

Annual Town Meeting Warrant/Secret Ballot Tuesday, June 11, 2024 Polls Open 8am – 8pm

To: Lee Mank, resident of the Town of Readfield, in the County of Kennebec, State of Maine

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Readfield in said county and state, qualified by law to vote in town affairs, to meet at the **Kents Hill School - Alford Athletic Center, 1617 Main St** in said Town on Tuesday, the 11th day of June, A.D. 2024, at eight o'clock in the forenoon, then and there to act upon Article 1 and by secret ballot on Articles 2 through 43 as set out below, the polling hours therefor to be from 8 o'clock in the forenoon until 8 o'clock in the afternoon, said articles being the following:

Article 1: Elect a moderator by written ballot to preside at said meeting.

Article 2: Elect two Select Board members for three-year terms:

- Doorenbos, Carol
- Keegan, Sean
- Shaw, Jaaron
- Write in: _____
- Write in: _____

Elect two RSU #38 School Board members for a three-year term:

- Clark, Patricia
- Roderick, Shawn
- Write in: _____
- Write in: _____

Elect one Local School Committee member for a one-year term:

- Write in: _____

Elect one Local School Committee member for a two-year term:

- Write in: _____

Elect one Local School Committee member for a three-year term:

- Write in: _____

Article 3: Shall the Town of Readfield vote to allow the Select Board to establish **Salaries and Wages** of town officers and employees, not elsewhere established, for the period July 1, 2024 through June 30, 2025?

Article 4: Shall the Town vote to fix **September 27, 2024** or thirty days after the taxes are committed, whichever is later, and **February 28, 2025** 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 8.5% 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 8.5% , which is the same as the State Rate of 8.5% , 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, 2024 to October 1, 2024?

Article 7: Shall the Town vote to raise and appropriate **\$695,286** for the **Administration** budget category for the following budget lines?

Municipal Administration	\$372,595
Insurance	\$166,269
Office Equipment	\$ 33,000
Assessing	\$ 30,500
CEO/LPI/BI	\$ 67,922
Grants/Planning	\$ 10,000
Attorney Fees	\$ 15,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 8: Shall the Town vote to raise and appropriate **\$185,680** for the **Municipal Maintenance** budget category for the following budget lines?

General Maintenance	\$ 136,630
Building Maintenance	\$ 36,050
Vehicles Maintenance	\$ 13,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 9: Shall the Town vote to raise and appropriate **\$82,527** for the **Community Services** budget category for the following budget lines?

Animal Control	\$ 10,890
Kennebec Valley Council of Governments	\$ 4,500
Age Friendly Initiatives	\$ 2,000
Library Services	\$ 53,467
Readfield TV	\$ 9,620
Street Lights	\$ 1,500
Maranacook Lake Dam	\$ 550

Select Board recommends: Yes Budget Committee recommends: Yes

Article 10: Shall the Town vote to raise and appropriate **\$72,467** for the **Recreation, Parks & Activities** budget category for the following budget lines?

Beach	\$ 10,985
Recreation	\$ 20,800
Community Programming Coordinator	\$ 23,052
Heritage Days	\$ 6,450
Conservation	\$ 6,800
Town Properties	\$ 2,500
Trails	\$ 1,880

Select Board recommends: Yes Budget Committee recommends: Yes

Article 11: Shall the Town of Readfield authorize the Select Board to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the construction of the Fairgrounds Community Park; and further authorize the Select Board to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project?

Article 12: Shall the Town vote to construct an expanded multi-use recreational field, multi-use sports court, utilities, and amenities at the Fairgrounds property, as generally identified in the Fairgrounds Community Park Concept Plan attached to this Warrant, with the project construction to be funded exclusively by Federal, State, and private grant sources and donations?

Article 13: Shall the Town vote to raise and appropriate **\$195,703** for the **Protection Department** budget category for the following budget lines?

Fire Department Operating	\$ 79,601
Ambulance Service	\$ 61,677
Tower Sites	\$ 4,600
Dispatching	\$ 48,825
Emergency Operations	\$ 1,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 14: Shall the Town vote to raise and appropriate **\$17,500** for the **Cemetery Materials & Services** budget category?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 15: Shall the Town vote to raise and appropriate **\$635,500** for the **Roads & Drainage** budget category for the following budget lines?

Summer Road Maintenance	\$ 169,500
Winter Road Maintenance	\$ 466,000

Select Board recommends: Yes Budget Committee recommends: Yes

Article 16: Shall the Town vote to appropriate the full remaining balance of approximately **\$190,169** in unexpended **ARPA funds** for use in Road paving projects?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 17: Shall the Town vote to construct a **sidewalk on Church Road** utilizing up to **\$960,000** in federal grant funds, **\$50,000** in Sidewalk Reserves, and **\$190,000** in Road Reserve balances, consistent with the Church Road Sidewalk grant process and the draft plans attached to this Warrant?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 18: Shall the Town vote to raise and appropriate **\$398,027** for the **Capital Reserves** budget category for the following budget lines with all unexpended account balances to be carried forward?

Administrative Equipment	\$ 5,000
Municipal Buildings	\$ 40,000
Fire Department	\$ 25,000
Cemetery	\$ 5,000
Roads	\$ 275,000
Equipment Reserves	\$ 34,177
Transfer Station	\$ 13,850

Select Board recommends: Yes Budget Committee recommends: Yes

Article 19: Shall the Town vote to raise and appropriate **\$173,524** for the **Solid Waste** budget category?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 20: Shall the Town vote to raise and appropriate **\$46,250** for the **Regional Assessments** budget category for the following budget lines which the town is legally bound to pay?

Cobbossee Watershed	\$ 30,000
First Park	\$ 16,250

Select Board recommends: Yes Budget Committee recommends: Yes

Article 21: Shall the Town vote to raise and appropriate **\$140,990** for the **Debt Service** budget category for the following budget lines which the town are legally bound to pay?

2023 Fire Truck Bond	\$ 47,481
2018 Maranacook Lake Dam Bond	\$ 18,046
2020 Municipal Building Bond	\$ 45,005
2021 Municipal Building and Paving	\$ 30,458

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 **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 **\$1,513** 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 **\$1,312** 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 **\$2,887** for **Courtesy Boat Inspection Programs**, with \$2,100 for the Maranacook Lake Association and \$787 for the Torsey Pond Association?

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 **\$2,625** 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 raise and appropriate the requested amount of **\$1,000** for the **Maranacook Food Bank**?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 30: Shall the Town vote to appropriate **\$1,695** paid to the Town by the State (based on snowmobile registrations) for the **Readfield Blizzard Busters Snowmobile Club** to be used for trail creation and maintenance?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 31: Shall the Town vote to raise and appropriate **\$25,000** for **Property Tax Abatements and Overdrafts**?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 32: Shall the Town vote to raise and appropriate **\$5,000** for the **General Assistance** budget category?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 33: 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 34: Shall the Town vote to accept the following **Estimated Revenues** to reduce the **2024 Tax Commitment**?

State Revenue Sharing	\$ 370,000
Interest on Property Taxes	\$ 15,000
Interest on Investments	\$ 75,000
Veterans Exemption	\$ 2,000
Homestead Exempt. Reimbursement	\$ 217,069
Tree Growth Reimbursement	\$ 14,000
BETE Reimbursement	\$ 33,623
Boat Excise Taxes	\$ 8,500
Motor Vehicle Excise Taxes	\$ 625,000
Agent Fees	\$ 15,000
Newsletter Advertisements	\$ 100
Business License Fees	\$ 50
Certified Copy Fees	\$ 1,500
Other Income	\$ 5,000
Plumbing Fees	\$ 6,000
Land Use Permit Fees	\$ 25,000
Dog License Fees	\$ 2,500

Rabies Clinic	\$	500
Library Revenue	\$	3,360
Cable Television Fees	\$	28,000
Beach Income	\$	2,000
Recreation Income	\$	19,600
Protection	\$	2,500
Local Roads	\$	42,000
Transfer Station	\$	35,023
First Park	\$	18,000
Snowmobile (State reimb.)	\$	1,695
General Assistance (State reimb.)	\$	2,500
Total		\$ 1,570,520

Select Board recommends: Yes Budget Committee recommends: Yes

Article 35: Shall the Town vote to appropriate the following **Designated and Trust Funds** to reduce the **2024 Tax Commitment**?

Conservation Land Special Revenue	\$	2,650
Legal Services Special Revenue	\$	15,000
Recreation Special Revenue	\$	5,000
Cemetery Perpetual Care Trust Funds	\$	10,000
Total		\$ 32,650

Select Board recommends: Yes Budget Committee recommends: Yes

Article 36: Shall the Town vote to authorize the Select Board to raise and appropriate **\$15,000** 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 37: Shall the Town vote to appropriate **\$350,000** from the **Unassigned Fund Balance** to **reduce the total tax commitment**?

Select Board recommends: Yes Budget Committee recommends: Yes

Article 38: Shall an ordinance entitled **2024 Amendments** to the **Town of Readfield Administration Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 39: Shall an ordinance entitled the **Town of Readfield Disposition of Tax Acquired Property Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

Article 40: Shall an ordinance entitled **2024 Amendments** to the **Town of Readfield Land Use Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

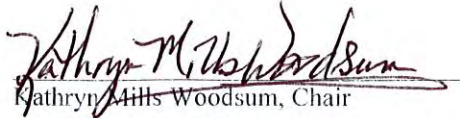
Article 41: Shall an ordinance entitled **2024 Amendments** to the **Town of Readfield Marijuana Establishments Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)


Article 42: Shall an ordinance entitled **2024 Amendments** to the **Town of Readfield Property Tax Assistance Program Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

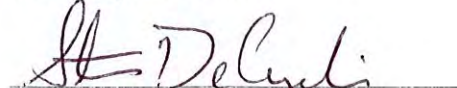
Article 43: Shall an ordinance entitled **2024 Amendments** to the **Town of Readfield Waste Disposal and Recycling Ordinance**, be enacted? (A copy of said Ordinance is attached to this Warrant.)

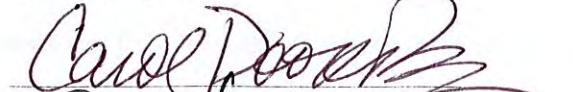
Voted & Approved on April 22, 2024 by:

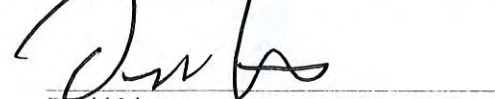



Kathryn Mills Woodsum, Chair


Sean Keegan, Vice Chair

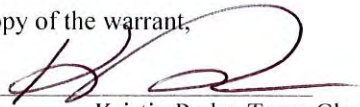

Steve DeAngelis


Carol Doorenbos


David Linton

A true copy of the warrant,









Attest:



Kristin Parks, Town Clerk
Town of Readfield

Attachment - Article 12

SYMBOLS KEY:


-  Sign location
-  Shade tree
-  Evergreen
-  Shrubs
-  Herbaceous plants
-  Lawn area
-  Meadow
-  Bench



PLAN FEATURES:

1. Gateposts with chain or similar to restrict after hours vehicle access as needed
2. Parking lot with parking reoriented to maximize spaces and optimize expansion / access; (optional but recommended: paved with striping shown to maximize parking efficiency and safety with curbed islands and trees for shade)
3. Crushed stone pad with portable, seasonal toilets (single and ADA compliant units) with accessible path
4. Accessible parking and trail access (both sides)
5. Main trail head; Shift kiosk to this location and widen path for service and maintenance access to ballfields and trail network.
6. Existing trail connection with trail sign
7. Pedestrian bridge crossing feature (as needed)
8. Sloped access path to fields for maintenance
9. Court entrance with space for benches / accessible seating. Lawn areas / hills for spectator seating; Electrical panel and water hook-ups in vicinity with drinking fountain / water bottle filling station
10. Sports court to accommodate basketball, pickleball, and/or other court activities; See plan detail
11. Approximate location for bicycle rack (2 locations shown)
12. Path to cemetery and trail tie-in; Widen shoulders for occasional maintenance and emergency access; Consider vehicle gate with pedestrian opening to restrict unauthorized access, if required
13. Reroute trail as required for court construction
14. Field improvements: Drainage improvements (existing field) with new softball and multi-use fields; Refer to plan details
15. Preserved/restored meadow with native trees and shrubs to buffer ballfields and provide habitat for wildlife; New accessible connector path
16. Pollinator plantings with seating (TBD); Existing memorial features to be incorporated along lower portion of trail
17. Expanded parking, (10) spaces with ADA access to trails and pollinator garden area
18. Information kiosk at fairgrounds pedestrian entrance with map of trail network; Shrubs along parking spaces to buffer abutter views

Project Team:
 **RS LEONARD**
 Landscape Architecture

Prepared for:
 **Town of Readfield**
 8 Old Kents Hill Rd
 Readfield, ME 04355

 Main-Land
 Development
 Consultants

Fairgrounds Community Park

Master Plan Concept

 Scale: 1"=40'
 0' 40' 80'
 Date: 1/15/24

L1



Multi Use Athletic Fields Layout A
Softball & Baseball with U12 Field
(Scale: 1"=40')



Basketball - Sports Court
NHS Basketball / 2-3 Pickleball
(Scale: N.T.S.)



Multi Use Athletic Fields Layout B
Softball & Baseball with (1) U10 & (3) U6-8 Fields
(Scale: 1"=40')

Project Team:



Prepared for:



Fairgrounds Community Park

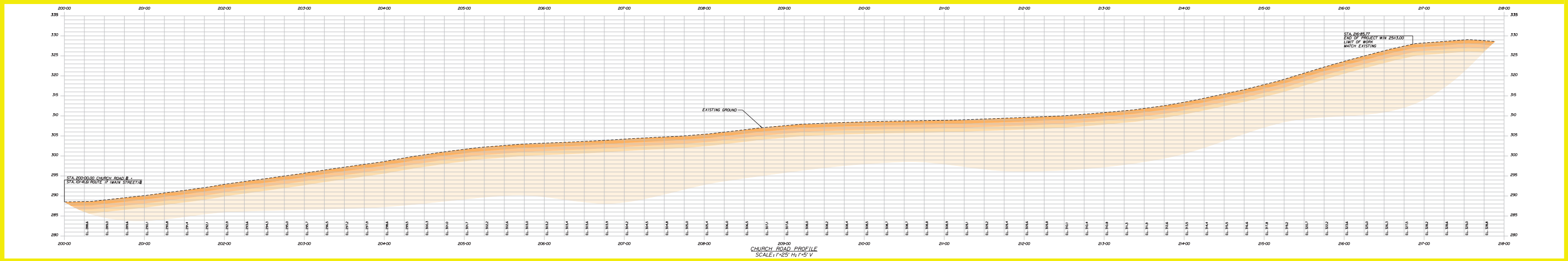
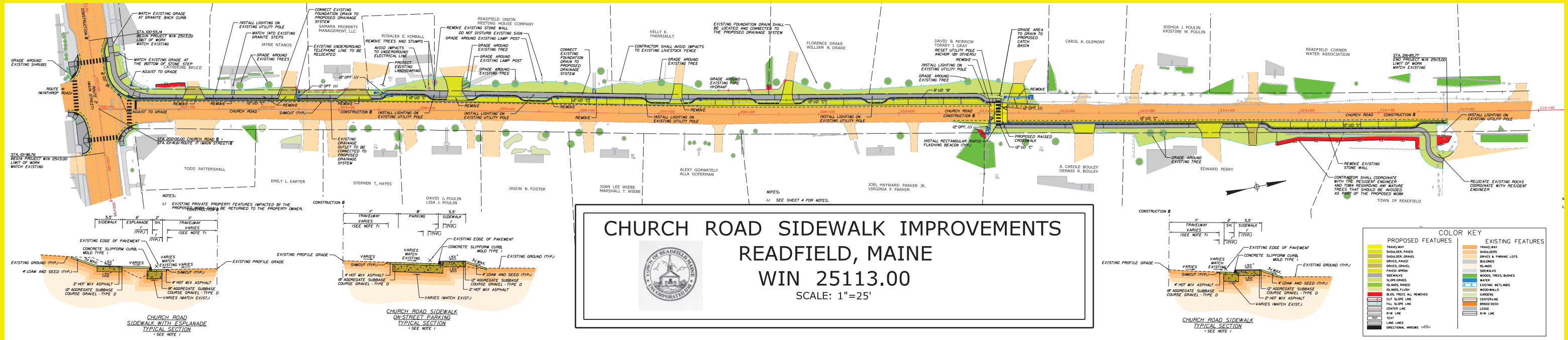
Master Plan Concept



Date: 1/15/24

L2

Attachment - Article 17



Attachment - Article 38

Town of Readfield Administration Ordinance

The Select Board and other Town Officials as specified shall have the authority to manage the following administrative items:

1.1 ACCEPT PAYMENT OF TAXES

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

1.2 APPLICATION OF TAXES

The Select Board may authorize the Treasurer of Readfield to apply tax payments to the oldest outstanding balances first pursuant to 36 M.R.S., Section 906

~~1.21.3~~ CONTRACTS AND LEASES

On behalf of the Town of Readfield, the Select Board is authorized to 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.

~~1.31.4~~ SALE OF SURPLUS PROPERTY

On behalf of the Town, the Select Board is authorized to sell any town owned surplus property, equipment and tools no longer needed by the Town. The Select Board shall determine whether to use the proceeds to offset current year expenses or whether they shall be applied to the General Fund.

1.5 ACCEPTANCE AND EXPENDITURE OF GIFTS AND DONATIONS TO THE TOWN

The Select Board is authorized to accept and expend for their intended purposes, 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.

1.6 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 the Town's Tax Acquired Property Policy adopted by the Select Board.~~ The Select Board is authorized to take all actions necessary to dispose of tax-acquired properties in accordance with applicable law.

1.7 INCREASE BUDGET ITEM BY 5%

The Select Board is authorized 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 EXPENDITURE OF ~~CARRY FORWARD & RESERVE~~ CAPITAL RESERVE AND SPECIAL REVENUE FUNDS

Town of Readfield Administration Ordinance

The Select Board is authorized to expend for their designated purpose any Capital Reserve or Special Revenue funds that have been reserved or carried forward from prior and current fiscal years.

1.9 MISCELLANEOUS FEES

The Select Board is authorized to set Miscellaneous Fees charged for Town services not covered or set by State Statute.

1.10 UNSPECIFIED SALARIES AND WAGES

The Select Board and Town Manager are authorized, as applicable, to establish salaries and/or wages of Town officers and employees, not elsewhere established.

1.10.11 DISBURSEMENT WARRANTS

Pursuant to 30-A M.R.S. §§ 3001 (municipal home rule) and 5603(2) (A), the treasurer may disburse money only on the authority of a warrant drawn for the purpose, either (a) affirmatively voted for and signed by a majority of the municipal officers at a duly called public meeting, (b) seen and signed by a majority of them acting individually and separately, or (c) signed by any one of them acting alone as provided by law for the disbursement of employees' wages and benefits and payment of municipal education costs and state fees.

Enacted June 9, 2015

Amendment History:

TM: Amended June 14, 2016

TM: Amended June 13, 2017

TM: Amended July 14, 2020

Attachment - Article 39

TOWN OF READFIELD
POLICY FOR
DISPOSITION OF TAX ACQUIRED PROPERTY ORDINANCE

~~Adopted: Jan. 8, 2007~~

~~Amended: Jan. 4, 2010~~

Adopted June 11, 2024

Article 1. General

- 1.1 The purpose of this ~~Policy Ordinance~~ is to establish procedures for the efficient and fair management, administration and disposition of real property acquired under the tax lien procedures set forth in Title 36 ~~M.R.S.A.MRS~~ §§942 ~~through 944 and 943~~, as amended. Nothing in this Policy shall be interpreted to ~~(1) give additional substantive or procedural rights to owners or former owners of property forfeited for non-payment of taxes or (2) to limit the right of the Select Board to waive these guidelines if the Select Board deems it to be in the Town's best interest to do so.~~

Article 2. Actions Concerning Tax-Acquired Property Pending Final Disposition

- 2.1 Following the foreclosure of any tax lien mortgage, the Town Treasurer shall by first class mail, return receipt requested, notify the last known owner of record that his or her right to redeem the property has expired. The notification shall also state that the property will be disposed of in accordance with this Policy, a copy of which shall be included with the notification. The same shall be sent via US Mail, 1st Class with Certificate of Mailing.
- 2.2 Each year the Treasurer shall prepare a list of properties acquired due to non-payment of property taxes and foreclosure of tax liens and provide this list (the "Tax-Acquired Properties List") to the Town Manager.
- 2.3 The Town Manager and the Code Enforcement Officer, and as necessary in consultation with the Town Attorneys, shall review and inspect (if possible) each property prior to the last Select Board meeting before foreclosure, so that they may be identified on the Tax-Acquired Properties List and a determination may be made as to whether the foreclosure is in the best interest of the Town, based on the following criteria:
- A. The potential liabilities (environmental, structural safety, health or other hazards associated with the property) that the Town might assume by taking possession or by operating the property and whether the Town's interests in light of such potential liabilities would be best served by immediately disposing of the property or retaining it;
 - B. The level of insurance required to protect the Town's interest in the property and to protect the Town from liability in the event that the property is retained; and
 - C. Whether the property is currently occupied and the likelihood of requiring legal assistance (and estimated costs of the same) to require the occupants to quit the premises.
- 2.4 In the event that a tax-acquired property remains or becomes vacant for sixty (60) consecutive days following the date of foreclosure of the tax liens under which the Town

becomes the owner of a property, the Town Manager shall obtain liability coverage for the property.

Article 3. Review and Disposition of Tax-Acquired Properties

3.1 ~~Following automatic tax lien foreclosure t~~The Town Manager will offer arrangements to the ~~previous-former~~ owner to secure just and prompt payment of outstanding and current taxes, related interests and costs to be paid within 30 days of foreclosure.

1. The Town Manager shall present the taxpayer with a written notice, via first-class certified and return receipt U.S. mail, for payment of all past due and currently due taxes, interest, and costs under the tax lien process and all outstanding ~~sewer~~ charges, assessments and other lawful charges as are due and owing to the Town. The notice shall also indicate the Town's intent to sell the property after 90 days of the former owner's receipt of the notice, and of the former owner's right to require the municipality to use the sale process under subsection 3 of Title 36 MRS §943-C
2. The Town's costs to be charged to the former owner shall include all costs ~~incurred or to be incurred by the Town in addition to those incurred in the tax lien process and shall include, but not be limited to, insurance costs, registry filing and mailing costs, advertisement costs, and attorney's fees contemplated under section 4.3, with the exception of the administrative fee.~~
3. Failure of an owner to respond within thirty (30) days of a written notice will result in a forfeiture of the property ~~being either retained by the Town or sold under the other provisions of this Policy.~~

3.2 In the event any ~~previous-former~~ owner fails to respond and forfeits a property, the Town Manager will summarize the results of his or her Section 2.3 review of each property and make one of the following recommendations:

1. Retain the property for a particular public purpose. The Town Manager, in consultation with the Town Attorney shall review and determine whether payment shall be due to the former owner in relation to any decision to retain a property. ~~pursue, if appropriate or required, judicial confirmation of the Town's right, title or interests in the subject property under 14 M.R.S.A. §6651 et seq.~~
2. Sell the property with or without conditions.
3. Take no action other than to set a date for further consideration by the Board, which shall occur at least annually.

The Town Manager shall forward his or her reviews, recommendations and determinations regarding each property to the Select Board. The Select Board may override a particular recommendation of the Town Manager ~~to retain a property~~ but shall otherwise direct that the property be processed in conformance with the terms of this Policy Ordinance.

~~Article 4. Property to be retained~~

- ~~4.1 If the Select Board deems it to be in the Town's best interest, it may retain the acquired property for a specified purpose. By way of example, but not limitation, the Select Board may deem it to be in the Town's best interest to retain the property where:~~
- ~~a. the property has or will have recreational value or economic value to the Town.~~
 - ~~b. the property has or will have potential for a public facility or additions to public facilities.~~
-
- ~~4.2 If the property is retained, the Select Board may pursue an action for equitable relief in accordance with the provisions of Title 36 M.R.S.A. §946, if desirable.~~
- ~~4.3 The Select Board shall cause the tax-acquired property retained to be managed and insured as it would any other municipal property.~~
- ~~4.4 If retained, the Town shall pay the outstanding unpaid sewer rates, assessments or other lawful charges.~~

Article 5.4 Property to be Sold

~~The Town Manager shall follow the sale process established under 36 M.R.S. 943-C, subsection 3, if the former owner submits a written demand to the Town of Readfield within 90 days after the receipt of notification in Article 3 requesting that the sale process be followed.~~

~~5.4.1 The Select Board shall determine the method of sale for properties acquired for non-payment of taxes. Methods may include but not be limited to brokerage sale, negotiated sale, or public bid process. The Town Manager shall follow the sale process established under 36 M.R.S. 943-C, subsection 3, if the former owner submits a written demand to the Town of Readfield within 90 days after the receipt of notification in Article 3 requesting that the sale process be followed.~~

~~5.2~~ 4.2 If the public bid process is utilized, the Town Manager shall cause to be published a notice of the sale of the tax-acquired property in a local newspaper. The notice shall be posted in a conspicuous place within the Municipal Building. The notice shall be sent to the person from whom the property was acquired and the property owners whose property immediately abuts the property to be sold. The notice shall specify the time and date bids are due and the general terms of the bid. It shall also contain information useful to prospective bidders and the terms of the sale as determined by the Town Manager.

~~5.34.3~~ 5.4.3 All bids shall be submitted on forms prescribed by the Town Manager in an envelope clearly marked "Tax-Acquired Property Bid" and accompanied by a cashier's or certified check equal to the bid deposit. Bids shall be publicly opened and read on the date and at the time specified.

~~5.44.4~~ 5.4.4 The Town Manager shall review all bids and make recommendations to the Select Board. The Select Board shall determine the successful bidder.

~~5.54.5~~ 5.4.5 The Town of Readfield reserves the right to accept or reject any or all bids, ~~and waive any of the requirements of this Policy should the Select Board, in its sole determination,~~

~~judge such actions to be in the best interest of the Town of Readfield. Instances where this right may be invoked include, but are not limited to:~~

- ~~a. The Select Board may wish to sell the property to an abutting property owner rather than the highest bidder.~~
- ~~b. The Select Board may determine a use other than the use proposed by the highest bidder is in the best interests of the Town.~~

~~5.64.6 Should the Select Board reject all bids, the property may again be offered for sale by public bid, or sold through a negotiated sale determined by the Select Board to be in the best interests of the Town of Readfield.~~

~~5.74.7 Should the bidder fail to close, the Town shall retain the bid deposit. The Select Board may offer the property to the next highest or any other bidder, if it determines that it is in the best interest of the Town of Readfield.~~

~~5.84.8 Title to tax-acquired property shall be transferred only by means of a Municipal Release Deed. As a condition of disbursement of excess sale proceeds to the former owner under 4.3, the Select Board may require the former owner to execute a quitclaim deed without covenant conveying any interest of the former owner in the property to the Town of Readfield and to deliver that deed before conveyance by the Town of Readfield to the buyer. Receipt of such excess sale proceeds by the former owner is deemed to be a waiver of any right of the former owner to commence any action pursuant to Title 36 MRS §946-B~~

~~5.94.9 Unless the property is vacant at the time of sale, the successful bidder shall be responsible for the removal of occupants and contents in a manner according to law.~~

~~5.10 The proceeds of the sale shall be distributed in the following manner: (1) all taxes, interest and costs under the tax lien process shall be paid, (2) all outstanding sewer rates, assessments or other lawful charges shall be paid, and (3) any balance shall be placed in a General Fund account.~~

Article ~~65~~. Waiver of Foreclosure

~~5.1 In those situations where it has been determined that it would not be in the best interest of the Town to acquire the property, the Select Board may authorize the Treasurer ~~to~~ may record a waiver of foreclosure in the Registry pursuant to 36 M.R.S.A. § 944, provided that this determination is made before the right of redemption expires.~~

~~6.1 In those situations where it has been determined that it would not be in the best interest of the Town to acquire the property, and this determination has been made prior to the issuance of the Impending Foreclosure Notice under 36 MRSA § 943, the Select Board may instruct the Treasurer not to send the Impending Foreclosure Notice, thereby preventing the foreclosure from occurring.~~

Article ~~76~~. Taking Possession of Property

~~76.1 At such time as it considers the proper disposition of a parcel of tax acquired property, or at such earlier time as may be recommended by the Town Manager, the Select Board shall~~

consider whether it would be desirable for the Town to take immediate possession of the property in order to preserve the value of the property or otherwise protect the interests of the Town.

| **76.2** In making the determination under Section **76.1**, the Select Board shall consider the condition of the property, the occupancy status, any potential risks to the value of the property, the status of insurance, any obstacles to exercising possession, the possible need for court assistance and any other factors that the Select Board deems appropriate.

Attachment - Article 40

ARTICLE 3 NON-CONFORMANCE

SECTION 4. NON-CONFORMING STRUCTURES

G. Expansions

A non-conforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the non-conformity of the structure, as defined in paragraph 4.E.2 if applicable, and is in accordance with subparagraphs 1 through 4 below.

Expansion of a nonconforming structure to create an accessory dwelling unit may not result in an increase in non-conformity (See Article 3, Section 4.E.2).

Legally existing non-conforming principal and accessory structures that do not meet the water body or wetland setback requirements may be expanded or altered as follows, as long as all other applicable standards contained in this Ordinance are met. Any permitted expansion must be recorded at the registry of deeds. Expansion of a relocated, reconstructed or replaced non-conforming structure shall not be permitted unless the original structure is first determined to have achieved setback conformity to the greatest practical extent as provided in paragraph 4.E. When an existing non-conforming structure already meets or exceeds the maximum combined total floor area limit as established in paragraph 4.(G), no expansion shall be permitted.

1. Expansion of a structure, any portion of which is located within 25 feet, horizontal distance, of the normal high-water line of a water body, tributary stream or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
2. Expansion of an accessory structure that is located closer to the normal high-water line of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.
3. For structures, any portion of which is located less than 75 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or upland edge of a wetland, expansion shall not cause the maximum combined total floor area for all portions of those structures to exceed 1,000 square feet. The maximum height of any portion of such a structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater.
4. For structures, any portion of which is located less than 100 feet, horizontal distance, from the normal high-water line of a waterbody, expansion shall not cause the maximum combined total floor area for all portions of those structures to exceed 1,500 square feet. The maximum height of any portion of such a structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater.

ARTICLE 7 LAND USE DISTRICTS AND REGULATIONS

SECTION 5. LAND USES

Land Uses permitted in Readfield are shown on Table 1 (Table of Uses) by the type of review required or not required within each land use District under this Ordinance. Required permit review shall be secured prior to obtaining the appropriate building, plumbing or other applicable construction permits in accordance with the procedures and processes described in this Ordinance.

**TABLE 1 /
TABLE OF USES**

LAND USE DISTRICT

Overlay
District

	V	VR	AD ⁹	R	RR	SR	RP	SP	CID	MH
RESIDENTIAL—including driveways										
Accessory Structure (to allowed uses)	C	C	C	C	C	C/P ¹¹	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	C/P ¹¹	P ⁵	C ⁶	N	C
Two-Family Dwelling	C ⁸	C ⁸	C ⁸	C	C	C/P ¹¹	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	C/P ¹¹	P ⁵	N	N	C
Mobile Home Park	N	N	N	N	N	N	N	N	N	P
Subdivisions	P	P	P	P	P	P	P ⁵	P	N	P
Conversion of Seasonal Homes ⁷	C	C	C	C	C	C/P ¹¹	P	P	N	C
<u>Accessory Dwelling Unit</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C/P¹¹</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>

Legend

<i>Land Use Districts</i>		<i>Overlay District</i>
V = Village District	R = Rural District	MH = Mobile Home
VR = Village Residential	RR = Rural Residential	SP = Stream Protection
AD = Academic District	SR = Shoreland Residential	RP = Resource Protection
		CID = Commercial Industrial

Key to Table of Uses

Y =	Allowed Use (no permit required, but the use must comply with all applicable federal, state and local standards and regulations, including but not limited to this Ordinance).
C =	Use requires review and permit from Code Enforcement Officer (CEO) and/or Local Plumbing Inspector (LPI).
P =	Use requires site review from Planning Board, and requires a permit from the CEO and LPI upon Planning Board approval.
N =	Prohibited Use
U =	Use shall comply with underlying District requirements.
N/A =	Not applicable to the district.

1. Subject to the applicable standards and conditions contained in Article 8, Sections 11, 19B, 19F and 23.
2. These uses are not allowed within those districts except to provide access to permitted uses within the district, or where no reasonable alternative route or location is available outside the district, in which case a permit shall be required from the Planning Board.
3. Structures for Commercial and Industrial uses allowed in the Village, Village Residential, Rural, Shoreland Residential, Stream Protection, and Resource Protection Districts shall not be greater than 5,000 square feet in total floor area. Structures for Commercial and Industrial uses allowed in the Commercial and Industrial District may be greater than 5,000 sq. ft in area.
4. Except when area is zoned Resource Protection due to floodplain criteria, in which case a permit is required from the Planning Board.
5. Single family dwellings may be allowed by special exception only according to the provisions of Article 8, Section 19.N
6. Provided that a variance from the setback requirement is obtained from the Board of Appeals.
7. See Article 8, section 27, “Seasonal Conversions of Residential Dwellings.”
8. See Article 8, section 1.C. 2 for conversions or reconstruction of single- and two-family structures on nonconforming lots in the V, VR or AD.
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.
12. “Agriculture” that also meets the definition of “Agriculture – Light Industry” shall be subject to the provisions of the LUO applicable to “Agriculture – Light Industry”.
13. “Agriculture” that also meets the definition of “Agriculture – Intensive” shall be subject to the provisions of the LUO applicable to “Agriculture – Intensive”.
14. “Agriculture – Light Industry” that also meets the definition of “Agriculture - Intensive” shall be subject to the provisions of the LUO applicable to “Agriculture – Intensive”.
15. Planning Board approval is required for a newly established Agriculture – Intensive use, for expansions of use meeting the definition of “agriculture – intensive”, and for expansions of existing agricultural use that cause the use to meet the definition of “agriculture – intensive”.

SECTION 6. SPACE STANDARDS AND DIMENSIONAL REQUIREMENTS

Unless otherwise permitted by this Ordinance, all lots, structures and uses must meet the minimum standards and requirements as set forth in Table 2. If more than one dwelling unit or other principal structure or use, or combination thereof, is constructed or established on a single lot, all dimensional requirements for land area and frontage shall be met for each additional dwelling unit, principal structure or use. Any lots created that are of less compliance with the following table shall not be eligible for building or use permits as they are required by this Ordinance.

TABLE 2 Dimensional Requirements

Dimensions	<i>LAND USE DISTRICTS</i>									<i>Overlay District⁸</i>
	V	VR	AD	R	RR	SR	RP¹²	SP	CID	MH
Minimum land area ^{14, 17} (sq. ft. in thousands)	20' ¹⁸	40' ¹⁹	40' ¹⁹	80' ²⁰	80' ²⁰	80' ²⁰	80' ²⁰	80' ²⁰	80'	80' ^{2, 20}
Minimum Road Frontage (public or private) ¹⁴	100'	100'	100'	200'	200'	200'	200'	200'	200'	200'
Road setback ^{1, 6}	25/50 ¹ ₃	25/50'	25/50	50/75'	50/75'	25/50'	50/75'	50/75'	50/75'	50/75'
Side setback ^{6, 11, 14}	20' ¹³	20'	20'	20'	20'	20'	20'	20'	20'	20'
Rear setback ^{6, 14}	20' ¹³	20'	20'	20'	20'	20'	20'	20'	20'	20'
Water Body setback ¹⁰	100'	100'	100'	100'	100'	100'	250'	75'	100'	NA
Tributary Stream setback ^{6, 7,}	50'	50'	75'	75'	75'	75'	75'	75'	50'	NA
Wetland setback-greater than 2 acres, less than 10 acres ⁶	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'
Wetland setback-10 acres or more, or 2 or more acres adjacent to surface waterbody ⁶	75'	75'	75'	75'	75'	75'	75'	75'	75'	75'
Minimum lot depth	200'	200'	200'	200'	200'	200'	200'	200'	200'	200'
Maximum lot depth to frontage ratio ⁹	5:1	5:1	5:1	5:1	5:1	5:1	5:1	5:1	NA	NA
Maximum lot coverage ¹⁵	NA	NA	NA	NA	NA	20%	20%	20%	NA	NA
Minimum shore ³ frontage	NA	NA	NA	NA	NA	200'	200'	200'	200'	NA
Maximum height of structure ^{4, 5}	35'	35'	35'	35'	35'	35' ¹⁶	35' ¹⁶	35' ¹⁶	35'	35'

1. In the Village and Village Residential Districts, road setback shall be from the edge of the right-of-way of a public or private road or from the centerline of the road, whichever is less. For all other Districts front setback shall be from the edge of the right-of-way of a public or private road or from the centerline of the road, whichever is greater.
2. Minimum land area for Mobile Home Park.
3. Land uses classified as commercial, industrial or institutional shall have a minimum of 300 feet of shore frontage.
4. Structures in compliance with the Telecommunication Towers Ordinance and agricultural structures not within a Shoreland District and not used as dwellings are exempt provided height shall not at any time place structures or potential structures on adjacent lots in jeopardy should exempt or extended structures collapse for any reason or cause.
5. Any increase in the height of a structure above that which is permitted in this Ordinance requires a variance from the Board of Appeals.
6. Steps, stairways, ramps or similar structures may be allowed within the required setback area with a permit from the Code Enforcement Officer as may be necessary to provide for a secondary means of egress from a legally existing dwelling, provided: the structure is limited to a maximum of four (4) feet in width, and that the applicant demonstrates there is no reasonable alternative means of escape from the dwelling. The Code Enforcement Officer may impose conditions to any approval as necessary to insure conformance with the purposes and provisions of the setback requirements of this Ordinance to the greatest practical extent.
7. Within the Village or Village Residential Districts or Commercial Industrial Districts, the 50 ft. setback requirement may be reduced to not less than 25 ft. provided the applicant has submitted a stormwater management and erosion control plan prepared by a qualified professional clearly demonstrating the following: (a) the on-site treatment of peak discharge rates of stormwater and erosion control utilizing the design principles set forth in Article 8, Sections 10 and 11; (b) the implementation for the stormwater treatment and erosion control plan; and (c) the approval for this setback reduction is a written part of the permit.
8. Must conform to requirements of underlying district.
9. This provision applicable to all lots created after September 15, 2004. When a lot borders both a waterbody and a road, the lot depth to frontage ratio shall be based on the frontage of the waterbody.
10. Water-dependent structures, such as docks, are not subject to Waterbody or wetland setbacks but remain subject to all other setback requirements for structures in the District in which they are located, except as allowed by the Planning Board under Article 8, Section 19.N
11. Side setbacks are not applicable where only a common wall separates the individual ownership of units in a multi-unit structure.
12. In the Resource Protection District the setback requirement shall be 250 ft., horizontal distance, from all water bodies, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district, in which case the setback requirements specified in Table 2 Dimensional Requirements shall apply.
13. In the Village District, setbacks may be reduced by up to five (5) feet for accessory structures, provided there is no alternative location that meets setbacks to the greatest practical extent, as determined by the Code Enforcement Officer applying the standards set forth in Article 3, Section 4.E.1. This exception does not apply to accessory structures to be used as dwelling units.
14. For single-lot divisions or conventional subdivision development. The Planning Board may approve reductions in dimensional standards for cluster development described in Article 8, section 21.
15. Except for cluster development (see Article 8, section 21).
16. Article 3, Section 4, NON-CONFORMING STRUCTURES shall be applied to structures that do not meet the water body or wetland setbacks.
17. Except for affordable housing developments as defined in Title 30-A, MRSA §4364, which are eligible for a density bonus (refer to Article 8, Section F).
18. The minimum lot size (20,000 square feet) is for the first dwelling unit, with each additional dwelling unit (other than an accessory dwelling unit) requiring an additional 20,000 square feet.

19. The minimum lot size (40,000 square feet) is for the first dwelling unit, with each additional dwelling unit (other than an accessory dwelling unit) requiring an additional 40,000 square feet.

20. The minimum lot size (80,000 square feet) is for the first dwelling unit, with each additional dwelling unit (other than an accessory dwelling unit) requiring an additional 80,000 square feet.

ARTICLE 8

PERFORMANCE REQUIREMENTS & STANDARDS

The following standards shall apply to all lots created and all land use activities undertaken, where applicable, in addition to all other state and federal requirements:

SECTION 1. DWELLING UNITS TWO-FAMILY DWELLINGS: NEW and CONVERSIONS

A. Single-Family Dwellings

A single-family dwelling unit may be constructed or established on a parcel provided it meets the minimum standards and requirements set forth in Article 7 Table 2 and all other applicable requirements of this Ordinance.

B. Two-Family Dwellings: New and Conversions

Except as prohibited in the shoreland districts pursuant to Article 8, section 19.C.4, a single, two family dwelling (such as a duplex or an in-law apartment) may be constructed on one lot meeting the minimum dimensional requirements for lot size and frontage provided all requirements of the Maine Subsurface Wastewater Disposal Rules are met. Notwithstanding this provision, a second dwelling unit shall be counted toward the number of lots defining a subdivision.

A minimum of two on-site parking spaces shall be provided for each dwelling unit.

C. Conversion or Reconstruction to Two- or Multi-Family on Nonconforming Lots

If the conversion or reconstruction of an existing single- or two-family structure on a nonconforming lot into a two- or multi-family dwelling is proposed, the Planning Board may approve such change of use if the structure is located within the Village, Village Residential or Academic Districts and meets the criteria for Site Review and the following requirements:

1. The conversion meets the dimensional requirements for Cluster Developments described in Article 8, section 21.D.2, a-f;
2. The converted dwelling meets all requirements of the Maine Subsurface Wastewater Disposal Rules;
3. There are no deed restrictions prohibiting the conversion;
4. The lot is not part of a subdivision;
5. The conversion does not result in the creation of any additional driveway entrance onto a public road;
6. Adequate on-site parking areas shall be provided for a minimum of two vehicles for each dwelling unit that shall be set back from adjacent property lines to the greatest extent practical. Buffers shall be provided of such height and density as necessary to sufficiently buffer/screen (as defined) the parking area from adjacent land uses;
7. Any change in the structure shall be consistent with the character of the neighborhood; and,

8. Conversions or reconstructions in the Academic District shall be permitted only to support and accommodate the district's institutional housing needs for the delivery of their programs.

NOTE: The dimensional requirements (referenced in 1. above) may be increased or decreased by the Planning Board by a factor of 10% if it finds such change is necessary in order to ensure good site development design for accommodating greater densities in these districts.

D. Multi-Family Dwellings

Except where permitted under Article 8, Section 21 (Cluster Development):

1. Each multi-family dwelling shall contain no more than four dwelling units and is subject to applicable provisions of Section 1(E) below.
- ~~1. Each building shall contain no more than four dwelling units.~~
2. A minimum of two on-site parking spaces shall be provided for each dwelling unit. For affordable housing development projects, refer to Article 8, Section 1.F. for the applicable parking requirements.
3. The minimum lot size for a multi-family dwelling shall be the product of the number of dwelling units in the building times the Town's minimum lot size requirements for a single-family residence for the district in which the multi-family dwelling is located.
4. Each multi-family dwelling unit shall meet the greater of the following setback requirements: 50 feet from the side and rear lot lines, or 100 feet from any adjacent dwelling.

E. Multiple Dwelling Units Allowed**

In accordance with Title 30-A, MRSA Section 4364-A, up to 3 dwelling units are allowed on lots where residential uses are allowed, and up to 4 dwelling units are allowed on such lots if they are located in designated future growth areas as identified in the current Town of Readfield Comprehensive Plan or subsequent revisions of the Plan, provided that each dwelling unit meets the minimum land area and other dimensional requirements of Article 7 Section 6, and all other applicable requirements of this Ordinance.

F. Affordable Housing Development and Dwelling Unit Density Bonus**

In accordance with Title 30-A, MRSA Section 4364, affordable housing developments (as defined in Article 11) are eligible for a density bonus of 2.5 times the number of dwelling units allowed for a development not designated as affordable and are not required to provide more than 2 off-street parking spaces for every 3 dwelling units, provided the following criteria are met:

1. The development shall be located in the designated future growth areas as identified in the current Town of Readfield Comprehensive Plan, or subsequent revisions of the Plan.
2. The owner of an affordable housing development shall execute a restrictive covenant that is enforceable by a party acceptable to the Town of Readfield, and shall record the covenant in the Kennebec County Registry of Deeds, to ensure that for at least 30 years after completion of construction:
 - a. For rental housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 80% of the local area median income, as defined by the U.S. Department of Housing & Urban

Development, at the time of initial occupancy; and

- b. For owned housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 120% of the local area median income, as defined by the U.S. Department of Housing & Urban Development, at the time of initial occupancy.

****Denotes that the standards set forth in Article 8, Section 20 (Subdivision) may apply in addition to the subsection's standards, dependent on the proposed development activity.**

G. Accessory Dwelling Units

1. Accessory dwelling units are prohibited within the Resource Protection and Stream Protection Districts.
2. Notwithstanding the minimum land area requirements set forth in Article 7 Table 2 (Dimensional Requirements) of this Ordinance, in districts other than Resource Protection and Stream Protection Zoning Districts, one accessory dwelling unit is allowed to be located on the same lot where a single-family dwelling unit is the principal structure, provided the following standards and criteria are met:
 - a. Accessory dwelling units may be constructed/located only:
 - i. Within an existing dwelling on the lot;
 - ii. Attached to or sharing a wall with a single-family dwelling unit; or
 - iii. As a new structure on a lot for the primary purpose of creating an accessory dwelling unit.
 - b. The single-family dwelling and accessory dwelling units must be owned by the same person and may not be sold separately.
 - c. Accessory dwelling units may not be offered as "short-term rental units" as defined in 30-A MRSA Section 4364-C(2).
 - d. The accessory dwelling unit shall contain a minimum floor area of 190 square feet and a maximum floor area of 700 square feet.
 - e. Except as provided in G.2.f below, accessory dwelling units are allowed on legal, non-conforming lots of record provided they meet all relevant requirements and standards set forth in Article 3 (Non-Conformance) of this Ordinance and do not result in an increase in nonconformity.
 - f. Accessory dwelling units must comply with the dimensional requirements of Article 7 Table 2 as they relate to structures, except that the "minimum land area" and "maximum lot coverage" requirements do not apply. For accessory dwelling units located within or attached to a single-family dwelling or within an existing accessory structure or secondary building (e.g., a garage), dimensional requirements (except for "minimum land area" and "maximum lot coverage") are the same as for the single-family dwelling, accessory structure or secondary building. Except as otherwise provided in this section, the construction or establishment of accessory dwelling units may not cause any increase in nonconformity with applicable provisions of this Ordinance.

- g. Proper ingress and egress shall be provided to/from the accessory dwelling unit.

The applicant shall provide written verification that a proposed accessory dwelling unit will be connected to an adequate supply of potable water and to a wastewater disposal system found by the Code Enforcement Officer to be in compliance with applicable requirements of the Maine Subsurface Wastewater Disposal Rules, and to be adequate for this purpose. The Code Enforcement Officer may require outside expert review and documentation at the applicant's expense if there is evidence that the proposed potable water supply and/or wastewater disposal system are not adequate to serve the accessory dwelling unit.

- i. The applicant shall comply with all other applicable provisions of this Ordinance, and other local and State ordinances and codes, including, but not limited to, those related to building, plumbing, electrical and fire safety, in effect at the time that the accessory dwelling unit is proposed.

- j. Only one (1) accessory dwelling unit is allowed per lot.

- k. No use, dimensional or other variances shall be granted for the construction/establishment of an accessory dwelling unit.

H. Mobile Homes

1. Mobile Homes Outside of a Mobile Home Park

Mobile home and modular home units placed on individual lots outside of a mobile home park shall meet the dimensional requirements for a single-family dwelling unit in the district in which it is located.

2. Temporary Use of Mobile Homes

Mobile homes may be allowed in any district a single-family home is allowed, subject to all setback requirements, while the occupants are constructing a conventional dwelling on that same lot and upon the granting of a permit from Code Enforcement Office. This permit shall be valid for a period of nine months and which may be re-issued for a second nine month period if circumstances warrant.

3. Skirting

Each mobile home shall have skirting installed and maintained and shall contain at least one access panel.

4. Installation Standards

All units shall be installed in accordance with the "Manufactured Home Installation Standard" as adopted by the State of Maine, Department of Professional and Financial Regulation, Manufactured Housing Board.

5. Safety Standards for Older Mobile Homes

These standards shall apply to all mobile homes built before June 15, 1976, or not built according to the National Manufacturing Housing Construction and Safety Standards Act of 1974, United States

Code, Title 42, Chapter 70, to be located on an individual lot or in a mobile home park in the Town of Readfield.

- a. Exit Facilities - Exterior Door:
 - i. Required egress doors shall not be located where a lockable interior door must be used in order to exit.
 - ii. Homes shall have a minimum of 2 exterior doors not less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors. One of the required exit doors shall be accessible from the doorway of each bedroom without traveling more than 35 feet.
 - iii. All exterior swinging doors shall provide a minimum 28 inches wide by 74 inches high clear opening. All exterior sliding glass doors shall provide a minimum 28 inches wide by 72 inches high clear opening. Locks shall not require the use of a key for operation from the inside.

- b. Exit Facilities - Egress Windows and Devices:
 - i. Every room designed for sleeping purposes, unless it has an exit door, shall have at least one outside window or approved exit device. If an exit window or device is installed, it shall be listed in accordance with procedures and requirements of AAMA 1704-1985.
 - ii. The bottom of the exit window opening shall not be more than 36 inches above the floor.
 - iii. Locks, latches, operating handles, tabs and any other window screen or storm window devices, which need to be operated in order to permit egress, shall not be located in excess of 54 inches from the finished floor.

- c. Interior Doors:

Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.

- d. Fire Detection Equipment:

At least one smoke detector shall be installed in the home in the following locations:

 - (1) A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from the bedroom area, in which case the detector shall be installed in the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.
 - (2) When located in hallways, the detector shall be between the return air intake and the living area.
 - (3) The smoke detector shall not be placed in a location which impairs its effectiveness.
 - (4) Smoke detectors shall be labeled as conforming with the

requirements of Underwriters laboratory Standards No. 217, Third Edition, 1985, as amended through October 8, 1985, for single and multiple station smoke detectors.

(5) Each smoke detector shall be hardwired and installed in accordance with its listing.

- e. Flame Spread:
 - i. Ceiling interior finish shall not have a flame spread rating exceeding 75.
 - ii. Walls and ceilings adjacent to or enclosing a furnace or water heater shall have an interior finish with a flame spread rating not exceeding 25.
 - iii. Exposed interior finishes adjacent to the cooking range shall have a flame spread rating not exceeding 50.
 - iv. Kitchen cabinet doors; countertops; back splashes; finish surfaces of plastic bathtubs, shower units, and tub and shower doors, shall not have a flame spread rating not to exceed 200.
 - v. No burner of a surface-cooking unit shall be closer than 12 horizontal inches to a window or an exterior door.

- f. Kitchen Cabinet Protectors:
 - i. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of 6 inches from the outside edge of the cooking range shall be protected with at least 5/8 inch thick gypsum board or equivalent limited combustible material. The cabinet area over the cooking range or cooktop shall be protected by a metal hood with not less than a 3 inch eyebrow projecting horizontally from the front cabinet face. The gypsum board which is above the top of the hood may be supported by the hood. A 3/8 inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board. The hood shall be at least wide as the cooking range.
 - ii. The metal hood shall not be required if there is an oven installed between the cabinet and the range.
 - iii. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.

- g. Carpeting:

Carpeting shall not be used in a space or compartment designed to contain only a furnace or water heater.

- h. Roof and Wind Loads:

All homes with roofs added after construction shall require a professional engineer to inspect the roof to certify that the roof is designed and constructed for a snow load of 30 pounds per square foot and a wind load of 15 pounds per square foot.

- i. Heating and Fuel Burning System:

A person holding a master license issued by the State of Maine Oil and Solid Fuel Examining Board shall inspect and certify that the heating system and fuel system meets the requirements of NFPA 31, "Installation of Oil Burning Equipment", as adopted by that State of Maine.

j. Electrical System:

A master electrician licensed in the State of Maine shall inspect and certify that the electrical system is safe and meets the National Electrical Code in effect at the time the home was constructed.

~~Except as prohibited in the shoreland districts pursuant to Article 8, section 19.C.4, a single, two-family dwelling (such as a duplex or an in-law apartment) may be constructed on one lot meeting the minimum dimensional requirements for lot size and frontage provided all requirements of the Maine Subsurface Wastewater Disposal Rules are met. Notwithstanding this provision, a second dwelling unit shall be counted toward the number of lots defining a subdivision.~~

~~A minimum of two on-site parking spaces shall be provided for each dwelling unit.~~

~~SECTION 2. CONVERSION OR RECONSTRUCTION TO A TWO-OR MULTI-FAMILY DWELLING ON NONCONFORMING LOTS~~

~~If the conversion or reconstruction of an existing single or two-family structure on a nonconforming lot into a two- or multi-family dwelling is proposed, the Planning Board may approve such change of use if the structure is located within the Village, Village Residential or Academic Districts and meets the criteria for Site Review and the following requirements:~~

- ~~A.—The conversion meets the dimensional requirements for Cluster Developments described in Article 8, section 21.D.2, a-f;~~
- ~~B.—The converted dwelling meets all requirements of the Maine Subsurface Wastewater Disposal Rules;~~
- ~~C.—There are no deed restrictions prohibiting the conversion;~~
- ~~D.—The lot is not part of a subdivision;~~
- ~~E.—The conversion does not result in the creation of any additional driveway entrance onto a public road;~~
- ~~F.—Adequate on-site parking areas shall be provided for a minimum of two vehicles for each dwelling unit that shall be set back from adjacent property lines to the greatest extent practical. Buffers shall be provided of such height and density as necessary to sufficiently buffer/screen (as defined) the parking area from adjacent land uses;~~
- ~~G.—Any change in the structure shall be consistent with the character of the neighborhood; and,~~
- ~~H.—Conversions or reconstructions in the Academic District shall be permitted only to support and accommodate the district's institutional housing needs for the delivery of their programs.~~

~~NOTE: The dimensional requirements (referenced in A. above) may be increased or decreased by the Planning Board by a factor of 10% if it finds such change is necessary in order to ensure good site development design for accommodating greater densities in these districts.~~

~~SECTION 3. MULTI-FAMILY DWELLINGS~~

~~Except where permitted under Article 8, Section 21 (Cluster Development):~~

- ~~A. Each building shall contain no more than four dwelling units.~~
- ~~B. A minimum of two on-site parking spaces shall be provided for each dwelling unit.~~
- ~~C. The minimum lot size for a multi-family dwelling shall be the product of the number of dwelling units in the building times the Town's minimum lot size requirements for a single-family residence for the district in which the multi-family dwelling is located.~~
- ~~D. Each multi-family dwelling unit shall meet the greater of the following setback requirements: 50 feet from the side and rear lot lines, or 100 feet from any adjacent dwelling.~~

~~SECTION 4. MOBILE HOMES~~

~~A. Mobile Homes Outside of a Mobile Home Park~~

~~Mobile home and modular home units placed on individual lots outside of a mobile home park shall meet the dimensional requirements for a single-family dwelling unit in the district in which it is located.~~

~~B. Temporary Use of Mobile Homes~~

~~Mobile homes may be allowed in any district a single family home is allowed, subject to all setback requirements, while the occupants are constructing a conventional dwelling on that same lot and upon the granting of a permit from Code Enforcement Office. This permit shall be valid for a period of nine months and which may be re-issued for a second nine month period if circumstances warrant.~~

~~C. Skirting~~

~~Each mobile home shall have skirting installed and maintained and shall contain at least one access panel.~~

~~D. Installation Standards~~

~~All units shall be installed in accordance with the "Manufactured Home Installation Standard" as adopted by the State of Maine, Department of Professional and Financial Regulation, Manufactured Housing Board.~~

~~E. Safety Standards for Older Mobile Homes~~

~~These standards shall apply to all mobile homes built before June 15, 1976, or not built according to the National Manufacturing Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Chapter 70, to be located on an individual lot or in a mobile home park in the Town of Readfield.~~

~~1. Exit Facilities—Exterior Door:~~

- ~~a. Required egress doors shall not be located where a lockable interior door must be used in order to exit.~~
- ~~b. Homes shall have a minimum of 2 exterior doors not less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between~~

~~doors. One of the required exit doors shall be accessible from the doorway of each bedroom without traveling more than 35 feet.~~

- ~~c. All exterior swinging doors shall provide a minimum 28 inches wide by 74 inches high clear opening. All exterior sliding glass doors shall provide a minimum 28 inches wide by 72 inches high clear opening. Locks shall not require the use of a key for operation from the inside.~~

~~2. Exit Facilities—Egress Windows and Devices:~~

- ~~a. Every room designed for sleeping purposes, unless it has an exit door, shall have at least one outside window or approved exit device. If an exit window or device is installed, it shall be listed in accordance with procedures and requirements of AAMA 1704-1985.~~
- ~~b. The bottom of the exit window opening shall not be more than 36 inches above the floor.~~
- ~~c. Locks, latches, operating handles, tabs and any other window screen or storm window devices, which need to be operated in order to permit egress, shall not be located in excess of 54 inches from the finished floor.~~

~~3. Interior Doors:~~

- ~~— Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.~~

~~4. Fire Detection Equipment:~~

~~At least one smoke detector shall be installed in the home in the following locations:~~

- ~~— (1) A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from the bedroom area, in which case the detector shall be installed in the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.~~
- ~~— (2) When located in hallways, the detector shall be between the return air intake and the living area.~~
- ~~— (3) The smoke detector shall not be placed in a location which impairs its effectiveness.~~
- ~~— (4) Smoke detectors shall be labeled as conforming with the requirements of Underwriters laboratory Standards No. 217, Third Edition, 1985, as amended through October 8, 1985, for single and multiple station smoke detectors.~~
- ~~(5) Each smoke detector shall be hardwired and installed in accordance with its listing.~~

~~5. Flame Spread:~~

- ~~a. Ceiling interior finish shall not have a flame spread rating exceeding 75.~~
- ~~b. Walls and ceilings adjacent to or enclosing a furnace or water heater shall have an interior finish with a flame spread rating not exceeding 25.~~
- ~~c. Exposed interior finishes adjacent to the cooking range shall have a flame spread rating not exceeding 50.~~
- ~~d. Kitchen cabinet doors; countertops; back splashes; finish surfaces of plastic bathtubs, shower units, and tub and shower doors, shall not have a flame spread rating not to exceed 200.~~

~~e. No burner of a surface cooking unit shall be closer than 12 horizontal inches to a window or an exterior door.~~

~~6. Kitchen Cabinet Protectors:~~

~~a. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of 6 inches from the outside edge of the cooking range shall be protected with at least 5/8 inch thick gypsum board or equivalent limited combustible material. The cabinet area over the cooking range or cooktop shall be protected by a metal hood with not less than a 3 inch eyebrow projecting horizontally from the front cabinet face. The gypsum board which is above the top of the hood may be supported by the hood. A 3/8 inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board. The hood shall be at least wide as the cooking range.~~

~~b. The metal hood shall not be required if there is an oven installed between the cabinet and the range.~~

~~c. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.~~

~~7. Carpeting:~~

~~Carpeting shall not be used in a space or compartment designed to contain only a furnace or water heater.~~

~~8. Roof and Wind Loads:~~

~~All homes with roofs added after construction shall require a professional engineer to inspect the roof to certify that the roof is designed and constructed for a snow load of 30 pounds per square foot and a wind load of 15 pounds per square foot.~~

~~9. Heating and Fuel Burning System:~~

~~A person holding a master license issued by the State of Maine Oil and Solid Fuel Examining Board shall inspect and certify that the heating system and fuel system meets the requirements of NFPA 31, "Installation of Oil Burning Equipment", as adopted by that State of Maine.~~

~~10. Electrical System:~~

~~A master electrician licensed in the State of Maine shall inspect and certify that the electrical system is safe and meets the National Electrical Code in effect at the time the home was constructed.~~

SECTION 20. SUBDIVISIONS

F. Required Improvements

The following improvements are required for all subdivisions unless waived by the Planning Board in accordance with the provisions of this Ordinance. All required improvements, such as streets, sidewalks, stormwater drainage systems, and where appropriate, centralized water supply and sanitary sewage systems, shall be installed at the expense of the applicant.

6. Parking

For each dwelling unit, there shall be off-street parking for at least two vehicles. For affordable housing development projects, refer to Article 8, Section 1.F. for the applicable parking requirements.

ARTICLE 11 DEFINITIONS

SECTION 2. DEFINITIONS

In this Ordinance the following terms shall have the following meanings:

Accessory Dwelling Unit: A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. For purposes of this definition self-contained shall mean that each unit contains living, cooking, and bathroom facilities.

Affordable Housing Development: A residential housing development in which:

For rental housing: A household whose income does not exceed 80% of the area median income for the community, as defined by the U.S. Department of Housing and Urban Development, and can afford 51% or more of the units in the development without spending more than 30% of the household's income on housing expenses, including rent and utilities.

For owned housing: A household whose income does not exceed 120% of the area median income for the community, as defined by the U.S. Department of Housing and Urban Development, and can afford 51% or more of the units in the development without spending more than 30% of the household's income on housing costs, including mortgage payments and insurance, and certain other taxes and fees.

Attachment - Article 41

Establishment	Adopted by Vote
Medical marijuana Manufacturing Facilities	July 14, 2020
Medical Marijuana Testing Facilities	July 14, 2020
Medical Marijuana Registered Caregiver Retail Stores	July 14, 2020
Adult Use Marijuana Cultivation Facilities	July 14, 2020

A maximum of two (2) Medical Marijuana Registered Caregiver Retail Stores shall be permitted at any one time in the Town of Readfield. If a Caregiver Retail Store license becomes available through revocation, forfeiture or expiration, it shall be awarded on a first-come-first-served basis to the individual or entity having first submitted a complete license application that satisfies all applicable approval standards. Notwithstanding this provision, if the business assets of a Caregiver Retail Store are being transferred by sale to another individual or entity through purchase or otherwise, the purchaser shall have 60 days after closing of the transaction to apply for a new license, and 120 days after closing of the transaction to receive a new license without losing entitlement to a license for the Medical Marijuana Registered Caregiver Retail Store.

Article V License Required:

No person may establish, operate or maintain an Adult Use or Medical Marijuana Establishment without first obtaining a license from the Town.

Article VI Application Procedure:

A. Application Process

A Marijuana Establishment license application must be made on the form provided by the Town in order to determine whether the applicant meets the requirements of this and other ordinances. Prior to application to the Town, the applicant must first obtain conditional approval from the appropriate State agency. Licenses shall be valid for one year following the date of issuance.

Applications shall be submitted to the Code Enforcement Officer for initial review. Applications found to be complete by the Code Enforcement Officer shall be submitted to the Planning Board for review and approval in consideration of the terms of this Ordinance and provisions of the Land Use Ordinance. Applications will then be submitted to the Select Board for final review and approval. An application may be denied for failure to provide all required information and documentation in a timely fashion.

B. Application and Annual License Fees

B. Code Enforcement Officer (CEO)

The primary enforcement person for the Town shall be the Code Enforcement Officer. If the CEO finds that any provision of this Ordinance is being violated, the CEO shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including but not limited to, discontinuance of illegal use of land, buildings, or structures, or work being done, removal of illegal buildings or structures, and abatement or mitigation of violations. A copy of such notices shall be maintained as a permanent record.

C. Law Enforcement Officers

Law enforcement officers, the Code Enforcement Officer, and the Fire Chief may at any reasonable time conduct on-site inspections of Adult Use and Medical Marijuana Establishments to ensure compliance with all applicable laws and conditions attached to license approvals and shall investigate all complaints of alleged violations of the Ordinance.

Article IX Conflict with Other Ordinances; Severability:

Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply.

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

ENACTED: _____ July 14, 2020

AMENDED: _____

CERTIFIED BY: _____
Signature

CERTIFIED BY: _____
Printed Name

Title

Attachment - Article 42

TOWN OF READFIELD PROPERTY TAX ASSISTANCE PROGRAM ORDINANCE

Adopted June 12, 2018, amended June 11, 2024

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~~December 31 of the year following the year for which the credit is requested ~~and taxes were paid~~. Applications are required every year to participate in this program. Taxes must have been paid in full in order to request a credit for that tax year. 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 or their designee shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the Program, within fourteen (14) days of receipt of an application. 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. No appeals shall be considered beyond the Board of Assessors~~The Board of Assessors' decision shall be final, with no further right of repeal.~~

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-a credit~~Eligibility shall be provided in 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~~500.00 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~~January each year the benefit amounts and number of eligible applicants ~~to be~~ granted assistance from the program fund.

Section 6. Program Fund - Limitations Upon Ppayments

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 and funded as follows:

~~If approved, an~~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 ~~T~~town me~~eting~~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 fourteen (14) days from the date of Town Manager approval of the applications for the year in which participation is sought.

Section 9. Limitations ~~u~~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. Notwithstanding eligibility for a credit as set forth above, credits may be reduced or withheld if insufficient funds are available in the Program Fund.

Kathryn Mills Woodsum, Chair

Sean Keegan, Vice Chair

Steve Deangelis

Carol Doorenbos

David Linton

Attachment - Article 43

TOWN OF READFIELD WASTE DISPOSAL AND RECYCLING ORDINANCE

Adopted: June 11, 1998

Amended: June 9, 2011, and June 11, 2024

SECTION I. SHORT TITLE

This Ordinance shall be known and may be cited as the "Town of Readfield Waste Disposal and Recycling Ordinance".

SECTION II. GENERAL STATEMENT OF PURPOSE, APPLICATION AND AUTHORITY

A. Declaration of Purpose.

This Ordinance is designed to control waste material in the Town of Readfield (hereinafter "Town"), Maine, by providing for the establishment and enforcement of rules and regulations, establishing limitations, prohibiting certain acts causing solid waste disposal problems, and providing for fines for violations of the provisions of this ordinance.

The purpose of separating recyclable materials is to conserve those materials that can be reused pursuant to the Maine Recycling Act. In doing so, the ~~Town of Readfield~~Town will reduce the amount of material to be transferred to other facilities and reduce the cost of disposal of waste generated within the Town.

B. Application

This Ordinance applies to all persons generating or disposing of waste within the ~~Town of Readfield~~Town or using the Recycling and Transfer Station located within the ~~Town of Readfield~~Town.

C. Authority

This Ordinance is adopted pursuant to Maine Revised Statutes Annotated, Title 38, Section 1305 and the Maine Recycling Act.

SECTION III. DEFINITIONS

~~In this ordinance the following terms shall have the following meanings: Terms referenced in this Ordinance shall have meanings as defined in "APPENDIX A: DEFINITIONS" which may be amended from time to time by the Select Board upon recommendation of the Transfer Station Manager, Town Manager, or Solid Waste and Recycling Committee.~~

~~A. Acceptable Liquid Waste. "Acceptable liquid waste" means the collective reference to liquid wastes that are reclaimable liquid waste.~~

~~B. Acceptable Waste. "Acceptable waste" means the collective reference to processable waste, recyclable materials, reclaimable materials, reclaimable liquid waste, and other solid~~

waste.

~~C. Agricultural Waste. "Agricultural waste" means waste generated by agricultural activities, excluding vegetative waste, including but not limited to pesticides, pesticide containers, and manure.~~

~~D. Asbestos. "Asbestos" means a group of naturally occurring minerals that separate into fibers of high tensile strength and are resistant to heat, wear and chemicals, including but not limited to chrysotile, amosite, crocidolite, actinolite, tremolite and anthophyllite and any of these minerals that have been chemically treated or altered.~~

~~E. Biomedical Waste. "Biomedical waste" means waste consisting of (!) human and animal remains, body parts, tissues, organs, blood, excretions, secretions, body fluids and any and all "infectious waste", which term shall include, but not be limited to, (i) waste which contains any disease producing or carrying material, agent or organism, (ii) isolation wastes, cultures and stocks of etiological agents, (iii) waste generated by surgery or autopsy performed on septic cases or patients with infectious diseases, (iv) sharps, dialysis waste and wastes that were in contact with pathogens, (v) waste biologicals (e.g., vaccines) produced by pharmaceutical companies for human or veterinary use, (vi) food, equipment parts and other products contaminated with etiological agents, (vii) bedding and other wastes that were in contact with diseases or laboratory research animals, (viii) equipment, instruments, utensils and fomites which were in contact with persons who are suspected to have or have been diagnosed as having a communicable disease, (ix) laboratory wastes such as pathological specimens and disposal fomites attendant thereto and (x) any disease causing material which is defined as a "hazardous substance" under current or future federal, state or local law, rule or regulation as a result of being classified and "etiological agent".~~

~~F. Brown Goods. "Brown goods" means large television or entertainment modules or furniture including but not limited to sofas, television consoles, wood framed beds, chairs, hide a beds and stereo consoles.~~

~~G. Collectors. "Collectors" means any person employed by the Town of Readfield or permitted by the Town of Redfield responsible for the pick up and collection of processable waste and recycling materials as described in IVB.~~

~~H. Commercial Activity. "Commercial activity" means any business that is carried out in, but not limited to, stores, offices, restaurants, service stations, or campgrounds that renders goods and/or services primarily on a retail basis.~~

~~I. Commercial Hauler. "Commercial hauler" means any person having secured an Annual Permit for the pick up, collection, or transfer of acceptable waste.~~

~~J. Construction/Demolition Debris. "Construction/demolition debris" means nonburnable debris resulting from construction, remodeling, repair, and demolition of structures. The term includes, but is not limited to building materials, asphalt, wall board plastic pipes, carpeting and underlay. It excludes all unacceptable wastes and inert fill.~~

~~K. Dredge Spoils. "Dredge spoils" means sand, silt, mud, gravel, rock or other sediment or material removed from beneath any surface water. Dredge spoils are unacceptable liquid wastes.~~

~~L. E.P.A. "E.P.A." means the United States Environmental Protection Agency.~~

~~M. Hazardous Waste. "Hazardous waste" means a waste in either a liquid or solid state, designated as hazardous by the E.P.A. or the M.D.E.P. and includes special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended. Hazardous waste is either an unacceptable liquid waste or unacceptable solid waste.~~

~~N. Household Hazardous Wastes. "Household hazardous wastes" are wastes that are considered hazardous wastes either in a solid or liquid state. Such waste may be collected at the Recycling and Transfer Station by the Town of Readfield from time to time as designated by the Select Board. Specially approved waste materials include, but are not limited to: liquid and non liquid paint, paint thinner, bleach and household cleaning solvents.~~

~~O. Industrial Activity. "Industrial activity" means any business which produces goods and/or services not primarily for retail sale and may include, but is not limited to, processes such as printing, manufacturing, recycling, packaging, or warehousing.~~

~~P. Inert Fill. "Inert fill" means clean soil material, rocks, bricks, and cured concrete, which are not mixed with other solid waste or liquid waste, and which are not derived from an ore mining activity.~~

~~Q. Liquid Waste. "Liquid waste" means any waste that is determined to contain free liquids according to the Paint Filter Liquids Test (Method 9095 of E.P.A. SW 846, 3rd Edition). Liquid waste is the collective reference to acceptable liquid waste and unacceptable liquid waste.~~

~~R. M.D.E.P. "M.D.E.P." means the Maine Department of Environmental Protection or its successor.~~

~~R-1 MSW "Mainstream Solid Waste" means the items that are collected as trash to be either incinerated or buried, but not recycled.~~

~~S. Metal Goods. "Metal goods" include bikes, metal doors, metal pipe, window frames, cyclone or other metal fences, screens wire, sheet metal, metal conduit cables, tools, lawnmowers, furniture, sports equipment, aluminum, copper and brass items, vented barrels and vented propane fuel tanks.~~

~~T. Ordinance. "Ordinance" means the several parts comprising this ordinance, as may be amended from time to time.~~

~~U. Other Solid Waste. "Other solid waste" is the collective reference to mattress, box~~

~~springs, construction/demolition debris, hot loads, burble debris, vegetative waste and wood waste.~~

~~U-1. Participating Town. A "participating town" is a nearby town that has executed an interlocal agreement or contract with the Town of Readfield which permits residents of that town to access and/or use the Recycling and Transfer Station for disposal of waste.~~

~~V. Processable Waste. "Processable waste" means all damaged recyclable materials, ordinary household, municipal, institutional, commercial and industrial solid wastes consisting primarily of combustible materials capable of being processed and incinerated at a waste to energy facility. "Processable waste" excludes liquid wastes, unacceptable solid waste, reclaimable materials, recyclable materials and solid waste.~~

~~W. Reclaimable Liquid Waste. "Reclaimable liquid waste" is waste oil.~~

~~X. Reclaimable Materials. "Reclaimable materials" are solid waste materials that may be reclaimed and are as follows: white goods, tires, and metal goods.~~

~~Y. Recyclable Materials. "Recyclable materials" are materials that can be reused either in the same form or as part of a different product.~~

~~Y-1. Reusable Materials. "Reusable materials" are those items such as books, clothing, housewares, toys, etc. which are no longer needed by a resident but still may have a useful life. These items can be left for other residents to claim at no cost at the Swap Shop. Metal Goods, Returnable Containers and Recyclable Materials are not considered reusable.~~

~~Y-2. Returnable Containers. "Returnable Containers" are those containers (metal, glass and plastic) that have a redemption value.~~

~~Z. Recycling Facility. "Recycling Facility" means any facility constructed and managed for separating, collecting, and/or processing of manufactured materials for reuse either in the same form or as a part of a different product.~~

~~AA. Select Board. "Select Board" means the municipal officers elected to the Readfield Select Board by the voters of the Town of Readfield.~~

~~BB. Sludge. "Sludge" means any semi-solid or liquid waste generated from household septic tanks, a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or wet process air pollution control facility or any other such waste having similar characteristics and effect. Sludge is an unacceptable liquid waste.~~

~~CC. Solid Waste. "Solid waste" means unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, recyclable materials, rubbish, garbage, scrap materials, junk, refuse, and landscape refuse.~~

~~DD. Special Wastes. "Special wastes" means any non-hazardous solid waste or liquid waste generated by sources other than ordinary households and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state or any combination thereof, which may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special wastes include, but are not limited to:~~

- ~~1. Oil, coal, wood and multi-fuel boiler and incinerator ash;~~
- ~~2. Industrial and industrial process waste;~~
- ~~3. Sludge and dewatered septage;~~
- ~~4. Debris and residuals from non-hazardous chemical spills and cleanup of those spills;~~
- ~~5. Contaminated soils and dredge spoils;~~
- ~~6. Asbestos and asbestos-containing waste;~~
- ~~7. Sand blast grit and non-liquid paint waste;~~
- ~~8. High and low pH waste;~~
- ~~9. Spent filter media residue; and~~
- ~~10. Shredder residue.~~

~~DD-1. Swap Shop. The "Swap Shop" is the primary location where reusable materials may be dropped off and/or claimed by residents of Readfield and participating towns.~~

~~EE. Transfer Station. "Transfer Station" means the area constructed and managed by the Town of Readfield for the disposing of acceptable waste and acceptable liquid waste.~~

~~FF. Unacceptable Liquid Wastes. "Unacceptable liquid wastes" is the collective reference to hazardous waste and special waste that have sufficient liquid content to be free flowing, sludge, and other liquid waste designated as unacceptable by the Select Board.~~

~~GG. Unacceptable Solid Wastes. "Unacceptable solid wastes" are materials not considered processable waste, recyclable materials, reclaimable materials, or other solid wastes. Unacceptable solid wastes include but are not limited to:~~

- ~~1. Junked or abandoned vehicles;~~
- ~~2. Small engines (under 20 HP)*;~~
- ~~3. Snowmobiles or all-terrain vehicles (if engines removed);~~
- ~~4. Dead animals or portion thereof, other pathological type solid waste;~~
- ~~5. Inert fill;~~
- ~~6. Fuel tanks*;~~
- ~~7. Agricultural waste;~~
- ~~8. Land clearing debris;~~
- ~~9. Dredge spoils;~~
- ~~10. Unacceptable Liquid Wastes;~~
- ~~10-1 Vegetative waste (a composting program is supported by the Select Board and will begin with a limited vegetative acceptance list); and~~
- ~~11. Any other solid waste designated unacceptable by the Select Board.~~

~~*May be acceptable as Metal Goods if drained of all liquids prior to entrance to the Transfer Station. All small engines must have their drain plugs and/or oil pan removed.~~

~~GG-1 Universal Waste. Universal waste is a category of waste materials not designated as "hazardous waste", but containing materials that need to be prevented from free release into the environment. Universal Waste includes:~~

- ~~• Batteries~~
- ~~• Pesticides~~
- ~~• Mercury-containing equipment (including many thermostats and thermometers)~~
- ~~• Lamps containing mercury (e.g. fluorescent lamps, including compact fluorescent lamps)~~
- ~~• Televisions, computers, and monitors~~

~~The Recycling and Transfer Station is required to provide for their proper disposal.~~

~~HH. Vegetative Wastes. "Vegetative wastes" means solid wastes consisting of plant matter from agricultural activities, farms, homes, plant nurseries, or greenhouses. These wastes shall include plant stalks, grass clippings, hulls, leaves, and plant waste processed through a wood chipper. Vegetative waste is considered other solid wastes.~~

~~II. Waste Oil. "Waste oil" means a used, spent, discarded or unwanted petroleum based oil product which is not designated as a hazardous waste or contaminated with hazardous waste and that can be reclaimed as a fuel source. The term includes only: crankcase oil; manual transmission fluid; and #2 fuel oil.~~

~~JJ. White Goods. "White goods" means large appliances including but not limited to stoves, refrigerators, freezers, washing machines, dishwashers, clothes dryers, hot water tanks and air conditioners.~~

~~KK. Wood Wastes. "Wood wastes" means brush, stumps, lumber, bark, wood chips, shavings, slabs, edgings, slash, and sawdust, that are not mixed with other solid or liquid wastes. For the purposes of this definition, "lumber" is entirely made of wood and is free from metal, plastics and coatings. "Wood wastes" are considered other solid wastes.~~

SECTION IV. SOLID WASTE DISPOSAL CONTROL STANDARDS

A. Operation of the Readfield Recycling and Transfer Station.

The Select Board shall be responsible for operating and maintaining the Recycling and Transfer Station and for enforcing this ordinance. The Select Board shall designate the Readfield Town Manager (hereinafter "Town Manager") to assist them in carrying out their duties and obligations under this ordinance.

The Town Manager may hire or designate a Recycling and Transfer Station Manager to operate and maintain the Recycling and Transfer Station. The Town Manager may also

serve as Recycling and Transfer Station Manager as needed until a suitable person can be hired or designated. The Town Manager may hire attendants as required to assist in the operation and maintenance of the Recycling and Transfer Station. The Transfer Station Manager may utilize volunteers to assist the attendants within specific areas of the Transfer Station.

B. Use of the Readfield Recycling and Transfer Station

The Readfield Recycling and Transfer Station is operated for the benefit of Readfield residents and residents of participating towns (year-round and seasonal). All individuals with residential status in Readfield or participating towns shall have a valid "Transfer Station Permit", which must be displayed and physically adhered to their vehicle's windshield to gain access to the Readfield Recycling and Transfer Station to deposit acceptable waste generated within Readfield or a participating town. Temporary passes may be issued to non-resident visitors, or contractors performing work on properties located within Readfield or a participating town, at the discretion of the Transfer Station Manager.

Acceptable waste resulting from commercial or industrial activities within Readfield or participating towns that is delivered to the Readfield Recycling and Transfer Station by commercial haulers, collectors, or directly from individuals generating the waste and is of such volumes and/or possesses special handling characteristics (requirements) to increase the operational costs of the Recycling and Transfer Station shall be assessed a surcharge by the Transfer Station Manager commensurate with the Recycling and Transfer Station fee schedule approved by the Select Board.

The Select Board may, by authorization of Town vote, allow all residents of other municipalities to deposit acceptable waste at the Readfield Recycling and Transfer Station. The terms and conditions of such arrangement shall be specified in an interlocal agreement or contract.

Special permits may be granted by the Town to Commercial Activities who are assisting authorized users with the cleanup of their property.

All requirements pertaining to individuals within Readfield and participating towns shall also pertain to nonresidents authorized to deposit acceptable waste at the Readfield Recycling and Transfer Station.

The Transfer Station Manager shall create and periodically update an Operations Manual that conforms to State of Maine requirements, and is accessible to all Transfer Station employees and volunteers.

The access and use of the Recycling and Transfer Station by any person shall be at the direction of the Transfer Station Manager. Any person refusing to follow or comply with the requirements of this Ordinance and/or any Operating Rules and Requirements adopted by the Select Board, shall be reported to the Transfer Station Manager for resolution. The Transfer Station Manager may refuse further access to the facility to that person and/or initiate any

necessary enforcement actions (per Section VII). Any resident refused access or violating this ordinance shall be reported in writing to that resident's Town Manager for enforcement.

C. Commercial Haulers and Collectors

The Select Board may contract with commercial haulers or hire collectors for the collection of acceptable waste. The Select Board may also contract with specialty environmental contractors to assist the Town in the collection and disposal of any other type of waste.

The Readfield Town Manager and the Town Managers of any participating towns may issue permits to persons to deliver processable waste to the Transfer Station in dumpsters or similar large volume solid waste containers.

Commercial haulers must obtain an annual permit through an application to the Select Board before use of any Transfer Station areas. Commercial refuse haulers must provide an acceptable recycling program to their customers in accordance with this ordinance before an annual permit can be issued. Commercial Hauler Permits may be revoked by the Select Board, following notice and hearing, for violation of this ordinance or any rules and regulations promulgated in accordance with Section VI. Permits shall be renewed annually on or before July first.

~~Commercial haulers and contractors must obtain coupons at the Town Office(s) or Transfer Station before any demolition debris material is deposited. Coupons will be collected by the Transfer Station attendant for each deposit.~~

SECTION V. WASTE DELIVERY REQUIREMENTS

A. Acceptable Waste

Only acceptable waste generated within Readfield or other authorized communities participating towns will be allowed to be disposed of at the Recycling and Transfer Station. All acceptable waste delivered to the facility will be separated by the person delivering the waste as follows:

I. Recyclable materials;

1-1 Reusable materials (Swap Shop);

1-2 Returnable Containers;

2. Metal goods;

3. Construction/demolition debris;

4. Wood waste (brush only);

5. Waste oil;

6. Tires;

7. Solid waste;

8. Universal Waste, and

9. Compost Materials ~~as authorized by the Select Board.~~

10. Any other waste deemed acceptable by the Transfer Station Manager.

Once acceptable waste is delivered to the Recycling and Transfer Station and deposited in the proper container/site as listed above and/or as directed by an attendant or the Transfer Station Manager, that waste becomes the property of the Town of ReadfieldTown and will be disposed as directed by the Transfer Station Manager.

B. Prohibited Waste

The following types of waste will not be accepted at the Recycling and Transfer Station:

1. Unacceptable solid wastes;

2. Unacceptable liquid wastes;

3. Biomedical waste; ~~and~~

4. Industrial or commercial waste which creates a problem of disposal by virtue of federal, state, or local statutes, rules, or regulations controlling or prohibiting its disposal; and

4.5. Any other waste which by its nature or volume poses a public health risk or adversely impacts Transfer Station operations, at the discretion of the Transfer Station Manager or Town Manager.

SECTION VI. REGULATORY AUTHORITY

A. The Select Board may adopt rules and requirements for the operation of the Recycling and Transfer Station. These Operating Rules and Requirements shall be consistent with the standards established by this Ordinance. The Operating Rules and Requirements may include, but are not limited to, dates and hours of operation of the Recycling and Transfer Station and for the collection of solid waste. Operating Rules and Requirements shall be accessible at the Transfer Station, at each participating town's office, and online. Any violation of the Operating Rules and Requirements adopted hereunder shall be deemed a violation of this Ordinance.

B. This Ordinance shall be enforced by the Select Board or its designee. If the Select Board or its designee determines that any provision of this Ordinance is being violated, the Select

Board or its designee shall take action. Such action may include the revoking temporary or permanent revocation of a permit, or required abatement of the conditions violated or any other reasonable actions. A copy of a notice to revoke a permit shall be provided to the affected individual and their Town Manager, and maintained as a permanent record in accordance with the State of Maine Records Retention Schedule.

C. The Select Board or its designee shall conduct periodic on-site inspections to insure compliance with all applicable rules and conditions associated with this Ordinance. The Select Board or its designee shall also investigate all complaints of alleged violations of this Ordinance.

D. When any violation of any provision of this Ordinance shall be found to exist, the Select Board may then institute any and all actions to be brought in the name of the Town.

SECTION VII. LEGAL ACTIONS

A. When notification of a violation does not result in the prompt correction or abatement of the violation or condition, the Select Board or its designee, the Code Enforcement Officer and/or cooperating law enforcement agency are hereby directed to institute any and all actions and proceedings, either legal or equitable, 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. Violation of any condition, restriction or limitation inserted in a permit by the Select Board shall be cause for revocation of that permit by the Select Board. The revocation process shall require reasonable notice of the violation to the resident/operator to a hearing.

B. The Select Board or its authorized agent, is hereby authorized to 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 any illegality or violation of this Ordinance to continue unless there is clear and convincing evidence that the illegality was conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the resident/operator acted in bad faith.

C. The Select Board or its authorized designee may exercise its authority under Title 30-A MRSA Section 4452. The Court may order complete abatement of the violation and award appropriate damages, including all court costs and the Town's reasonable attorney's fees. Any fine recovered through this Ordinance shall accrue to the Town. Each day of violation shall constitute a separate offense. In addition, the Town may seek an injunction, when necessary, to prevent the resident/operator from accessing the Recycling and Transfer Station.

D. Violations of this Ordinance shall be a civil violation punishable by a fine of up to \$1000.00 plus cleanup costs and attorney and court fees for the first offense and up to \$5000.00 plus cleanup costs and attorney and court fees for subsequent violations. The State of

Maine District Court for the district including Readfield shall have jurisdiction of all offenses hereunder, subject to exception and appeal as is provided by Maine State Law.

SECTION VIII. VALIDITY AND CONFLICT OF ORDINANCES

The invalidity of any section, subsection, paragraph, sentence clause, phrase or word of this ordinance shall not be held to invalidate any other section, paragraph, sentence, clause, phrase, or word of this Ordinance; and to this end, the provisions of this Ordinance are hereby declared to be severable.

APPENDIX A: DEFINITIONS

Acceptable Liquid Waste. "Acceptable liquid waste" means the collective reference to liquid wastes that are reclaimable liquid waste.

Acceptable Waste. "Acceptable waste" means the collective reference to processable waste, recyclable materials, reclaimable materials, reclaimable liquid waste, and other solid waste. Additional detail on acceptable waste is found in the Town of Readfield Transfer Station Operators Manual.

Agricultural Waste. "Agricultural waste" means waste generated by agricultural activities, excluding vegetative waste, including but not limited to pesticides, pesticide containers, and manure.

Asbestos. "Asbestos" means a group of naturally occurring minerals that separate into fibers of high tensile strength and are resistant to heat, wear and chemicals, including but not limited to chrysotile, amosite, crocidolite, actinolite, tremolite and anthophyllite and any of these minerals that have been chemically treated or altered.

Biomedical Waste. "Biomedical waste" means waste consisting of(!) human and animal remains, body parts, tissues, organs, blood, excretions, secretions, body fluids and any and all "infectious waste", which term shall include, but not be limited to, (i) waste which contains any disease producing or carrying material, agent or organism, (ii) isolation wastes, cultures and stocks of etiological agents, (iii) waste generated by surgery or autopsy performed on septic cases or patients with infectious diseases, (iv) sharps, dialysis waste and wastes that were in contact with pathogens, (v) waste biologicals (e.g., vaccines) produced by pharmaceutical companies for human or veterinary use, (vi) food, equipment parts and other products contaminated with etiological agents, (vii) bedding and other wastes that were in contact with diseases or laboratory research animals, (viii) equipment, instruments, utensils and fomites which were in contact with persons who are suspected to have or have been diagnosed as having a communicable disease, (ix) laboratory wastes such as pathological specimens and disposal fomites attendant thereto and (x) any disease causing material which is defined as a "hazardous substance" under current or future federal, state or local law, rule or regulation as a result of being classified and "etiological agent".

Brown Goods. "Brown goods" means large television or entertainment modules or furniture including but not limited to sofas, television consoles, wood framed beds, chairs, hide-a-beds and stereo consoles.

Collectors. "Collectors" means any person employed by the Town or permitted by the Town of Redfield responsible for the pick up and collection of processable waste and recycling materials as described in IVB.

Commercial Activity. "Commercial activity" means any business that is carried out in, but not limited to, stores, offices, restaurants, service stations, or campgrounds that renders goods and/or services primarily on a retail basis.

Commercial Hauler. "Commercial hauler" means any person having secured an Annual Permit for the pick up, collection, or transfer of acceptable waste.

Construction/Demolition Debris. "Construction/demolition debris" means nonburnable debris resulting from construction, remodeling, repair, and demolition of structures. The term includes, but is not limited to building materials, asphalt, wall board plastic pipes, carpeting and underlay. It excludes all unacceptable wastes and inert fill.

Dredge Spoils. "Dredge spoils" means sand, silt, mud, gravel, rock or other sediment or material removed from beneath any surface water. Dredge spoils are unacceptable liquid wastes.

E.P.A. "E.P.A." means the United States Environmental Protection Agency.

Hazardous Waste. "Hazardous waste" means a waste in either a liquid or solid state, designated as hazardous by the E.P.A. or the M.D.E.P. and includes special nuclear or by-product material within the meaning of the Atomic Energy Act of 1954, as amended. Hazardous waste is either an unacceptable liquid waste or unacceptable solid waste.

Household Hazardous Wastes. "Household hazardous wastes" are wastes that are considered hazardous wastes either in a solid or liquid state. Such waste may be collected at the Recycling and Transfer Station by the Town from time to time as designated by the Select Board. Specially approved waste materials include, but are not limited to: liquid and non-liquid paint, paint thinner, bleach and household cleaning solvents.

Industrial Activity. "Industrial activity" means any business which produces goods and/or services not primarily for retail sale and may include, but is not limited to, processes such as printing, manufacturing, recycling, packaging, or warehousing.

Inert Fill. "Inert fill" means clean soil material, rocks, bricks, and cured concrete, which are not mixed with other solid waste or liquid waste, and which are not derived from an ore mining activity.

Liquid Waste. "Liquid waste" means any waste that is determined to contain free liquids according to the Paint Filter Liquids Test (Method 9095 of E.P.A. SW- 846, 3rd Edition). Liquid waste is the collective reference to acceptable liquid waste and unacceptable liquid waste.

M.D.E.P. "M.D.E.P." means the Maine Department of Environmental Protection or its successor.

MSW "Mainstream Solid Waste" means the items that are collected as trash to be either incinerated or buried, but not recycled.

Metal Goods. "Metal goods" include bikes, metal doors, metal pipe, window frames, cyclone or other metal fences, screens wire, sheet metal, metal conduit cables, tools, lawnmowers,

furniture, sports equipment, aluminum, copper and brass items, vented barrels and vented propane fuel tanks.

Ordinance. "Ordinance" means the several parts comprising this ordinance, as may be amended from time to time.

Other Solid Waste. "Other solid waste" is the collective reference to mattress, box springs, construction/demolition debris, hot loads, burble debris, vegetative waste and wood waste.

Participating Town. A "participating town" is a nearby town that has executed an interlocal agreement or contract with the Town which permits residents of that town to access and/or use the Recycling and Transfer Station for disposal of waste.

Processable Waste. "Processable waste" means all damaged recyclable materials, ordinary household, municipal, institutional, commercial and industrial solid wastes consisting primarily of combustible materials capable of being processed and incinerated at a waste to energy facility. "Processable waste" excludes liquid wastes, unacceptable solid waste, reclaimable materials, recyclable materials and solid waste.

Reclaimable Liquid Waste. "Reclaimable liquid waste" is waste oil.

Reclaimable Materials. "Reclaimable materials" are solid waste materials that may be reclaimed and are as follows: white goods, tires, and metal goods.

Recyclable Materials. "Recyclable materials" are materials that can be reused either in the same form or as part of a different product.

Reusable Materials. "Reusable materials" are those items such as books, clothing, house wares, toys, etc. which are no longer needed by a resident but still may have a useful life. These items can be left for other residents to claim at no cost at the Swap Shop. Metal Goods, Returnable Containers and Recyclable Materials are not considered reusable.

Returnable Containers. "Returnable Containers" are those containers (metal, glass and plastic) that have a redemption value.

Recycling Facility. "Recycling Facility" means any facility constructed and managed for separating, collecting, and/or processing of manufactured materials for reuse either in the same form or as a part of a different product.

Select Board. "Select Board" means the municipal officers elected to the Readfield Select Board by the voters of the Town.

Sludge. "Sludge" means any semi-solid or liquid waste generated from household septic tanks, a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or wet process air pollution control facility or any other such waste having similar characteristics and effect. Sludge is an unacceptable liquid waste.

Solid Waste. "Solid waste" means unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, recyclable materials, rubbish, garbage, scrap materials, junk, refuse, and landscape refuse.

Special Wastes. "Special wastes" means any non- hazardous solid waste or liquid waste generated by sources other than ordinary households and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state or any combination thereof, which may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal procedures. Special wastes include, but are not limited to:

- Oil, coal, wood and multi-fuel boiler and incinerator ash;
- Industrial and industrial process waste;
- Sludge and dewatered septage;
- Debris and residuals from non-hazardous chemical spills and cleanup of those spills;
- Contaminated soils and dredge spoils;
- Asbestos and asbestos-containing waste;
- Sand blast grit and non-liquid paint waste;
- High and low pH waste;
- Spent filter media residue; and
- Shredder residue.

Swap Shop. The "Swap Shop" is the primary location where reusable materials may be dropped off and/or claimed by residents of Readfield and participating towns.

Transfer Station. "Transfer Station" means the area constructed and managed by the Town for the disposing of acceptable waste and acceptable liquid waste.

Unacceptable Liquid Wastes. "Unacceptable liquid wastes" is the collective reference to hazardous waste and special waste that have sufficient liquid content to be free flowing, sludge, and other liquid waste designated as unacceptable by the Select Board.

Unacceptable Solid Wastes. "Unacceptable solid wastes" are materials not considered processable waste, recyclable materials, reclaimable materials, or other solid wastes. Unacceptable solid wastes include but are not limited to:

Junked or abandoned vehicles (cars, trucks, Recreational Vehicles, tractors, and any other large vehicles that cannot be effectively handled at the facility);

- Small engines (under 20 HP)*;
- Snowmobiles, all-terrain vehicles, boats;
- Dead animals or portion thereof, other pathological-type solid waste;
- Inert fill;
- Fuel tanks*;
- Agricultural waste;

- Land clearing debris;
- Dredge spoils;
- Unacceptable Liquid Wastes;
- Any other solid waste designated unacceptable by the Select Board.

* May be acceptable as Metal Goods if drained of all liquids prior to entrance to the Transfer Station. All small engines must have their drain plugs and/or oil pan removed.

Universal Waste. Universal waste is a category of waste materials not designated as "hazardous waste", but containing materials that need to be prevented from free release into the environment. Universal Waste includes:

- Batteries
- Pesticides
- Mercury-containing equipment (including many thermostats and thermometers)
- Lamps containing mercury (e.g. fluorescent lamps, including compact fluorescent lamps)
- Televisions, computers, and monitors

The Recycling and Transfer Station is required to provide for their proper disposal.

Vegetative Wastes. "Vegetative wastes" means solid wastes consisting of plant matter from agricultural activities, farms, homes, plant nurseries, or greenhouses. These wastes shall include plant stalks, grass clippings, hulls, leaves, and plant waste processed through a wood chipper. Vegetative waste is considered other solid wastes.

Waste Oil. "Waste oil" means a used, spent, discarded or unwanted petroleum based oil product which is not designated as a hazardous waste or contaminated with hazardous waste and that can be reclaimed as a fuel source. The term includes only: crankcase oil; manual transmission fluid; and #2 fuel oil.

White Goods. "White goods" means large appliances including but not limited to stoves, refrigerators, freezers, washing machines, dishwashers, clothes dryers, hot water tanks and air conditioners.

Wood Wastes. "Wood wastes" means brush, stumps, lumber, bark, wood chips, shavings, slabs, edgings, slash, and sawdust, that are not mixed with other solid or liquid wastes. For the purposes of this definition, "lumber" is entirely made of wood and is free from metal, plastics and coatings. "Wood wastes" are considered other solid wastes.