.)

Article \_\_\_\_ To see if the town will vote to amend the current Town Code as follows:

Section 2-4, Town finances, Subsection D, is amended to read: “~~Excluding normal professional services, p~~Purchases of and contracts for supplies, contractual services and improvements estimated to cost in excess of ~~\$5,000~~\$10,000 (but excluding normal professional services) shall be purchased by formal written sealed bid from the lowest qualified bidder after due notice inviting proposals. All bid awards must be approved by the Board of Selectmen.”

(The intent is to increase the minimum amount requiring purchase by sealed bids.)

Article \_\_\_\_ To see if the town will vote to amend Chapter 133, Port Regulations, of the current Town Code as follows:

In Section 133-1, Definitions, the definition of “Mooring” is amended to read: “Any appliance used by a watercraft or float for anchoring purposes and not carried aboard such watercraft or float.”

In Section 133-1, Definitions, a new definition of “Float” is enacted to read: “A floating platform affixed to a mooring or otherwise held in position for use by swimmers or other recreational users, by boats, or for the storage of equipment, gear, or supplies.”

Section 133-8, Prohibited acts, Subsection M(3) is amended to read: “All floats, wharves, piers, and docks will be maintained in a good; and serviceable; ~~and seaworthy~~ condition at all times. All floats, wharves, piers, and docks shall be used and operated only in compliance with all safety guidelines and rules established by the Board of Selectmen or otherwise set forth in this Chapter.”

A new Section 133-11, “Safety guidelines and rules,” is enacted to read: “The Board of Selectmen shall establish and revise guidelines and rules for the safe use and operation of floats, wharves, piers, and docks, including, but not limited to, the use of slides, swings, diving boards, trampolines, and other recreational equipment.”

(The intent is to authorize safety rules for floats, wharves, piers, and docks.)

Article \_\_\_\_ To see if the town will vote to amend the current Town Code by enacting a new Chapter 77 as follows:

**“Chapter 77**

**Blasting**

77-1 Blasting Notification

A. No blasting shall be done without first obtaining a permit to blast from the Code Enforcement Officer pursuant to this section.

B. The application for a permit to blast shall include:

(1) A completed application for a permit to blast, using the form provided by the Code Enforcement Officer.

- (2) A site plan showing where the blasting will take place.
- (3) A signage plan sufficient to warn all vehicles, pedestrians, residents, and others within 500 feet of the proposed blasting site that blasting will be occurring. The signs must be placed at least three days prior to blasting and include the approximate dates and times the blasting will occur.
- (4) A statement of the purposes and extent of the blasting, further indicating the approximate dates and times the blasting will occur.
- (5) Identification by name, address, and a contact telephone number of the entity that will actually perform the blasting operation.
- (6) Proof that the applicant or the blasting contractor is properly licensed by the State of Maine and in compliance with Title 25 M.R.S., Chapter 318, Subchapter 1: Explosives, and the State Fire Marshall Rules, Chapter 31, and any other applicable State statutes and regulations.
- (7) Proof of Insurance. The applicant and/or blasting contractor shall present proof of liability insurance in a minimum amount of \$1,000,000 combined single limit per occurrence.
- (8) Evidence that notice of the proposed blasting operation has been sent, at least seven (7) days prior to the proposed blasting date, by certified mail to all landowners within three hundred (300) feet of the subject property. Said notice shall indicate the location of the proposed blasting; approximate date and times that blasting will occur; and name, address, and telephone number of the entity that will actually perform the blasting operation.

C. A blasting permit fee will be established in accordance with Chapter 2, Section 2.7(B) of this Ordinance.

D. The Code Enforcement Officer shall act upon the application for a permit to blast within ten (10) days after the receipt of a completed application form, fee, and all supporting evidence as set forth above.

E. If granted a permit, the applicant must adhere to all of the plans and requirements stated in the application for the permit. If not, the applicant will be in violation of this ordinance, and the Code Enforcement Officer may require all blasting related work to immediately cease.

F. Definition of Blast/Blasting - Any activity entailing the use of explosives for the purpose of producing an explosion to demolish structures or portions of structures or to fragment rock or similar materials.”

(The intent is to provide notice of blasting activities.)