

SECTION 7. EXPIRATION OF PERMIT

Following the issuance of a permit, if no substantial ~~start to construction~~ start is made ~~in construction~~, or ~~in~~ use of the property is initiated for which such permit has been issued, within one year of the date of the permit, the permit lapses and becomes void. ~~H~~ However, the permit may be renewed for one additional year if no material change in the proposed use or applicable Ordinance standards has occurred. In the Shoreland Districts, the applicant shall have one year to make a substantial construction start and one additional year to complete construction, or, if no start has been made within the first year and a renewal permit is obtained, the applicant shall have one year from the date of the renewal permit to complete construction. Subdivision approvals, if approved by the Planning Board and properly recorded at the Kennebec County Registry of Deeds, do not expire.

SECTION 2. INTERNAL PLUMBING AND SUBSURFACE DISPOSAL SYSTEMS

Internal plumbing and subsurface wastewater disposal systems that require a permit according to the State of Maine Internal and Subsurface Wastewater Disposal Rules shall be reviewed by the ~~Code Enforcement Officer~~ Local Plumbing Inspector (LPI). A permit shall be issued if the application complies with the Internal Plumbing and Subsurface Wastewater Disposal Rules, the applicable provisions of this Ordinance, and with the requirements contained in Article 8, Section 6.

H. Revisions to Approved Plans

1. An application for a revision to a previously approved plan, including a subdivision plan, shall be submitted to the Code Enforcement Officer at least ~~7~~ 14 days prior to a scheduled meeting of the Planning Board. The Code Enforcement Officer with the approval of the Planning Board shall place the application revision on the Planning Board's agenda. The procedure for a new application shall be followed if the revision involves:
 - a. an expansion of a building, ~~or structure,~~ or development area is greater than 5% in area or volume from the original plan;~~;~~
 - b. modifications to any condition imposed by the Planning Board;~~;~~
 - c. the addition of ~~additional~~ units;~~;~~
 - d. The addition of ~~2 or more~~ new lots;~~;~~
 - e. a resubdivision involving 2 or more lots;~~;~~
 - f. a change or expansion of a use, except for a change of use that is substantially similar in nature to the approved use, and that the planning board determines will not result in increased or additional adverse impacts ~~or an expansion of the proposed development, the procedure for a new application shall be followed.~~ Resubdivisions are also subject to the procedural standards of Article 8, Section 20.K.
2. If the revision involves only minor modifications of the plan, the Planning Board may consider the request at the meeting. If, during the course of consideration the Planning Board determines the revision may result in a greater adverse impact on a waterbody or wetland, or on the subject or adjacent properties than the plan previously approved, the Board may

require the procedure for a new application be followed.

3. The Planning Board's scope of review shall be limited to those portions of the plan which are proposed to be revised, or that are adversely impacted by the proposed revision.
4. The applicant shall submit a copy of the approved plan as well as 11 copies of the proposed revisions. The application shall include enough supporting data to allow the Planning Board to make a decision that the proposed revision meets the review criteria.
5. The Planning Board shall vote to approve the revision, deny the revision, or approve the revision with conditions, or require the submission of a new site plan review application. The Planning Board may further require additional information be submitted in order to ensure that the review criteria are met.

I. Application Procedure for Site Review

1. All applications for site review shall follow the procedure outlined below:
 - a. Site review application forms shall be obtained from the ~~Code Enforcement Officer~~ Town of Readfield.
 - b. All site review applications shall be submitted to the Code Enforcement Officer. A dated receipt shall be issued to the applicant upon payment of the appropriate fee. An application file shall be established by the Code Enforcement Officer. All submissions and correspondence regarding the application shall be maintained in the file. One complete copy of the site review application and applicable submissions shall be submitted to the Code Enforcement Officer for review.
 - c. Within 30 days of the receipt of the site review application, the Code Enforcement Officer shall make a preliminary determination whether the application is complete and notify the applicant in writing of his/her decision. If the application is not complete, the Code Enforcement Officer shall notify the applicant in writing of the specific material needed to complete the application.
 - d. The application shall be considered complete when all the site review submission requirements are included or when the applicant files a written waiver request.
 - e. The Code Enforcement Officer shall notify the Planning Board that a site review application has been received and the Planning Board shall schedule a public hearing within 30 days after it has made the final determination that the application is complete.
 - f. A complete copy of the site review application shall be kept on file at the Town Office and shall be available for public review.
 - g. The applicant shall submit 11 copies of the complete application and applicable submissions to the Code Enforcement Officer at least ~~10~~ 14 days prior to the ~~next scheduled public hearing~~ planning board meeting. The Code Enforcement Officer shall mail or deliver one copy of the application to each Planning Board member at least ~~10~~ 7 days prior to the ~~public hearing~~ planning board meeting.
 - h. The Code Enforcement Officer shall publish a notice of the date, time, place, and purpose of the public hearing in a newspaper of general circulation in the Town at least 10 days prior to the public hearing.

RESIDENTIAL—including driveways										
Accessory Structure (to allowed uses)	C	C	C	C	C	<u>C/P¹¹</u>	P	N	P	C
Multi-Family Dwelling	P	P	P	N	P	P	N	N	N	P
Single-Family Dwelling	C	C	C	C	C	<u>C/P¹¹</u>	P ⁵	C ⁶	N	C
Two-Family Dwelling	C ⁸	C ⁸	C ⁸	C	C	<u>C/P¹¹</u>	N	N	N	C
Rooming/Boarding House Group Home	P	P	P	P	P	N	N	N	N	<u>P</u>
Mobile Homes	N	N	N	C	N	<u>C/P¹¹</u>	P ⁵	N	N	C
Mobile Home Park	N	N	N	N	N	N	N	N	N	P

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9. In the Academic District, only uses which directly support or relate to the principal permitted academic use shall be permitted.

10. Major Essential Service development projects are subject to Site Plan Review by the Planning Board as determined by the Code Enforcement Officer.

11. Planning Board approval required for allowed uses within the restricted setback of a protected resource.

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5. Where public utilities could be extended to a subdivision in the foreseeable future, the subdivision shall be designed to accommodate the extensions of utilities.
6. If a lot on one side of a road or stream fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the road or stream to meet the minimum lot size. When required to comply with the Readfield Land Use Ordinances and/or the Maine State Plumbing Codes non-conforming lots in the Shoreland Residential Districts shall be kept in common ownership.
7. Flag lots and other odd shaped lots in which narrow strips are joined to other parcels in order to meet minimum dimensional requirements are prohibited.
8. Any proposed subdivisions shall be so designed that every lot has frontage upon a way, granting legal access, and so that no part of the tract is landlocked.

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K. Rules Governing Re-subdivisions

1. Subsequent to the approval of a revision or amendment to a previously approved subdivision, upon payment of applicable fees, and with at least ~~14~~ a 10 day's notice to abutters ~~and~~ or to all owners of lots in such subdivision when a lot or lots are to be divided shall be notified, the Planning Board may consider modifications to any subdivision.
2. Changes in laws or regulations, or in relevant facts, shall be stated as the reason for any modification, and standards stated in subsection J of this section shall remain applicable.

Town of Readfield Administration Ordinance – Enacted June 9, 2015

The purpose of this ordinance is to give authorization of powers and duties of the board of selectpersons to manage the following non budgetary items

Sections

1.1 ACCEPT PAYMENT OF TAXES

1.2 CONTRACTS AND LEASES

1.3 SALE OF SURPLUS PROPERTY

1.4 ACCEPTANCE OF GIFTS AND DONATIONS TO THE TOWN

1.5 MISCELLANEOUS FEES

1.1 ACCEPT PAYMENT OF TAXES

Authorize the Treasurer of Readfield to accept prepayment of taxes not yet committed pursuant to 36 M.R.S.A., Section 506.

1.2 CONTRACTS AND LEASES

On behalf of the Town of Readfield, enter into single or multi-year contracts, leases and lease/purchase agreements, not to exceed five years, in the name of the Town if it is deemed to be in the best interest of the Town, were the underlying purpose has been authorized by the voters.

1.3 SALE OF SURPLUS PROPERTY

On behalf of the Town sell any town owned surplus property, equipment and tools no longer needed by the Town.

1.4 ACCEPTANCE OF GIFTS AND DONATIONS TO THE TOWN

To accept and expend, on behalf of the Town, any gifts or donations, including grants from federal, state and local agencies, unanticipated donations, or pass-through funds that may be provided by individuals, business associations, charitable groups, or other organizations, if the Select Persons determine that the gifts, donations, or pass through funds and their purposes are in the best interest of the Town. Enter into and execute such agreements and contracts and to take all actions as may be necessary, appropriate and convenient to accomplish this acceptance. Any donation or gift that requires additional funds, such funds must be appropriated by a Town ballot vote. The value and intended purpose of all donations accepted on behalf of the Town in excess of \$100, exclusive of volunteered time, whether cash or in-kind, publicly or anonymously given, shall be recorded by the Collection Clerk or designee and a receipt provided to the donor.

1.5 TAX ACQUIRED PROPERTY

To retain; sell to the prior owner for taxes, interest and costs; or sell the tax acquired property on such terms as they deem advisable, and in accordance with a written policy regarding Tax Acquired Property adopted January 8, 2007 by the Municipal Officers and amended on January 4, 2010.

1.6 WAIVER OF FORECLOSURE

To issue Waivers of Automatic Foreclosures when the municipal officers wish to avoid acquiring property that may be burdensome to the Town and to take court action if needed to foreclose at a later date, if desired.

Town of Readfield Administration Ordinance – Enacted June 9, 2015

1.7 INCREASE LINE ITEM BY 5%

To increase any line item up to five percent (5%) by transferring funds from another line balance or miscellaneous income to pay for unexpected expenses.

1.8 MISCELLANEOUS FEES

To set Miscellaneous Fees charged for Town services not covered or set by State Statue.

Amendment History:

June 14, 2016

Conflict of Interest and Recall Process Ordinance

CONFLICT OF INTEREST AND RECALL PROCESS ORDINANCE

10.1 CONFLICT OF INTEREST

10.1.1 In accordance with Title 30-A M.R.S.A. Section 2605, any municipal officer or official of the Town, elected or appointed, who himself or herself or any family member, close friend or business associate, has any financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the Town, or in the sale of any land, material, supplies, or services to the Town or who is a contactor supplying the Town with services or material shall make known the interest and shall refrain from voting upon or otherwise participating in his or her capacity as an officer or employee in making such sale or the making or performing of such contract.

10.1.2 Any municipal officer or official of the Town who willfully conceals such financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit such office or position immediately upon a determination of malfeasance by the Select Board as hereinafter provided under Section 10.2.2.

10.1.3 Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with or making a sale to the Town, shall render the contract or sale voidable by the Select Board.

10.2 FORFEITURE OF OFFICE

10.2.1 A municipal officer or official, elected or appointed, shall forfeit his or her office or be subject to a recall or forfeiture proceedings as hereinafter provided if such person:

- a. lacks, at any time during his or her tenure of office, any eligibility or other qualifications for the office prescribed by this ordinance or by law;
- b. intentionally violates any expressed prohibition of this ordinance;
- c. fails to fulfill the requirements of his or her office, including, but not necessarily limited to, failure to attend 3 or more consecutive regular meetings without being excused beforehand or actively participate in the functioning of the board or committee;
- d. is indicted or convicted of a felony or is indicted or convicted of any other offense which prevents him or her from fulfilling his or her obligation as a municipal officer or official;
- e. is banned by a court of law from attending meetings or carrying out their duties of office as prescribed herein.

10.2.2 Upon any allegation of charges of conflict of interest or violation of the provisions set forth ~~in this ordinance under Section 10.1~~, the Select Board shall hold a hearing to determine if there is any malfeasance or violation of the provisions ~~set forth under Section 10.1~~. Forfeiture and immediate removal of office shall require a majority vote of the Select Board. In the event that the Select Board fails to take any action or does not vote to remove the person from office, the Registered Voters of the Town may initiate recall proceedings in accordance with the provisions set forth under Section 10.3.

10.3 RECALL OF ELECTED OFFICERS AND OFFICIALS – REMOVAL FROM OFFICE

10.3.1 Any elected officer or official of the Town may be recalled and removed from elective office by the Registered Voters of the Town as hereinafter provided. Recall may be used when an elected official has violated any of the conflict of interest or forfeiture of office provisions set forth under Sections 10.1 and 10.2.

10.3.2 Any twenty-five (25) Registered Voters of the Town may make and file with the Town Clerk an affidavit containing the name of the officer or official whose removal is sought and a general statement of the reasons why such removal is desired because of any violations of the provisions set forth under Sections 10.1 and 10.2.

a. The Town Clerk shall prepare and sign a petition for such removal, a copy of said affidavit and general statement either included thereon or attached thereto, which shall be impressed with the official Town Clerk's seal, dated, and addressed to the Select Board containing the name of the officer or official whose removal is sought.

b. The petition shall be available ~~only at the Town Clerk's office during normal business hours~~ for thirty (30) calendar days and shall be signed only by ~~registered voters of the Town residents of the Town in the presence of the Town Clerk or Deputy Town Clerk~~. Every signature shall include the address of the registered voter, indicating the street and number or other description sufficient to identify such address, such as tax map and lot number.

10.3.3 The recall petition, to be effective, must be signed by a number of Registered Voters of the Town equal to at least twenty-five percent (25%) of the votes cast at the previous gubernatorial election.

10.3.4 At the expiration of the said thirty (30) days, the Town Clerk shall declare the petition closed and shall certify the petition as sufficient or insufficient within five (5) business days thereafter.

10.3.5 If the recall petition is determined to be insufficient, the filing official shall notify the person or organization sponsoring the recall of the insufficiency of the petition. It is not necessary to give notification unless the person or organization sponsoring the recall files with the filing official a written notice of sponsorship and a mailing address.

10.3.6 If the petition is sufficient, it and the certificate shall be submitted to the Select Board at their next regular meeting. The Select Board shall forthwith give written notice to said official of the receipt of said petition and certificate.

10.3.7 If the official sought to be removed does not resign within five (5) days of receiving such notice, the Select Board shall within ten (10) business days of the receipt of the Town Clerk's certificate order an election to be held within thirty (30) calendar days. The Select Board shall schedule a public hearing, upon public notice as provided for Town Meetings, to be held within seven (7) calendar days prior to the date of said election. At said hearing, which shall be presided over by a moderator, the petitioners and the officer or official whose recall is sought shall be provided opportunity to present reasons for or against recall.

10.3.8 The official shall continue to perform the duties of the office until the results of the recall election are certified. If not recalled, the official shall continue in office for the remainder of the unexpired term, subject to subsequent recall only as provided in Section 10.3.9. If recalled by the voters, the official shall be deemed removed upon the certification of the voting results and may not seek election to any municipal office for a period of at least three (3) years from the date of such recall.

10.3.9 No recall petition shall be filed against an official within six (6) months after such official takes office, nor during the last six (6) months of the term of office, nor in the case of an official subjected to a recall vote and not removed thereby, until at least twelve (12) months after such vote.

10.4 HOLDING OTHER OFFICE

Neither the Select Board members, Town Clerk, nor Assessors' Agent shall hold appointed positions in the Town with the exception of members of the Fire Department, unless the law or ordinance creating the appointed office requires or allows it. During Budget Committee deliberations, if any member of the Budget Committee is also a member of another board or committee or Fire Department, such member shall make such fact known and refrain from any discussion or voting on matters relating to the Fire Department or such other board or committee unless allowed to do so by a majority vote of the Budget Committee.