

Town of Readfield

MUNICIPAL OFFICERS' NOTICE OF PUBLIC HEARING ON SECRET BALLOT REFERENDUM TO BE HELD JUNE 12, 2018

Notice is hereby given that the Municipal Officers of the Town of Readfield will hold a public hearing on May 14th, 2018 at 6:00 pm at the Readfield Town office building in Readfield to hear public comment on the following:

Article 3: Shall the Town of Readfield vote to allow the Select Board to establish **Salaries and or Wages** of town officers and employees, not elsewhere established, for the period July 1, 2018 through June 30, 2019?

Article 4: Shall the Town vote to fix **September 28, 2018** or thirty days after the taxes are committed, whichever is later, and **February 27, 2019** as the dates upon each of which one-half of the property taxes are due and payable, and as the dates from which interest will be charged on any unpaid taxes at a rate of 8% per year, which is the State rate pursuant to Title 36 MRSA, 505.4?

Article 5: Shall the Town vote to authorize the Tax Collector to **Pay Interest** at a rate of 3% , which is lower than the State Rate of 8% , from the date of overpayment, on any taxes paid and later abated pursuant to Title 36 MRSA, § 506 & 506A?

Article 6: To see if the Town will vote to authorize the municipal officers, **If an Article Fails**, to spend an amount not to exceed 3/12 of the budgeted amount in each operational budget category that the town is legally obligated to pay, of the last year's approved budgeted amount during the period July 1, 2018 to October 1, 2018?

Article 7: Shall the Town vote to raise and appropriate **\$481,206** for the **General Government for Administration, Insurance, Office Equipment, Assessing, CEO/LPI/BI, Grant Writing, Heating Assistance and Attorney Fees** budget category for the following budget lines with **Grant Writing, Heating Assistance and Attorney Fees** unexpended balances to be carried forward?

Municipal Administration	\$262,035
Insurance	\$134,500
Office Equipment	\$ 6,400
Assessing	\$ 22,556
CEO/LPI/BI	\$ 37,215
Grant Writing/Planning Ser.	\$ 2,000
Heating Assistance	\$ 1,500
Attorney Fees	\$ 15,000

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 8: Shall the Town vote to raise and appropriate **\$127,415** for the **Municipal Maintenance** budget category?

General Maintenance	\$ 87,895
Building Maintenance	\$ 29,520
Vehicles Maintenance	\$ 10,000

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 9: Shall the Town vote to raise and appropriate **\$42,112** for the **Boards and Commissions** budget category for the following budget lines, with unexpended balance of the Conservation budget line carried forward?

Appeals Board	\$ 100
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Conservation Commission	\$ 40,208
Planning Board	\$ 1,804

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 10: Shall the Town vote to raise and appropriate **\$55,961** for the **Community Services** budget category for the following budget lines, with the unexpended balance of the Library budget line carried forward?

Animal Control	\$ 11,595
Kennebec Land Trust	\$ 250
KVCOG	\$ 4,325
Age Friendly Initiatives	\$ 1,750
Library Services	\$ 26,455
Readfield TV	\$ 5,386
Street Lights	\$ 6,200

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 11: Shall the Town vote to raise and appropriate **\$38,708** for the **Recreation, Parks and Activities** budget category for the following budget lines with any unexpended balances to be carried forward?

Beach	\$ 9,660
Recreation	\$ 11,560
Heritage Days	\$ 5,000
Town Properties	\$ 2,680
Trails	\$ 1,808
Millstream Dam Project	\$ 8,000

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 12: Shall the Town vote to raise and appropriate **\$132,725** for the **Protection Department** budget category for the following budget lines with any unexpended balances to carry forward with the exception of the Ambulance Service, Dispatching and Emergency Operations Plan lines?

Operations Fire Department	\$ 65,600
Fire Dept. Equipment	\$ 8,000
Ambulance Service	\$ 25,400
Waterholes	\$ 500
Tower Sites	\$ 2,400
Dispatching	\$ 28,625
Personal Protective Gear Replacement	\$ 2,000
Emergency Operations	\$ 200

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 13: Shall the Town vote to raise and appropriate **\$16,500** for the **Cemetery Materials & Services** budget category, with any unexpended balances to carry forward?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 14: Shall the Town vote to raise and appropriate **\$407,930** for the **Roads & Drainage** budget category for the following budget lines with any unexpended balance to be carried forward for the Summer Roads budget?

Summer Road Maintenance	\$ 147,330
Winter Road Maintenance	\$ 260,600

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 15: Shall the Town authorize the Select Board to borrow up to \$177,000 on such terms as it deems appropriate, with the proceeds to be appropriated to perform capital repairs to the Maranacook Outlet Dam?

Select Board recommends: Yes

Budget Committee recommends: Yes

MUNICIPAL TREASURER'S FINANCIAL STATEMENT
(30-A M.R.S.A. § 5404(1-A & 5772(2-A))
Town of Readfield

1. Town Indebtedness

A. Bonds – Principal outstanding and unpaid :	\$720,895.00
B. Bonds – Interest outstanding and unpaid:	\$ 34,399.38
C. Bonds – Authorized and unissued:	\$ 0.00
D. Bonds – To be issued if Article 15 is approved:	\$177,000.00

2. Costs- Warrant Article 15 (Maranacook Dam Outlet Dam)

At an estimated interest rate of three percent (3%) for a term of ten (10) years, the estimated cost of this bond/note/loan will be:

A. Principal	\$177,000.00
B. Interest	\$ 29,189.90
C. Total New Debt	\$206,189.90

3. Validity- The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

4. Debt Limit- In accordance with 30-A M.R.S.A. §5701 & §5702, a municipality may not borrow funds if the borrowing would cause the municipality to exceed its debt limit.

A. 2018 State Valuation	\$259,450,000
B. Limit Factor	x 7.5%
C. Debt Limit	\$ 19,458,750

Prepared By: Eric W. Dyer, Treasurer, March 15, 2018

Article 16: Shall the Town vote to raise and appropriate **\$274,614** for the **Capital Improvements** budget category for the following budget lines with all accounts to be carried forward?

Admin Technology	\$ 6,000
Library Building	\$ 5,000
Cemetery	\$ 5,000
Roads	\$ 50,000
Equipment	\$ 15,000
Equipment Leases	\$ 19,000
Transfer Station	\$ 51,614
Maranacook Lake Dam	\$ 123,000

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 17: Shall the Town vote to raise and appropriate **\$303,686** for the **Solid Waste Department** budget category with all accounts to be carried forward?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 18: Shall the Town vote to raise and appropriate **\$48,000** for the **Regional Assessments** budget category for the following budget lines which the town is legally bound to pay?

Cobbossee Watershed	\$ 23,500
First Park	\$ 24,500

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 19: Shall the Town vote to raise and appropriate **\$270,000** for the **Kennebec County Tax** budget category which the town is legally bound to pay?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 20: Shall the Town vote to raise and appropriate **\$327,956** for the **Debt Service** budget category for the following budget lines which the town are legally bound to pay?

2016 Fire Truck Bond	\$ 56,238
2018 Maranacook Lake Dam Bond	\$ 6,000
2013 Road & Bridge Bond	\$109,118
2008 Road & Bridge Bond	\$156,600

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 21: Shall the Town vote to appropriate **\$50,000** for **Local Tax Relief** budget category, with any unexpended balances to be carried forward?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 22: Shall the Town vote to raise and appropriate the requested amount of **\$1,000** for the **Kennebec Behavioral Health**?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 23: Shall the Town vote to raise and appropriate the requested amount of **\$1,376** for the **Central Maine Agency on Aging/Cohen Center/Senior Spectrum**?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 24: Shall the Town vote to raise and appropriate the requested amount of **\$1,000** for the **Family Violence Agency**?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 25: Shall the Town vote to raise and appropriate the requested amount of **\$2,250** for the Courtesy Boat Inspection Program to the **Maranacook Lake Association** for **\$1,500** and the **Torsey Pond Association** for **\$750** on Maranacook Lake and Torsey Pond?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 26: Shall the Town vote to raise and appropriate the requested amount of **\$910** for the **Sexual Assault Agency**?

Select Board recommends: Yes
Budget Committee recommends: Yes

Article 27: Shall the Town vote to raise and appropriate the requested amount of **\$2,500** for the **30 Mile River Association**?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 28: Shall the Town vote to raise and appropriate the requested amount of **\$5,000** for continued restoration of the **Readfield Union Meeting House**?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 29: Shall the Town vote to appropriate the amount equal to that paid to the Town by the State (based on snowmobile registrations) for the **Readfield Blizzard Busters Snowmobile Club** to be used for trail creation, maintenance and grooming?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 30: Shall the Town vote to raise and appropriate **\$40,000** for the **Unclassified** budget category for the following budget lines with Readfield Enterprise Fund and Revaluation unexpended balance to carry forward?

Readfield Enterprise Fund	\$10,000
Real Estate Property Revaluation	\$10,000
Overdraft	\$ 5,000
Abatements	\$15,000

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 31: Shall the Town vote to raise and appropriate **\$4,500** for the **General Assistance** budget category?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 32: Shall the Town vote to authorize **Expenditure of Revenues** from Federal, State, and private grant sources for those purposes for which the grant is intended?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 33: Shall the Town vote to accept the following **Estimated Revenues** to reduce the 2018 Tax Commitment?

State Revenue Sharing	\$ 135,000
Interest on Property Taxes	\$ 25,000
Interest on Investments	\$ 5,000
Veterans Exemption	\$ 4,000
Homestead Exempt. Reimbursement	\$ 182,343
Tree Growth Reimbursement	\$ 9,000
BETE Reimbursement	\$ 8,468
Boat Excise Taxes	\$ 8,000
Motor Vehicle Excise Taxes	\$ 500,000
Agent Fees	\$ 10,000
Newsletter	\$ 100
Business License Fees	\$ 50
Certified Copy Fees	\$ 1,400
Other Income	\$ 2,000
Heating	\$ 1,500
Plumbing fees	\$ 5,000

Land Use Permit Fees	\$ 6,000
Conservation Grant	\$ 30,517
Dog License Fees	\$ 3,000
Age Friendly	\$ 1,000
Library Revenue	\$ 3,925
Cable Television Fees	\$ 27,000
Beach Income	\$ 9,660
Recreation Income	\$ 9,710
Millstream Dam/Factory Sq	\$ 8,000
Protection	\$ 2,600
Local Roads	\$ 35,000
Transfer Station Capital	\$ 9,022
Maranacook Lake Dam	\$ 177,000
Transfer Station	\$ 193,829
First Park	\$ 10,000
Snowmobile (State reimb.)	\$ 1,377
General Assistance (State reimb.)	\$ 2,250
Total	\$1,426,751

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 34: Shall the Town vote to appropriate the following **Designated Funds** to reduce the 2018 Tax Commitment?

Admin Technology	\$ 3,729
Age Friendly	\$ 750
Conservation	\$ 9,644
Heating Fund	\$ 1,500
Maranacook Dam Capital	\$123,000
Recreation	\$ 1,850
Readfield Enterprise Fund	\$ 10,000
Road Bond	\$ 5,830
Roads	\$ 35,000
Transfer Station Capital	\$ 36,000
Total	\$227,303

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 35: Shall the Town vote to authorize the Select Board to expend up to **Twenty Five Thousand Dollars (\$25,000)** from the **Unassigned Fund Balance** (General Fund), in the aggregate for one or more purposes as necessary to meet contingencies that may occur during the ensuing fiscal year?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 36: Shall the Town vote to appropriate **\$128,000** from the **Unassigned Fund Balance** to reduce the total tax commitment?

Select Board recommends: Yes

Budget Committee recommends: Yes

Article 37: Shall an ordinance entitled the **Property Tax Assistance Program Ordinance** be enacted? A copy of said Ordinance is attached to the posted Warrant and incorporated by reference.

Article 38: Shall an ordinance entitled 2018 Amendments to the Town of Readfield **Land Use Ordinance**, be enacted? A copy of said Ordinance is attached to the posted Warrant and incorporated by reference.

Article 39: Shall an ordinance entitled 2018 Amendments to the Town of Readfield **Animal Control Ordinance** be enacted? A copy of said Ordinance is attached to the posted Warrant and incorporated by reference.

Article 40: Shall an ordinance entitled the **Cemetery Ordinance** be enacted? A copy of said Ordinance is attached to the posted Warrant and incorporated by reference.

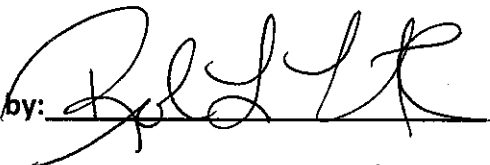
Article 41: Should the Town continue to use the **Secret Ballot** process for the 2019 Annual Town Meeting?


RETURN

Readfield, Maine

Pursuant to 30-A M.R.S.A. § 2528(5), we have this day, being at least seven days before the hearing, notified the inhabitants of said Readfield of a public hearing, to be held at the time and place, and for the purposes stated above, by posting a copy of said notice at the following public and conspicuous places in said Readfield. Readfield Post Office, Kents Hill Post Office and Readfield Town Office.

Dated: May 7, 2018

Posted by:  Printed Name: Robin L. Lint

Assest:  Date: 5-7-18
Kristin Parks Town Clerk, Dep.

Bruce Bourgoine, Chair: _____ Date: _____

John Parent: _____ Date: _____

Dennis Price: _____ Date: _____

Christine Sammons, Vice Chair: _____ Date: _____

Kathryn Mills Woodsum: _____ Date: _____

TOWN OF READFIELD

PROPERTY TAX ASSISTANCE PROGRAM

ORDINANCE

Section 1. Purpose

This ordinance is enacted pursuant to 36 M.R.S.A. §6232. The purpose of this Ordinance is to establish a program to provide property tax assistance to eligible persons who reside in the Town of Readfield. Under this program, the Town of Readfield will provide refund payments to those individuals who qualify for and are beneficiaries of the State of Maine Property Tax Fairness Credit pursuant to 36 M.R.S.A. §5219-KK, and who meet the criteria established by this Ordinance.

Section 2. Definitions

Homestead: For purposes of this article, "homestead" shall have the same meaning as defined in 36 M.R.S.A. § 5219-KK(1)(C). Generally, a homestead is a dwelling owned, rented or held in a trust, life tenancy or similar legal instrument for the benefit of the person seeking tax assistance under this Ordinance. The dwelling must be occupied by that person and that person's dependents as a home.

Qualifying applicant: A qualifying applicant is a person who is determined by the Town Manager, after review of a complete application under Section 4 of this Ordinance, to be eligible for a benefit under the terms of this Ordinance.

Section 3. Criteria for Participation

In order to participate in the Property Tax Assistance Program, an applicant shall demonstrate all of the following:

- a. The applicant shall have a homestead in the Town of Readfield at the time of the application and for the entire year prior to the date of application.
- b. If owned by the applicant, the homestead shall be enrolled in the State of Maine Homestead Exemption Program (36 M.R.S.A. §§ 681-689) for the year preceding the date of application
- c. The applicant has received a refund under the State of Maine Property Tax Fairness Credit (36 M.R.S.A. §5219-KK) for the year preceding the date of application.
- d. Total household income not exceeding an amount equal to 80% of the current United States Department of Housing and Urban Development median family income for the Town of Readfield for the applicable family size.

Section 4. Application and Payment Procedures

Persons seeking to participate in the Property Tax Assistance Program shall submit a written request to the Town Manager no later than August 1 of the year for which the credit is requested. Applications are required every year to participate in this program. The Town Manager shall provide an application form for the program, which shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof and dollar amount (copy of check) of any refund under the State of Maine Property Tax Fairness Credit Program (36 M.R.S.A. §5219-KK). Attached to all applications shall be proof of household income for the year preceding the date of application. The Town Manager shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the Program. The Town Manager shall notify an applicant if an application is determined to be incomplete. The Town Manager's determination of eligibility to participate in the Program may be appealed to the Chair of the Board of Assessors within twenty (20) days of the date of the Town Manager's decision.

Every effort shall be made to manage the application and award process discreetly, however, applications (or portions thereof) made under this Program may be subject to public record requests pursuant to Title 1 M.R.S.A. Section 402(3).

Section 5. Determination of eligibility and amount of eligibility

If the Town Manager determines that the applicant is eligible to participate in the Program, he shall determine the total amount of such eligibility. Eligibility shall be the lesser of the following amounts:

- a. 40% of the amount of the refund awarded by the State under the Property Tax Fairness Credit (36 M.R.S.A. §5219-KK) for the tax year preceding the date of application;
- b. \$360.00 or;
- c. Available monies in the Town of Readfield Local Tax Assistance Fund, as prorated among eligible applicants.

The Town Manager shall report to the Select Board for its approval at a meeting in August each year the benefit amounts and number of eligible applicants to be granted assistance from the program fund.

Section 6. Program Fund - Limitations upon payments

Benefits under this Ordinance shall be conditioned upon the existence of sufficient monies in the program fund the year in which participation is sought. If there are not sufficient monies in the program fund to cover all qualifying applicants under this Ordinance, benefits shall be limited to the amounts available in the fund. In the event that a lack of funding results in no benefit or less than the full benefit to a qualifying applicant, the request will not carry over to the next year.

Section 7. Creation of the Program Fund

The program fund from which benefits shall be drawn under the terms of this Ordinance shall be created as follows:

If approved, an initial appropriation of \$50,000 shall be made from the undesignated fund as identified in the June 12, 2018 Town Meeting Warrant. This appropriation shall be deposited in a carry-forward account to be solely for the purpose of tax assistance associated with the Program. As funds are available, the Select Board shall request from the annual town meeting monies from the general fund or other sources to support this program.

Section 8. Timing of Benefits

A homeowner who qualifies for a tax benefit under this program shall receive a credit to his/her tax account. A renter who qualifies for a tax benefit under this Program shall be mailed a check. In all cases the benefit shall be equal to the amount for which he/she is eligible under Section 5 of this ordinance (or the pro-rated amount if inadequate funds are available) and shall be made available to the applicant no later than 14 days from the date of Town Manager approval of the applications for the year in which participation is sought.

Section 9. Limitations upon Benefits

Only one qualifying applicant per household shall be entitled to a benefit under this Program each year. The right to file an application under this Ordinance is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney-in-fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Town Manager shall be disbursed to another member of the household as determined by the Chair of the Board of Assessors or the Town Manager. If the applicant was the only member of a household, then no benefit shall be made under this Ordinance.

2018 Amendments to the

Land Use Ordinance



Town of
Readfield, Maine

Adopted June 12, 2018

Revised: March 20, 2000; June 14, 2001; September 17, 2001; June 13, 2002; June 12, 2003; September 15, 2004; June 15, 2006; June 16, 2007; May 15, 2008; June 11, 2009; June 10, 2010; June 14, 2012; June 13, 2013; June 12, 2014; June 9, 2015; June 14, 2016; June 13, 2017

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ARTICLE 2 ADMINISTRATION, ENFORCEMENT AND PENALTIES

SECTION 1. ADMINISTERING BODIES AND AGENTS

A. Code Enforcement Officer

1. Appointment. A Code Enforcement Officer shall be appointed or reappointed annually by the Town Manager.
2. Powers and Duties. The Code Enforcement Officer shall have the following powers and duties in addition to those provided for in Section 2.B of this Article:
 - a. Interpret and enforce the provisions of this Ordinance.
 - b. Act upon permit applications, review applications requiring Planning Board review, and refer requests for variances and administrative appeals to the Board of Appeals.
 - c. Enter any property at reasonable hours or enter any building with the consent of the property owner, occupant or agent, to inspect the property or building for compliance with this Ordinance in accordance with the provisions of Title 30-A M.R.S.A., Section 4452.
 - d. Investigate complaints and reported violations, and take action as appropriate.
 - e. Revoke any permits issued in error or which are based on erroneous information.
 - f. Exercise any additional powers or duties authorized by the statutes.
 - g. Exercise additional duties as directed by the Board of Selectmen or Town Manager.
 - h. Develop permit application forms.

B. Planning Board

The Planning Board shall be maintained in accordance with State Law and shall be responsible for reviewing and acting upon Site Review Applications, and as otherwise provided herein. Following approval by the Planning Board, applicants shall return to the Code Enforcement Officer for a Building Permit, if applicable.

C. Board of Appeals

The powers and duties of the Board of Appeals include hearing and making binding decisions on appeals in regard to final decisions of the Code Enforcement Officer or the Planning Board and granting or rejecting variance requests. The Board of Appeals must be maintained in accordance with the provisions of Title 30-A, M.R.S.A., Section 2691. The Board of Appeals is governed by the adopted June 13, 2017 Board of Appeals Ordinance.

SECTION 2. ENFORCEMENT

A. Nuisances

Any violation of this Ordinance shall be deemed to be a nuisance in accordance with the provisions of Title 30-A M.R.S.A., Section 4302.

B. Code Enforcement Officer Actions

1. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer determines that any provision of this Ordinance is being violated, the Code Enforcement Officer shall take action. Such action may include ordering the discontinuance of illegal use of land, buildings or structures, or work being conducted; removal of illegal signs, removal of illegal buildings, structures; and abatement of nuisance conditions. A copy of such order shall be maintained as a permanent record.
2. The Code Enforcement Officer shall conduct on-site inspections to insure compliance with all applicable laws and conditions attached to permit approvals. The Code Enforcement Officer shall also investigate all complaints of alleged violations of this Ordinance and shall take appropriate action.
3. When any violation of any provision of this Ordinance, including failure to comply with any subdivision or site plan approved by the Planning Board, any condition imposed by the Board of Appeals or any order of the Code Enforcement Officer shall be found to exist, the Code Enforcement Officer shall notify the Municipal Officers who may then institute any and all actions to be brought in the name of the Town.
4. The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. ~~On a biennial basis, a summary of this record for all development in the shoreland district shall be submitted to the Director of the Bureau of Land and Water Quality within the Department of Environmental Protection.~~

C. Legal Actions

When the actions described in subsection B, above, do not result in the correction or abatement of the violation or nuisance condition, the Board of Selectmen, upon notice from the Code Enforcement Officer, may institute any and all actions and proceedings, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town of Readfield.

The Board of Selectmen, following the conclusion of the administrative process in Section 1, may enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action. Such agreements shall not allow an illegal structure or use to continue, unless there is clear and convincing evidence that the illegality was a direct result of erroneous information or advice given by the Code Enforcement Officer, and there is no evidence that the owner/violator acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health, safety and welfare or will result in substantial environmental damage.

D. Civil Penalties

Any person, including but not limited to a landowner, agent or a contractor, who orders or conducts any activity in violation of this Ordinance shall be subject to the penalties prescribed in Title 30-A, M.R.S.A., Section 4452. The minimum penalty for a specific violation shall be \$100 per day and the maximum penalty shall be \$2,500 per day. Notwithstanding the foregoing, the maximum penalty for any violation of this ordinance shall be \$5,000 per day if the violation occurs within an area zoned for resource protection.

requirements to the greatest practical extent as determined by the Planning Board, and provided:

- a) the applicant demonstrates the present subsurface sewage disposal system meets the requirements of the State of Maine Subsurface Wastewater Disposal Rules, or that a new system can be installed in compliance with the Law and said Rules,
- b) any expansions to the relocated structure do not exceed the expansion limitations set forth in Article 3, Section 4.A.1, or the size of the original structure, whichever is greater, and
- c) the structure is not relocated in a manner that causes the structure to become more non-conforming.

2. In determining whether the building relocation meets the setback to the "greatest practical extent," the Planning Board shall consider, among other factors, the size of the lot, the slope of the land, the height of the building, the potential for soil erosion, the location of other structures on the property and or adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, the type and condition of the building's foundation, and the type and amount of vegetation to be removed to accomplish the relocation.

When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Planning Board shall require replanting of native vegetation to compensate for the destroyed vegetation. In addition, the area from which the relocated structure was removed must be replanted with vegetation. Replanting shall be required as follows:

- (a) Trees removed in order to relocate a structure must be replanted with at least one native tree, three (3) feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed.

Other woody and herbaceous vegetation, and ground cover, that are removed or destroyed in order to relocate a structure must be re-established. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

- (b) Where feasible, when a structure is relocated on a parcel the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.

C. Reconstruction or Replacement

1. Any non-conforming structure which fails to meet the requirements of this Ordinance, and which is removed, or damaged or destroyed, regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within one year of the date of said damage, destruction or removal and provided that such reconstruction or replacement is in compliance with all requirements of this Ordinance to the greatest practical extent as determined by the Planning Board as referenced in paragraph 4.B.2 above. Except that such a structure may be reconstructed or replaced with a permit from the Code Enforcement Officer if it is in conformance with all requirements of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation native to the area must be replanted or the area otherwise stabilized.

2. Any non-conforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit from the Code Enforcement Officer.

3. In determining whether the building reconstruction or replacement meets the setback requirements to the greatest practical extent, the Planning Board shall consider in addition to the criteria in paragraph B (Relocation) above, the physical condition and type of foundation present, if any.

ARTICLE 4 PERMIT REQUIREMENTS

SECTION 1. PERMIT REQUIREMENTS

Permits shall be required and issued conditionally for the following:

- A. The construction, reconstruction, addition to, demolition, movement, or structural alteration of a building or structure, including temporary buildings or structures, when the fair market value of labor and materials used therein exceeds \$2,000.00 cumulatively within a 12-month period.
- B. Installation or construction of a mobile home, or erection of a modular home.
- C. Expansion, resumption or change of use of a non-conforming use.
- D. Subdivision or Resubdivision
- E. Cluster Development
- F. Mobile Home Park
- G. For a new or expanded residential, commercial, industrial, institutional, or outdoor-resource land use activity as listed in the Land Use Table in Article 7.
- H. Any new, expanding or changing land use requiring a permit identified in Table 1/Table of Uses, Article 7, Section 5 of this Ordinance.
- I. Installation or relocation of internal plumbing, or subsurface wastewater disposal systems or their components.
- J. The installation, alteration or illumination of any sign as required in Article 8, Section 14.
- K. The construction of a new **driveway** entrance onto a public or privately owned road **or Right of Way**.
- L. Any land use for which a permit by other authorities, including but not limited to state or federal, is required.

SECTION 2. PERMITS NOT REQUIRED

Permits are not required for the following:

- A. For an allowed land use activity as indicated in the Land Use Table in Article 7.
- B. For the normal repair and maintenance of any structure.
- C. Whenever any construction, erection, improvement, addition, enlargement, alteration, demolition, or movement of any building or structure, including temporary structures, when the fair market value of such labor and materials used is less than \$2,000.00 cumulatively within a 12-month period. However, all work shall conform to the applicable standards of this Ordinance.

SECTION 3. PERMITS AND CERTIFICATES OF OCCUPANCY OR USE REQUIRED

- A. A permit shall be obtained for all those activities listed in Section 1 prior to the start of any construction, site work, or commencement of a land use activity.
- B. A Certificate of Occupancy or Use shall be obtained from the Code Enforcement Officer upon completion of all activities requiring a permit in Section 1 above for which a permit is issued conditionally. All Certificates of Occupancy or Use shall be obtained *prior to* the occupancy or use of said permitted activities and shall be issued upon completion of all permit requirements and/or conditions of approval. The Code Enforcement Officer may conduct an on-site inspection prior to issuing a Certificate of Occupancy or Use and may require additional or corrective work to be completed to the extent necessary to ensure compliance with all requirements and/or conditions associated with the permit.

14. Wastewater Disposal. The proposed activity shall provide for wastewater disposal meeting all applicable requirements of the Maine Subsurface Wastewater Disposal Rules. For proposed subdivisions, each lot must provide within that lot's proposed developed area at least two suitable subsurface disposal system sites meeting first-time system requirements. Form HHE-200, or its equivalent, shall be required.
15. Stormwater. The proposed activity shall: a. provide for stormwater management, and b. comply with the best management practices set forth in the Stormwater Management for Maine, Best Management Practices (Department of Environmental Protection, State of Maine, January 2006 or as revised).
16. Sufficient Water. The proposed activity shall have sufficient water available for the reasonably foreseeable needs of the proposed development and no evidence of adverse impact to the quality of that water from known or potential sources of contamination including, but not limited to those identified and described in the Department of Environmental Protection's "Environmental and Geographic Analysis Database" (EGAD). For any groundwater contamination risks within 1,000 feet of the proposed activity, the Planning Board may require test well analysis or other data as it deems appropriate be submitted with the application or become a condition of approval.
17. Traffic. The proposed activity shall not cause highway or road congestion or unsafe conditions with respect to the use of the highways or roads existing or proposed.
18. Legal Access. The site shall have legal and reasonable means of access sufficient to meet all proposed uses.
19. Impact on Adjoining Municipality. When a proposed development subject to site review crosses the Town's boundaries, the proposed development shall not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the development is located.
20. Life and Fire Safety. The Planning Board may require a review of any development subject to site review by the Readfield Fire Department for life and fire safety recommendations and may require incorporation of the life and fire safety recommendations in the application or as a condition of approval of the application.
21. Violations. The proposed activity or development is not on property currently in violation of any requirements of this Ordinance. If the Code Enforcement Officer determines that an enforceable violation exists, the Code Enforcement Officer shall issue a written Notice of Violation to the applicant within the review period of time provided for and the application, if otherwise approved, shall be conditioned upon the resolution of the violation prior to the use or occupancy of the permitted activity applied for. This provision shall not prohibit, restrict or otherwise preclude the applicant from appealing to the Board of Appeals under this Ordinance or the Board of Appeals Ordinance any determination by the Code Enforcement Officer of an alleged violation.
22. Compliance with Timber Harvesting Standards. For proposed subdivisions, timber on a parcel purchased on or after January 1, 2005 shall not have been harvested in violation of the Maine Forest Service's *Timber Harvesting Standards to Substantially Eliminate Liquidation Harvesting* within the five-year period preceding the submission of the application for subdivision approval.
23. Road Construction. Proposed road construction applicable under Article 10, Section 2 must be reviewed and approved by the Road ~~Committee~~ Commissioner prior to final Site Review approval by the Planning Board.

D. Decisions

1. After review of a complete application for site review, the Planning Board shall determine whether or not the proposed use meets the review criteria contained in Section 3C. The Planning Board shall make a written finding of fact to support its decision and vote to approve the application, deny the application, or approve the application with conditions. The Planning Board shall submit its written decision to the applicant.

2. If in its findings the Planning Board determines that the application has not met the review criteria and that additional actions by the applicant shall be sufficient to meet them, it may require such actions as conditions of approval. The conditions may set forth requirements in addition to those set forth in this Article only when the Planning Board finds it necessary to further the purposes of this Article. All conditions approved by the Planning Board shall be listed along with the reasons for these conditions in the Planning Board's decision.
3. The Planning Board shall list any waivers approved by the Board in its decision and the reasons for such approval.
4. The Planning Board shall list all conditions imposed on the application, including but not limited to conditions as built, and all waivers approved for the application on the final plan and on the permit.

E. Waivers

1. The Planning Board may vote to waive any of the submission requirements review criteria and/or performance standards of this Ordinance, other than those set forth in Article 7, when it finds one of the following:
 - a. One or more of the review criteria and/or ordinance performance standards are not applicable to the proposal due to the size of the project, circumstances of the site, design of the project, or unique features of the proposed use.
 - b. The applicant has proposed an alternative design that meets or exceeds the requirements set forth in the ordinance performance standards.
 - c. The Planning Board has on file or is otherwise in possession of sufficient documentation or evidence to support the requested waiver.
2. The applicant shall submit information and materials that support the waiver request.
2. The Planning Board may only consider a waiver request when the applicant has submitted a written waiver request. The Planning Board shall review the waiver request and if it meets the criteria stated above shall approve the request and submit its decision to the applicant in writing. If the Planning Board finds that the waiver request does not meet the criteria for a waiver, it shall deny the waiver and submit its decision in writing to the applicant. The Planning Board shall require that the application be amended to include the items necessary to meet the review criteria and/or ordinance performance standards. The Planning Board may vote to suspend review of the application until such time that the applicant supplies all the necessary information. Failure to submit the additional information within 30 days of the Planning Board's decision to suspend review will require that a new application be submitted for review. In no case shall the Planning Board make a final decision on the application until the applicant supplies the additional information to the satisfaction of the Planning Board.

F. Vesting

~~The submittal of the application to the Code Enforcement Officer to review for a complete application~~ The determination of the Planning Board that the application is complete shall ~~not~~ be considered the initiation of the review process for the purposes of bringing the application under the protection of Title 1 M.R.S.A. Section 302. ~~The formal review process shall begin upon written notification to the applicant that a complete application has been received.~~

G. Site Inspection

1. The Planning Board may vote to schedule an on-site inspection of the proposed project. The Planning Board shall schedule the date and time of the site inspection at the sketch plan meeting or at the first public hearing on the proposal. The Planning Board shall post the date, time and place of the site inspection at the Town Office.

one (1) per premises, which may be a free-standing sign.

3. The area of signs shall be computed as follows:
 - a. The area of a sign shall be the surface or space between the outlines of the sign including the borders. The structural supports shall be excluded if they do not constitute a major part of the sign or if the structure is not used to identify or attract attention to the business.
 - b. The area of two-sided signs, or two (2) signs identically sized, and placed back to back and are part of the same sign structure, shall be computed by measurement of one (1) of the faces.
 - c. The area of multi-faced signs shall be computed by adding together the area of all sign faces visible from any one (1) point.
 - d. The area of the sign shall include any device, object or other visual aid which is an integral part of the sign.
4. Signs in the Rural Residential, Village Residential, Resource Protection, Stream Protection, and Shoreland Residential/Recreational Districts shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises, except that signs used to identify an institutional use may be sized to the extent necessary to comply with the minimum letter height requirement described in Section 14 F.1.a-c (above).
5. The faces of conforming sign structures may be interchangeable provided they shall be of the same area and construction and otherwise comply with all provisions of this Section.
6. Any building exposed directly onto a public way may have a wall sign parallel to and attached to a building, not to be set out more than ten (10) inches from the building.
8. Any building exposed directly onto a public way may have a projecting sign from the wall of the building provided that (a) the area of the sign does not exceed twelve (12) sq. ft., and (b) does not project more than four (4) feet from the building, and (c) the bottom of the sign is at least eight (8) feet above the ground.

G. Removal Of Out-Dated Signs

Conforming signs which relate to any commercial establishment which has been out of business for more than thirty (30) days shall be removed. The owner of the sign or owner of the property or the owner's agent shall be responsible for removing such signs or those portions of signs which identify the commercial establishment within thirty (30) days of its closing.

H. Definitions **Move the following definitions to the definition pages in alphabetical order**

1. **Access way:** An entrance to a property from a public or private way for vehicular or pedestrian use.
2. **Fluorescent colors:** Colors that appear to emit light when absorbing light radiation from some other outside source of light, such as head lights.
3. **Free-standing sign:** A sign not attached to any building, but in a fixed location.
4. **Glaring illumination:** Light of such brilliance or positioning as to distract or impair the vision of pedestrians and/or vehicle operators.
5. **Internally lit signs:** Signs where the source of the illumination is inside the sign and emanates light through the message of the sign, rather than being reflected off the surface of the sign from an external source.

6. **Official business directory signs:** signs erected and maintained in accordance with the Maine Traveler's Information Act, to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services, and points of scenic, historical, cultural, recreational, educational and religious interest.
7. **Off-premises sign:** A sign that draws attention to an activity, location or premises other than the premises on which the sign is located.
8. **Permanent materials:** Long lasting materials that provide for the stable, durable all-weather exterior construction of a sign.
9. **Phosphorescence:** The condition or property of a substance of giving off a lingering emission of light after exposure to light. A continuing luminescence without noticeable heat.
10. **Public way:** Any traveled way designed for vehicular or pedestrian use and is opened for public use.
11. **Permanent signs:** A sign with a fixed location, attached to the ground or a building or other permitted structure.
12. **Projecting signs:** An outdoor sign which is attached to a wall of a building.
13. **Setback:** The distance specified in the Land Use Ordinance that shall be required between the property boundary and any structure on the property.
14. **Sign:** A sign is an object, device or structure, or part thereof, situated outdoors, visible from a public or private way, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business product, service, activity, event or location, by any means including words, letters, figures, design, symbols, advertising flags, banners, insignias, pennants, fixtures, colors, illuminations or projected images. Wall murals, sculptures, yard art and other similar works of outdoor artistic expression not containing words are not considered signs.
15. **Talking signs:** Any sign designed to be transported by means of wheels, including but not limited to those with A or T frames and changeable messages, in which the message may be electronically, mechanically or manually changed by the complete or partial substitution or replacement of one display by another.
16. **Temporary signs:** Any sign not permanently attached to the ground, a building, or other permanent structure by direct attachment to a rigid wall, frame, post(s) or other approved form of permanent construction.
17. **Visible:** Capable of being seen by a person of normal visual perception.
18. **Wall sign:** A sign attached parallel to the exterior surface of a building.

SECTION 15. LIGHTING

A. Applicability

Exterior Lighting. The proposed development shall have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. Lighting may be used which serves security, safety and operational needs.

B. The following lighting standards shall apply to all land uses that require site review:

1. Development shall not produce a stray, dazzling light or reflection of that light beyond its lot lines onto neighboring properties or onto any public way so as to impair the vision of any vehicle upon that way.
2. Lighting fixtures shall be shielded or hooded so that lighting elements shine downward so that the lights do not unnecessarily light the night sky.
3. Direct or indirect illumination shall not exceed half ($\frac{1}{2}$) foot-candles upon abutting properties, when measured at a distance of four feet from the ground.
4. No lighting fixture, except for street lights shall extend beyond a height of twenty five (25) feet, as measured from ground level.

SECTION 18. TRAFFIC ACCESS

A. Purpose

The purpose of the traffic access standards shall be to control the design and placement of driveways and intersections in order to maintain road safety and traffic carrying capacity of the road. The standards shall be designed to allow traffic to enter and exit driveways safely and efficiently so that the roadway can serve its primary function of providing long distance access.

B. Applicability

The Standards contained in this section shall apply to all development that requires site review.

C. Sight Distance

Driveways and other required accesses shall be located to achieve the required sight distance measured in each direction along the arterial while maintaining adequate distances from adjacent driveways and intersections.

1. Measurements

- a. The sight distance shall be based on the posted speed limit.
- b. Measurements shall be from the driver’s seat of a vehicle that is 10 feet behind the curb or edge of the shoulder line with the height of the eye 3½ feet above the pavement and the height of object 4½ feet.
- c. Where truck traffic from the development onto the arterial is expected to be significant, the sight distance shall be increased by 50%. Height of eye should be 6 feet, with the height of the object no more than 4 ½ feet.
- d. Where recreational vehicle traffic from the development is expected to be significant, the sight distance shall be increased by 25%, height of eye should be 3½ feet, where the height of the object no more than 4½ feet.
- e. Driveway and intersection road placement shall be such that an exiting vehicle has an unobstructed sight distance according to the following schedules for low/medium driveways and high volume driveways.

<u>Low and Medium Driveways</u>	
Highway Speed (MPH)	Minimum Sight Distance in Feet
20	200 155
25	250 200
30	300 250
35	350 305
40	400 360
45	450 425
50	500 495
55	550 570

<u>High Volume Driveways</u>	
Highway Speed (MPH)	Minimum Sight Distance in Feet
25	300
30	380
	580

40	
50	840
55	990

D. Driveways

1. All driveways installed, altered, changed, replaced, or extended after the effective date of this Ordinance shall meet the following requirements:

- a. Islands between driveway openings shall be provided with a minimum of 12 feet between all driveways and 6 feet at all lot lines.
- b. Openings for vehicular ingress and egress shall not exceed 24 feet at the street line and 30 feet on the roadway.
- e- The term driveways as used in this section shall mean an entrance used by vehicular traffic to access property abutting a road. ~~Driveways shall be further defined as follows:~~
 - ~~(1) A low and medium driveway shall have a traffic volume of less than 1500 vehicle trips per day and less than 150 vehicle trips at peak hour.~~
 - ~~(2) A high volume driveway shall have a traffic volume of more than 1500 vehicle trips per day and more than 150 vehicle trips at peak hour.~~

2. Minimum driveway lengths, as measured from the point of intersection with the arterial, shall be of adequate length to accommodate queuing up of the maximum number of vehicles, as defined by the peak period of operation identified in the traffic impact study, such that, to the maximum extent possible, no waiting vehicle remains on the arterial.

3. After the effective date of this ordinance, all future driveways shall be designed with sufficient vehicle turn-around area to enable a driver to exit the premises without backing onto the arterial. This requirement shall be deemed to be met by an onsite parking lot with a parking aisle, or by a service or frontage road, or by the use of an onsite driveway turn-around for a single vehicle measuring at least 8 feet wide by 15 feet long.

E. Shared Driveways

The Planning Board may require the construction and use of shared driveways to improve public safety by reducing the number of entrances onto a public road or by avoiding a driveway at a potentially dangerous location; to further environmental protection, such as by eliminating a wetlands crossing; and to minimize negative impacts on the surrounding neighborhood.

1. Shared driveways may be shared by two single-family or one two-family dwelling(s) or principal structures;

2. An Application which includes a shared driveway shall include a draft document providing for restrictive covenants and easements binding present and future owners of all lots served by the shared driveway, which must be reviewed and approved by the Planning Board. If the application for a Shared Driveway is approved, the final document(s) shall be recorded at the Kennebec County Registry of Deeds and shall also be recited in and attached to every deed to every lot served by the shared driveway. Such document(s) must include the following information:

- a) Provision for the management, maintenance, snow removal, improvement and repair of the shared driveway and any improvements thereon, including, but not limited to, the traveled way, drainage systems and signage;
- b) Text of proposed easements including the metes and bounds description;

tents, recreational vehicles and recreational facilities and which is primarily used for recreational purposes and retains an open air or natural character.

Campsite: The only type of dwelling or site permitted within a campground for occupancy and consisting of one of the following: tent site, RV site, housekeeping cabin or non-housekeeping cabin.

Campground Density: The number of campsites permitted per acre of land deemed suitable for development.

Housekeeping Cabin: A single structure where sleeping accommodations, kitchen facilities and which may include a toilet, a lavatory and a shower is furnished to the public for temporary occupancy.

Individual Private Campsite: An area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten individuals and which involves site improvements which may include but not be limited to a gravel pad, a parking area, a fire place, or a tent platform.

Non-Housekeeping Cabin: A single structure where sleeping accommodations are furnished to the public for temporary occupancy. These structures shall not include kitchen facilities or toilet facilities.

Recreational Area: All areas developed for activities such as, but not limited to, beaches, tennis, basketball, or volleyball courts, swimming pools, outdoor theaters, softball fields, etc.

Recreational Vehicle Site: An area of the campground designed for the placement of a Recreational Vehicle.

Recreational Vehicle: See definition, Article 11.

Temporary Occupancy: The use of a campsite for a limited duration including a day, week, month or a season.

Tent Site: An area of the campground designed for the placement of a tent and/or a pop-up camper.

Wilderness Park Campground: A campground, or designated area of a campground for which the development requirements have been reduced to provide a more rustic outdoor camping experience. A Wilderness Park Campground shall:

1. be limited to the development of tent sites only with a minimum density of 10,000 sq. ft. for each site
2. be limited to the use of pit, vault, composting or portable toilets only
3. require that all solid waste be carried off-premises by the campsite tenants
4. not permit on-site parking except for handicapped accessible parking
5. require any campground that contains a designated wilderness campground area must ensure that the non-wilderness campground has facilities, e.g. toilets, showers, etc. sized to accommodate campers who may camp in the designated wilderness area.

- B. Specifications for **Roads**: Any traveled way which meets the **building density** as defined in the definition of a **road** shall meet the **dimensional requirements** for **roads** as specified in the **Road** Constructions Standards table of details in Appendix A. All gravel and bituminous material shall meet current M.D.O.T. specifications.

SECTION 6. EASEMENTS

Whenever it is required to create or alter an existing-water course in **constructing a road**, a drainage easement shall be secured from the property owner(s) affected. Wherever the toe of slopes for ditches, shoulders, grading, and other purposes required by this Ordinance cannot be adhered to within the required right-of-way limits, and grading or **excavation** is necessary beyond these limits, slope easements shall be secured from abutting property owners. Said drainage and slope easements shall be secured by the Town or by the **applicant** without cost to the Town.

SECTION 7. DRIVEWAY / ROAD ENTRANCES

The construction of any new **driveway** entrance onto a Town or privately-owned road **or a Right of Way** requires a permit issued by the Road Commissioner or his/her designee and must comply with the Town of Readfield Driveway Entrance Siting and Culvert Installation Policy, adopted April 12, 2004.

SECTION 8. UTILITIES

Longitudinal runs of water mains and sanitary lines shall be located and separated as prescribed by applicable State standards. Public utility poles shall be placed behind the flow line of the road ditches and as approved on Town roads by the Select Board.

SECTION 9. INSPECTION DURING CONSTRUCTION

Roads approved for construction must conform to the following inspection process:

- A. All **roads** shall be inspected by the **Road** Commissioner or a licensed professional engineer appointed by the Town Select Board at the expense of the **applicant** at the following intervals:
1. At the point that the area to be **constructed** has been grubbed.
 2. At the point **subgrade** has been reached, and prior to the delivery of subbase gravel. This inspection may be waived by the **road** inspector if grubbed surface and **subgrade** are the same.
 3. At the completion of grading the sub-base or base gravel.
 4. Upon completion of **graded** or paved surface.
- B. Scheduling of inspections shall be the responsibility of the developer or builder and require a 24-hour notification.
- C. Reports of inspection required in sub-section A shall be provided within 7 days of the completed inspection to all concerned parties.

Bedroom: Any room within a dwelling unit, or any room within an accessory structure to a dwelling unit, that may serve primarily as sleeping quarters; a bedroom must have a closet and a means of exterior egress.

Boarding House: See “Rooming/Boarding House

Buffers/Screening: Buffers/screening are fences, vegetation, landscaping, berms and mounds used to minimize any adverse impacts or nuisance conditions as experienced on the site or from adjacent areas.

Building: see Structure.

Bureau: State of Maine Department of Conservation’s Bureau of Forestry.

Business and Professional Offices: The place of business of doctors, lawyers, accountants, financial advisors, architects, surveyors, real estate and insurance businesses, psychiatrists, counselors, and the like, or in which a business conducts its administrative, financial or clerical operations including banks and other financial services, but not retail sales or activities utilizing trucks as part of the business operation.

Bunkhouse: A detached bedroom having no plumbing; accessory to a single family dwelling for the temporary accommodations of guests of the property owner while the owner is an occupant of the principal dwelling. Such structures shall be constructed only under a permit for limited use occupancy and shall not be converted to a dwelling unit, as defined, until all applicable standards for a dwelling unit are met.

Campground: ~~Reference Article 8, Section 24, L. Definitions. Any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.~~

Canopy: The more or less continuous cover formed by tree crowns in a wooded area.

Certificate of Mailing: A form of mailing which provides evidence of mailing per U.S. Postal Services Domestic Mail Manual, Section 914.

Church: A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services, excluding school.

Civic, Convention Center: A building or complex of buildings that house Town offices and services and which may include cultural, recreational, athletic, convention and entertainment facilities owned and/or operated by a governmental agency.

Cluster Development: A development consisting exclusively of residential dwelling units or commercial uses, planned, developed as a whole, or in a programmed series of developments, and controlled by one developer which contemplates an innovative, more compact grouping of dwelling units or other uses. Cluster developments treat the developed area as an entirety to promote flexibility in design, architectural diversity, the efficient use of land, a reduction in the size of road and utility systems, the creation of permanent, common open space, and the conservation of natural characteristics of the land.

Cluster Subdivision: A subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located in return for the provision of permanent open space. Such open space or the development rights of that open space shall be owned in common by lot/unit owners, the Town, or a land conservation organization. Clustering

on the opposite side of the channel. The average stream or tributary stream channel depth is the average of the vertical distances from a straight line between the normal high-water lines of the stream or tributary stream channel to the bottom of the channel.

Day Care Facility: A building or use of property operated for the care or instruction of three or more persons who are not children of the principal child-care provider or blood relatives of the principal adult caregiver.

DBH: The diameter of a standing tree measured 4.5 feet from ground level.

Dead-end: A road which connects with a Town way at only one intersection.

Demolition: To tear down or raze a structure or portion of any structure, and the appropriate removal and disposal of all the debris resulting from the demolition according to local, state and federal laws and regulations.

Density: The number of dwelling units per lot of land or unit.

Development: Any man-made changes to improved or unimproved real estate including, but not limited to: the construction of, additions or improvements to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations, sewage disposal systems or water supply facilities.

Developed Area: Any land area on which development exists.

Dimensional Requirements: Numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height.

Disability: Any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.

Disruption of shoreline integrity: The alteration of the physical shape, properties, or condition of a shoreline at any location by timber harvesting and related activities. A shoreline where shoreline integrity has been disrupted is recognized by compacted, scarified and/or rutted soil, an abnormal channel or shoreline cross-section, and in the case of flowing waters, a profile and character altered from natural conditions.

District: A specified portion of the Town, delineated on the Official Land Use Map, within which certain regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

Docks, Marinas, Bridges and other Structures and Uses Extending Over or Beyond the Normal High-Water Line of a Waterbody or within a Wetland:

Temporary: Structures which remain in or over the water for less than seven months in any period of twelve consecutive months.

Permanent: Structures which remain in or over the water for seven months or more in any period of twelve consecutive months.

Driveway: a private vehicular way providing access to no more than: ~~—~~ a) one lot for one single-

~~or one two-family dwelling or other single ownership or two-unit principal structures, or
b) two lots for two single-family dwellings or other principal structures if such way is
legally established, constructed and shared as the primary access to each lot.~~

Dwelling Unit: Any building or structure or portion thereof designed, used, or intended for occupancy as separate living quarters, permanent or temporary in nature, used or proposed to be used as separate living quarters seasonally or throughout the year. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have a direct access from the outside of the building or through a common hall. A building or structure providing temporary accommodations such as a bunkhouse, as defined, shall not constitute a dwelling, but shall be counted as a bedroom as defined in the Maine State Plumbing Codes. The term shall include mobile homes but shall not include travel trailers or other recreational vehicles.

1. **Single-Family Dwelling:** Any structure containing one (1) dwelling unit for occupation by not more than one (1) family. Units may be attached.
2. **Two-Family Dwelling:** A building containing only two (2) dwelling units, for occupation by not more than two (2) families.
3. **Multi-Family Dwelling:** A building containing three (3) or more dwelling units, such buildings being designed exclusively for residential use and occupancy by three (3) or more families living independently of one another with the number of families not exceeding the number of dwelling units.

Essential Services: The construction, alteration, and maintenance of gas, electricity, communication facilities (excluding communication towers), steam, fuel, or water transmission, distribution, collection supply or disposal systems. Such systems may include towers, poles, wires, pipelines, call boxes, and similar accessories, whether above- or below-ground, but shall not include buildings which are necessary for the furnishing of such services. Essential Services includes primary transmission and pipeline corridors, and wind turbines for off-site energy supply and distribution.

Excavation: Any removal of earth material from its original position.

Expansion of a Structure: An increase in the floor area or volume of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Expansion of Use: The addition of one or more months to a use's operating season; or the use of more floor area or ground area devoted to a particular use.

Floor Area: The sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, as measured from the exterior faces of these exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks, but excluding steps or stairways up to four feet in width. Floor area shall include all habitable, or potentially habitable areas of a dwelling, including but not limited to: 1) basements if overhead clearance is 6'0" or more, and 2) half stories measured within points having 4' or more of overhead clearance.

Forest Management Activities: Timber cruising and other forest resources evaluation, management and planning activities, insect and disease control, timber stand improvement, pruning, timber and other forest harvesting, regeneration of forest stands, and other similar associated activities, and the construction of skid trails and roads used primarily for timber harvesting--but not the construction or creation of roads for other developments purposes.

Appendix A Road Construction Standards

	Commercial/Industrial Institutional	General Town Road	Private Road
Right-of-way width	66 feet	60 feet	1.50 feet ⁶
Travel way width	22 feet	20 feet	14 feet
Shoulder width ³	4 feet	2 feet	2 feet
Gravel base depth ¹	20 inches	16 inches	16 inches
Surface gravel depth	4 inches	4 inches	4 inches
Bituminous pavement ² (Inches of binder/surface)	3/1	2/1	2/1
Roadway crown (paved) (unpaved)	¼ inch per foot	¼ inch per foot ¾ inch per foot	¼ inch per foot ¾ inch per foot
Maximum grade	10%	12%	12%
Minimum grade	0.5 %	0.5%	0.5%
Minimum angle of street intersection	80 degrees	60 degrees	60 degrees
Minimum radius	300 feet	250 feet	150 feet
Minimum tangent	100 feet	25 feet	0
Minimum back slope	2/1	2/1	2/1
Minimum fill slope	4/1	3/1	2/1
Radius at intersection	40 feet	25 feet	20 feet
Sight distance	As per Driveway Entrance Siting Policy	As per Driveway Entrance Siting Policy	As per Driveway Entrance Siting Policy
Sidewalk width	4 feet (if required)	N/A	N/A
Culverts ^{3,4}	18 inches minimum	15 inches minimum	15 inches minimum
Shoulder grade	1-1 ½ inches per foot	1-1 ½ inches per foot	1-1 ½ inches per foot
Ditch elevation	36 inches	30 inches	24 inches
Parking on roadside	If required	N/A	N/A

1. Geo-textile fabric is required for Private Roads (except by waiver) and may be required for General Town Roads at the discretion of the Road Commissioner or the Town's design engineer.

2. Bituminous pavement is not required but when used, must comply with the above construction standards.

3. Culverts must be constructed of High-Density Polyethylene meeting at least AASHTO M294, Type S standards.

4. Actual culvert size to be determined by the Road Commissioner or design engineer based on watershed drainage characteristics.

5. No shoulder is required when concrete, stone, or asphalt curbing is used.

6. 49.5 feet for a layout of an old county or an old town roads.

2018 Amendments to the Town of Readfield

ANIMAL CONTROL ORDINANCE

Town of Readfield, Maine

“Readfield Dog & Cat Ordinance: Adopted at Town Meeting on June 11, 1985

“Animal Trespass Ordinance” Adopted at Town Meeting on March 11, 1978

“Animal Ordinance”: Adopted at Town Meeting on June 13, 1992

“Animal Ordinance”: Adopted at Town Meeting on June 9, 2011

“Animal Ordinance”: Adopted at Town Meeting on June 12, 2018

ANIMAL CONTROL ORDINANCE

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ARTICLE I

A. TITLE

This ordinance shall be known and may be cited as the “Animal Control Ordinance of the Town of Readfield, Maine.”

B. PURPOSE

The purpose of this Ordinance is to provide regulations in addition to those contained in State Law with respect to controlling dogs and other animals throughout the Town of Readfield in the interest of the health, safety and general welfare of its residents.

C. DEFINITIONS

“Animal Control Officer (ACO)/Alternate Animal Control Officer” means qualified persons who are employed by the Town of Readfield and ~~shall be known as, and~~ appointed to perform the duties of , Animal Control. The ACO or Alt. ACO, shall be principally responsible for the enforcement of all laws related to dogs, cats, and other domesticated animals and ~~also to~~ undomesticated animals.

“At Large” means off the premises of the owner and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such animal. ~~, which shall mean that the animal is under “Voice Control” at any time the animal is not on a leash or confined on the premises of the owner.~~

“Owner” means any person or persons, firms, partnership, association or corporation owning, keeping or harboring a dog or animal.

~~“Nuisance”~~ **“Barking Dog”** shall mean an animal which by loud, frequent, and habitual barking, howling, yelping or any continuous sound that disturbs the peace of any person ~~or persons anytime day or night.~~

~~“Voice Control” as used in this ordinance, the term “voice control” means that the animal returns immediately to and remains by the side of the owner or keeper in response to the owner or keeper’s verbal command, whistle or hand signal. If an animal approaches or remains within 10 feet of any other person other than the owner or keeper, that animal is not under voice control and shall be deemed to be “at large”, unless such person (or in the case of a minor child, an adult present with the child) has communicated to the owner or keeper by spoken word or gesture that such person consents to the presence of the animal.~~

~~“Dangerous Dog” means a dog that bites an individual who is not trespassing on the dog owner’s or keeper’s premises at the time of the bite or a dog that causes a reasonable and prudent person who is not on the dog owner’s or keeper’s premises and is acting in a reasonable and non-aggressive manner to fear bodily harm by attacking or threatening to attack that individual or individual’s domestic animal. “Dangerous dog” does not include a dog certified by the State and used for law enforcement use.~~

~~For the purpose of this definition, “dog owner’s or keeper’s premises” means the residence or residences, including building and land and motor vehicle, belonging to the owner or keeper of the dog.~~

~~“Domesticated” means any animal domesticated or livestock that you are an owner or keeper of including owned or kept by an Owner, including but not limited to dogs, cats, cows/cattle, horses, chickens, swine, sheep, llama llama etc.~~

D. REGULATIONS

~~1. An owner shall not permit a nuisance. Barking Dog. No owner or keeper shall keep or harbor any animal with the legal limits of the Town of Readfield, which by loud, frequent, or habitual barking, howling, yelping or continuous sound that, through its frequency or duration, unreasonably disturbs the peace of any person or persons anytime day or night.~~

~~Any person who observes a dog acting in violation of the ordinance may file and sign a written complaint. This complaint may be filed at the Town Office or with the Animal Control Officer or Local Law Enforcement. This complaint must specify the objectionable conduct of the dog(s), the date and time thereof, a description of the dog(s), and the name and residence of the owner or other person harboring said dog(s) in known. Upon written complaint by the person disturbed, which has been signed and sworn to, any constable, duly qualified law enforcement official, animal control officer or duly appointed alternate animal control officer may investigate and may give written notice to the owner or keeper of such animal that such annoyance or disturbance must cease. The warning shall be made part of the complaint. Thereafter, upon continuance of such annoyance or disturbance, such owner shall be guilty of civil violation and upon conviction there of shall be punished by fees and penalties set in Article VI-A-1 & 2.~~

~~2. Dogs deemed “Dangerous” by local law enforcement or the Animal Control Officer by issuing a civil violation summons for keeping a dangerous dog shall confine the dog in a secure enclosure. For the purposes of this paragraph, “secure enclosure” means a fence or structure of at least 6 feet in height forming or making an enclosure suitable to prevent the entry of young children and suitable to confine a dangerous dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering the dangerous dog. The secure enclosure must be locked, be designed with secure top, bottom and sides and be designed to prevent the animal from escaping from the enclosure.~~

ARTICLE II

A. LICENSES WILL BE IN ACCORDANCE TO STATE LAW

1. ~~Fees shall be paid to the Town Clerk for each license issued on spayed ~~altered~~ and ~~not altered~~ unspayed females and neutered and unneutered males dogs as prescribed by state law.~~
2. ~~Each owner or keeper of a dog at the age of 6 months or over shall, on or before January 1st, annually, or at such time as such dog becomes 6 months old, cause such dog to be licensed in the Town Clerk's office in the Town where such dog is kept. No Town Clerk shall issue a license for any dog until the applicant ~~owner or keeper~~ has filed with such Clerk proof that such dog has been immunized against rabies.~~
3. ~~Any person becoming the owner or keeper of a dog after the first day of January, not duly licensed as required, shall, within 10 days after he/she becomes the owner of keeper of said dog, cause said dog to be described and licensed as provided.~~

ARTICLE III

A. ENFORCEMENT

1. **Animal Control Officer.** The Town Manager shall appoint an Animal Control Officer and Alternate Animal Control Officers for the purpose of enforcement of the provisions of this Ordinance and State Law relating to animals.

B. IMPOUNDMENT

1. ~~Unlicensed **Stray** dogs, whether or not at large, and dogs, and cats and other small domesticated animals found running at large, shall be taken to its owner if known or if owner is not known, shall be taken to the animal shelter designated by the municipality in which the animal was found for the period set forth in whether or not licensed, shall with or without complaint be taken up and impounded by Animal Control Officer in a shelter designated by the Town as the Town Animal Shelter and there confined in a humane manner for a period of not more than ten (10) ~~six (6) days or current Maine State Law.~~~~
2. Any owner may regain possession of an impounded dog or cat upon payment of the impoundment fee set by the Readfield Select Board and boarding fees set by the Animal Shelter, as well as any other penalties provided by Maine law. ~~Any dog or cat impounded under the provisions of this Ordinance and not reclaimed by the owner within said ten (10) ~~six (6) days or current Maine State Law,~~ shall be considered to be abandoned by the owner and the property of the Town's ~~designated~~ Animal Shelter and may, after consultation with the Humane Society and/or the Animal Refuge League be humanely destroyed or given to the Humane Society and/or the Animal Refuge League, or any person deemed to be responsible and a suitable owner.~~
3. Where the ownership of any such dog or cat is known, or can be reasonably ascertained by the Animal Control Officer, such officer shall, if possible, notify the owner within three (3) days of such impoundment, but failure to give such notice shall in no way impose any liability upon the Town for the destruction or transfer to another of any dog or cat so impounded and not reclaimed within said ~~period of ten (10) days or current~~ applicable periods under current Maine State Law.

ARTICLE IV

A. ANIMALS NOT TO RUN AT LARGE

It shall be unlawful for any domesticated animal **or livestock**, licensed or unlicensed, to run at large on any highway, street, roadway on public owned property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his/her property), except when used for hunting during the appropriate season.

B. SANITATION

It shall be unlawful for any person who owns, possesses or controls an animal to fail to promptly remove and dispose of any feces left by his/her animal on any sidewalk, street, or public owned property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his/her property).

1. This provision shall not apply to an assistance dog accompanying a handicapped person who, by reason of his/her disability, is unable to remove and properly dispose of the feces.

C. PROHIBITED PROPERTY

All domestic ated animals are prohibited on the grounds of any town cemeteries and the Town’s beach property.

ARTICLE V

A. INTERFERENCE FORBIDDEN

No person shall interfere with, hinder or molest any Animal Control Officer in the performance of any duty of such officer, or seek release of any animal in the custody of an Animal Control Officer, except as herein provided.

ARTICLE VI

A. PENALTIES

For violation of Articles I.D, or IV, or V.

1. Any person convicted of violation any provisions of this ordinance shall be subject to a **court determined** fine of not less than \$50.00 no more than ~~\$100.00~~ **250.00** plus **attorney fees and** costs for the first violation. For subsequent violations, the fines shall be not less than \$100.00 no more than \$500.00, ~~to be recovered by complaint for the use of the Town of Readfield.~~ **All fines so assessed by the court and attorney fees and cost to the Town shall be recovered for the use of the Town of Readfield through District Court.** In addition the Court may make such further order regarding the destruction, restraint, or disposition of the offending animal as the Court deems appropriate.
2. A person, not previously convicted of a violation under this ordinance, may elect to pay the minimum penalty of \$50 specified above in lieu of appearing in court to answer the citation. Such payment must be received by the office of the Town Clerk within seven (7) business days from the date the citation was issued. Upon receipt of such payment by the Town Clerk, the Animal Control Officer shall cause the citation to be dismissed. ~~If the Animal Control Officer agrees, a person may elect to pay the minimum penalty of \$50.00 in lieu of appearing in court to answer the first citation, and if the person is cited for a subsequent violations, the civil penalty for the each subsequent violation shall not be a fixed increase of \$50.00 for each additional violation with a maximum of not less than \$100.00 nor more than \$500.00.~~

~~B. PENALTIES FOR KEEPING A DANGEROUS DOG~~

- ~~1. Any person convicted of keeping a dangerous dog without or not within a secure enclosure shall be punished by a penalty of not less than \$500 nor more than \$1,000 for the first offense.~~
- ~~2. Any person convicted of keeping a dangerous dog on a second offense shall be punished by a fine of not less than \$750 nor **not** more than \$1,000.~~
- ~~3. Any person convicted of keeping a dangerous dog on a third or subsequent offense shall be punished by a fine of \$1,000.~~

4. In addition, the court may make such further order regarding the destruction, restraint or other disposition of the offending animal as the court deems appropriate.

CEMETERY ORDINANCE

of the Town of Readfield MAINE

Adopted by the Town Meeting: Effective:

SECTION 1 TITLE

This Ordinance shall be known as and may be cited as the "Cemetery Ordinance for the Town of Readfield, Maine," and shall be referred to herein as "this Ordinance".

SECTION 2 PURPOSE AND AUTHORITY

The purpose of this Ordinance is to establish a Cemetery Committee under Title 13, M.R.S.A. 301, and to create a framework for regulating and managing the use and operation of cemeteries in Readfield. This Ordinance is adopted pursuant to 30-A M.R.S.A. 3001.

SECTION 3 DEFINITIONS

Burial: A burial refers to the remains of a single person, whether in a casket or in cremated form.

Grave/grave site: A parcel of cemetery land suitable for the burial of a single full casket. Some gravesites are specifically for cremations, and are smaller,

Lot: A cemetery lot is a parcel of cemetery land that may contain a block of graves, sometimes, but not always, owned by a single family.

SECTION 4 THE CEMETERY COMMITTEE

1. Appointment, qualifications, tenure, and vacancies on the Cemetery Committee
 - A. The Cemetery Committee will have nine (9) members appointed by the Select Board. They shall serve without compensation.
 - B. The Sexton will serve as a non-voting, ex-officio member of the Committee. The Select Board may also appoint other staff of the Town, such as the staff member who maintains the Cemetery accounts, as non-voting ex-officio members of the Committee.
 - C. Members shall be legal residents of the Town of Readfield. The term of office of each regular member shall be three years.
 - D. The terms of office shall be staggered, with the terms of 3 members expiring each year.

- E. The Committee may create subcommittees to work on particular issues. These subcommittees may include members who are not members of the Cemetery Committee.
- F. Vacancies may occur by reason of resignation, death, or removal from the Town. The Selectboard will fill vacancies for the unexpired term.

2. Organization and Rules of the Committee

- A. The Committee shall annually elect a Chair, Vice Chair, and a Secretary. Each of these officers shall serve a one-year term and shall be eligible for reelection, The Chair will call the meetings and the Secretary will take minutes.
- B. A majority of the members shall constitute a quorum
- C. All meetings shall be held pursuant to public notice and be held in a public building.
- D. All records of meetings and actions of the Committee shall be public records except for deliberations and decisions relating to personnel or cases involving individual burials.
- E. The Committee may adopt additional rules, not inconsistent with this Ordinance, for its operation, as necessary.

3. Duties of the Cemetery Committee

- A. The Committee is advisory to the Select Board. The committee shall make recommendations to the Selectboard concerning:
 - i. Regulations for the Cemetery.
 - ii. Policy for the operation, care and maintenance of the Cemetery, including recommendations for capital expenditures.
 - iii. Changes in fees to be charged for Cemetery services,
 - iv. Expansion of the Cemeteries.

4. The Cemetery Committee will provide an annual report to the Select Board on the operation and financing of the Cemetery.

SECTION 5. CEMETERY FINANCES

1. The Perpetual Care Fund

This fund is created under 13 MRSA 1306 that requires that at least 30 percent of the proceeds from the sale of lots and individual gravesites in the Cemetery be deposited in an endowment fund for the Cemeteries. The Cemetery Committee will make recommendations to the Select Board on the proportion of monies from the sale of lots to be invested in the Perpetual Care Fund. Seventy-five percent of all monies received from the sale of burial plots will be placed in the Perpetual Care Fund. The interest earned on the perpetual care fund may be used, for upkeep and maintenance, for all town owned cemeteries.

2. Expansion Fund

The remaining twenty-five percent will be placed in an expansion fund Account. The monies in the expansion fund may be used only for additional land.. The amount of funds on hand will be public knowledge and are to be included in the Town's Annual Report.

3. Individual Endowment Fund

The Endowment funds are funded by several revenue streams and are used for Cemetery capital expenditures such as repair and maintenance of gravestones. Certain trust funds are dedicated to particular grave sites or families. Its revenues are:

A. Interest from the Endowment Fund. Under state law, this interest may be devoted to maintenance and upkeep of their Cemetery lot(s).

4. The Town Appropriation

The Town will annually budget for the operation of the Cemetery including compensation for employees and regular annual expenses.

5. The Cemetery Committee shall assist in developing the annual budget for the Cemetery. This budget will recommend operating expenses from the Town appropriation, and expenditures from the Cemetery Trust Funds.

SECTION 6. OPERATION OF THE CEMETERIES

1. A Sexton will be hired by and will report to the Town Manager. The Sexton's duties are described in a Job Description, included as an attachment, and as amended by the Select Board from time to time. Under 304 MRSA 2901 Municipalities are responsible for decorating graves of veterans of the Armed Forces of the United States of America with an American flag in an appropriate flag holder on Memorial Day (observed). They are also required to request that the Church bell be rung at 11 AM on Veterans Day.
2. Opening or closing of a Town cemetery will be determined by a vote at Town Meeting, unless all lots in said cemetery are sold.

SECTION 7. ENFORCEMENT AND PENALTIES

This Ordinance shall be enforced by the Select Board and the Town Manager

SECTION 8 AMENDMENTS

This Ordinance may be amended by Town Meeting at any properly noticed meeting.

SECTION 9. SEVERABILITY

If any portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remaining portions shall continue in full force and effect.

SECTION 10. ABROGATION

This Ordinance repeals and replaces any municipal ordinance or legislative action previously enacted.