

**WARRANT
FOR THE
2010 ANNUAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: PATRICIA L. ARNAUDIN, Chief of Police of the Town of Ogunquit, in the County of York, 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 Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center in said Town on **Tuesday, the eight (8th) day of June 2010**, A.D. at eight o'clock in the morning (8:00 a.m.) until eight o'clock in the evening (8:00 p.m.) to vote by secret ballot on the following warrant articles; to wit:

- Article 1:** To elect a Moderator to preside at said Meeting. [Note: This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]
- Article 2:** To elect **one (1) Selectman** for a three (3) year term to commence at the conclusion of the 2010 Annual Town Meeting; term ending ATM 2013.
- Article 3:** To elect **one (1) Wells-Ogunquit Community School District Trustee** for a three (3) year term to commence on July 1, 2010; term ending June 30, 2013.
- Article 4:** To elect **one (1) Budget Review Committee Member** for a three (3) year term to commence at the conclusion of the 2010 Annual Town Meeting; term ending ATM 2013.
- Article 5:** To elect **three (3) registered voters** to the **Independent Election Committee** for a one (1) year term ending June 30, 2011. [Note: 1 Democrat, 1 Republican or 1 Unenrolled].
- Article 6:** Shall an Ordinance entitled "An Ordinance to Amend Title X (Ogunquit Zoning Ordinance) *To Strengthen Dumpster and Trash Receptacle Screening Requirements*", dated February 29, 2009, be adopted [Note: A copy of the proposed Ordinance is attached and made a part of this Warrant as **Exhibit A** and is available for inspection, use and examination by the public in the Town Clerk's Office.]
- Article 7:** Shall an Ordinance entitled "An Ordinance to Amend Title X (Ogunquit Zoning Ordinance) *To Require the Periodic Pumping of Septic Tanks*", dated August 24, 2009, be adopted [Note: A copy of the proposed Ordinance is attached and made a part of this Warrant as **Exhibit B** and is available for inspection, use and examination by the public in the Town Clerk's Office.]
- Article 8:** Shall an Ordinance entitled "An Ordinance to Amend Title X (Ogunquit Zoning Ordinance) *To Allow Additional Extensions to Site Plan and Design Review Approvals for Circumstances Beyond the Control of the Applicant*", dated February 9, 2010, be adopted [Note: A copy of the proposed Ordinance is attached and made a part of this Warrant as **Exhibit C** and is available for inspection, use and examination by the public in the Town Clerk's Office.]
- Article 9:** Shall an Ordinance entitled "An Ordinance to Amend Title X (Ogunquit Zoning Ordinance) *To Clarify Sign Standards*" dated April 12, 2010, be adopted? [Note: A copy of the proposed Ordinance is attached and made a part of this Warrant as **Exhibit D** and is available for inspection, use and examination by the public in the Town Clerk and Land Use Offices.]

- Article 10:** Shall the Town approve the adoption of the Maine PERS Prior Service provision for employees covered under the Town of Ogunquit retirement plans? [Note: The entire cost of the service will be deferred to employees. The Town will not participate in the purchase of any prior service. There are no restrictions on the amount of service employees may purchase and the change becomes effective immediately].
- Article 11:** Shall the Town vote to establish an **Ambulance Reserve Account**; and to fund said Account on an annual basis with revenues that exceed the anticipated amount collected from ambulance receipts at fiscal year end?
- Article 12:** Shall the Town vote: 1) repeal the action taken by the voters on Article 4 of the April 5, 2008, Annual Town Meeting whereby the Town of Ogunquit established a Capital Improvement Fund known as the “**Marginal Way Preservation Fund**”, and 2) transfer these donated funds to a non-profit “**Marginal Way Preservation Fund Organization**”? [Note: This Organization will have as its sole purpose to create and sustain a tax exempt entity and use said funds to preserve, maintain, restore and repair the municipal premises within the Town of Ogunquit known as the Marginal Way.]
- Article 13:** Shall the Town vote to approve the following *Resolution* regarding the expenditure of \$369,000 of residents' tax money for U.S. federal government war expenditures?

A Resolution of the Town of Ogunquit, Maine to end the expenditure of our citizens' tax dollars for excessive, destructive, unnecessary warfare funding by the U.S. Congress.

Whereas,

1. the financial resources available for use by governments at the local, county, state and federal levels in the United States are and must be limited, and
2. an inordinate and wasteful level of military expenditure is being made by the U.S. federal government for pointless, illegal and destructive warfare in Iraq, Afghanistan and Pakistan, and
3. the people of the Town of Ogunquit, Maine are collectively paying approximately \$369,000. dollars per year of their limited financial resources for such warfare which supplies no identified public benefits, and
4. this warfare creates great and unnecessary harm to the people of the nations of Iraq, Afghanistan and Pakistan and to U.S. military personnel and their families, and
5. education services, infrastructure repairs, other essential public services, and family and private-sector financing in the Town of Ogunquit, and throughout the State of Maine, have been and are being substantially reduced in order for an excessive portion of available financial resources to be diverted from the constructive economy to destructive warfare,

Now, therefore, be it resolved that the Town of Ogunquit, Maine commands Maine's member of the U.S. House of Representatives from the First Maine Congressional District to oppose all legislation brought before the U.S. House of Representatives that provides further funding of the U.S. warfare and U.S. military occupation in Iraq, Afghanistan and Pakistan, and the Town of Ogunquit, Maine also demands that this member of Congress take strong and forceful action to influence the full U.S. House of Representatives to terminate funding of these military operations.

[Petitioned Article]

Article 14: Shall an ordinance entitled, "An ordinance to Amend Article 7.2, Table 702.1 of the Ogunquit Zoning Ordinance, so as to Expand Opportunities for Outdoor Restaurant Seating in the LB (Limited Business District to Allow "Type 2 Restaurants" in said District, subject to Site Plan Review, be enacted?

[Note: Copies of the ordinance to amend are on file and available at the Town Clerk's Office and the Land Use Office.]

BUDGETARY ITEMS 15- 56

Article 15: Shall the Town vote to raise and appropriate the sum of **\$631,889** for **General Government** expenditures? [Note: If this article is defeated, the appropriation for **General Government** will default to \$575,000, pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 3-1
Budget Review Committee recommends: Yes 5-0

Article 16: Shall the Town vote to raise and appropriate the sum of **\$33,000** for a **Recreation Director**? [Note: If this article is defeated, the appropriation for **Recreation Director** will default to \$0, pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 3-0/2 Recused

Article 17: Shall the Town vote to raise and appropriate the sum of **\$315,000** for **Land Use Department** expenditures? [Note: If this article is defeated, the appropriation for **Land Use Department** will default to \$347,420, pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 4-1

Article 18: Shall the Town vote to raise and appropriate the sum of **\$1,300,000** for **Police Department** expenditures? [Note: If this article is defeated, the appropriation for the **Police Department** will default to \$1,200,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 4-1

Article 19: Shall the Town vote to raise and appropriate the sum of **\$1,157,462** for **Fire-Rescue Department** expenditures? [Note: If this article is defeated, the appropriation for the **Fire-Rescue Department** will default to \$1,089,888 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 20: Shall the Town vote to raise and appropriate the sum of **\$181,250** to provide for **Utilities** (Street Lights, Sewer Fees and Water Hydrants)? [Note: If this article is defeated, the appropriation for **Utilities** will default to \$184,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 21: Shall the Town vote to raise and appropriate the sum of \$768,000 for **Public Works Department** expenditures?

Select Board recommends: Yes 768,000 5-0
Budget Review Committee recommends: Yes 758,000 5-0

Article 22: Shall the Town vote to raise and appropriate the sum of \$390,395 for **Transfer Station** expenditures? [Note: If this article is defeated, the appropriation for the **Transfer Station Department** will default to \$385,574 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 23: Shall the Town vote to raise and appropriate the sum of \$70,000 for **Harbormaster** expenditures? [Note: If this article is defeated, the appropriation for the **Harbormaster Department** will default to \$76,282 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 4-1

Article 24: Shall the Town vote to raise and appropriate the sum of \$3,000 for **General Assistance** expenditures? [Note: If this article is defeated, the appropriation for **General Assistance** will default to \$5,600 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 25: Shall the Town vote to raise and appropriate the sum of \$115,962 for **Insurance** expenditures? [Note: If this article is defeated, the appropriation for **Insurance** will default to \$141,235 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 26: Shall the Town vote to raise and appropriate the sum of \$280,000 for **Administrative Services Department** expenditures? [Note: If this article is defeated, the appropriation for the **Administrative Services Department** will default to \$264,666 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 27: Shall the Town vote to raise and appropriate the sum of \$15,362 for **Conservation** expenditures? [Note: If this article is defeated, the appropriation for the **Conservation Department** will default to \$17,051 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 28: Shall the Town vote to raise and appropriate the sum of \$30,624 for **Information Services** expenditures? [Note: If this article is defeated, the appropriation for the **Information Services Department** will default to \$48,685 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 29: Shall the Town vote to raise and appropriate the sum of **\$250** to **Caring Unlimited**? [Note: If this article is defeated, the appropriation for **Caring Unlimited** will default to \$250 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 4-1

Article 30: Shall the Town vote to raise and appropriate the sum of **\$500** to **Child Abuse/Prevention**? [Note: If this article is defeated, the appropriation for **Child Abuse/Prevention** will default to \$500 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 4-1

Article 31: Shall the Town vote to raise and appropriate the sum of **\$1,000** to **Counseling Services of York, Inc.**? [Note: If this article is defeated, the appropriation for **Counseling Services of York, Inc.** will default to \$1,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 4-1

Article 32: Shall the Town vote to raise and appropriate the sum of **\$1,000** to **Frannie Peabody Center**? [Note: If this article is defeated, the appropriation for the **Frannie Peabody Center** will default to \$1,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
 Budget Review Committee recommends: Yes 4-1

Article 33: Shall the Town vote to raise and appropriate the sum of **\$1,000** to the **Home Health Visiting Nurses**? [Note: If this article is defeated, the appropriation for the **Home Health Visiting Nurses** will default to \$1,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 4-1

Article 34: Shall the Town vote to raise and appropriate the sum of **\$500** to the **Hospice of York**? [Note: If this article is defeated, the appropriation for **Hospice of York** will default to \$500 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 4-1

Article 35: Shall the Town vote to raise and appropriate the sum of **\$1,800** for the care and maintenance of area **Cemeteries**? [Note: If this article is defeated, the appropriation for **Cemeteries** will default to \$1,800 pursuant to Section 503 of the Town Charter.]

		SB	BRC
Riverside Cemetery	\$ 500.00	5-0	5-0
Locust Grove Cemetery	\$ 500.00	5-0	3-0/1 Recused
Old Burying Ground	\$ 300.00	5-0	5-0
Ocean View Cemetery	\$ 500.00	5-0	3-0

Article 36: Shall the Town vote to raise and appropriate the sum of \$5,500 for the **Ogunquit Performing Arts**?

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-2

Article 37: Shall the Town vote to raise and appropriate the sum of \$500 for the **Southern Maine Area Agency on Aging**? [Note: If this article is defeated, the appropriation for the **Southern Maine Area Agency on Aging** will default to \$500 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 4-1

Article 38: Shall the Town vote to raise and appropriate the sum of \$5,000 for the **Wells-Ogunquit Historical Society**? [Note: If this article is defeated, the appropriation for the **Wells-Ogunquit Historical Society** will default to \$2,500 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 39: Shall the Town vote to raise and appropriate the sum of \$500 for the **Wells-Ogunquit Youth Baseball**? [Note: If this article is defeated, the appropriation for the **Wells-Ogunquit Youth Baseball** will default to \$500 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 4-1

Article 40: Shall the Town vote to raise and appropriate the sum of \$3,500 toward the purchase of a generator for the **Wells-Ogunquit Multi-Generational Center at Moody**?

Select Board recommends: Yes 3,500 5-0
Budget Review Committee recommends: Yes 2,000 3-0

Article 41: Shall the Town vote to raise and appropriate the sum of \$559,952 for **Debt Management** expenditures? [Note: If this article is defeated, the appropriation for **Debt Management** will default to \$694,845 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 5-0

Article 42: Shall the Town vote to raise and appropriate the sum of \$10,000 for the **Unemployment Reserve Account**? [Note: If this article is defeated, the appropriation for the **Unemployment Reserve Account** will default to \$10,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 3-0

Article 43: Shall the Town vote to raise and appropriate the sum of \$40,000 for **Accrued Liabilities**? [Note: If this article is defeated, the appropriation for **Accrued Liabilities** will default to \$40,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 3-0

Article 44: Shall the Town vote to raise and appropriate the sum of **\$5,000** for **Union Contracts and Salary Adjustments**, as needed? [Note: If this article is defeated, the appropriation for **Union Contracts and Salary Adjustments** will default to \$5,000 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 4-0
Budget Review Committee recommends: Yes 3-0

Article 45: Shall the Town vote to raise and appropriate the sum of **\$50,000** for the on-going restoration of the **Ogunquit Village School**? [Note: If this article is defeated, the appropriation for **Ogunquit Village School Restoration** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0/2 Recused

Article 46: Shall the Town vote to raise and appropriate the sum of **\$32,000** for the **Police Department** for the purchase of a new police cruiser? [Note: If this article is defeated, the appropriation for a new **police cruiser** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 4-1

Article 47: Shall the Town vote to raise and appropriate the sum of **\$13,000** for the Fire Department for the upgrade of **Self-Contained Breathing Apparatus (SCBA) Air Packs**? [Note: If this article is defeated, the appropriation for **SCBA Air Packs** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 48: Shall the Town vote to raise and appropriate the sum of **\$10,000** for the **Fire Department** for the purchase of a new **All-Terrain Vehicle (ATV)** for beach patrol and/or rescue purposes? [Note: If this article is defeated, the appropriation for a new **ATV rescue vehicle** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0

Article 49: Shall the Town vote to raise and appropriate the sum of **\$50,000** for the **Fire Department** for a **Fire Equipment Reserve Account**? [Note: If this article is defeated, the appropriation for a **Fire Equipment Reserve Account** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0

Article 50: Shall the Town vote to raise and appropriate the sum of **\$150,000** for the **Public Works Department Paving Capital Reserve Account**? [Note: If this article is defeated, the appropriation for a **Public Works Department Paving Capital Reserve Account** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0

Article 51: Shall the Town vote to raise and appropriate the sum of **\$25,000** to be deposited into the previously established **Land Conservation Reserve Fund**?

Select Board recommends: Yes \$25,000 4-1
Budget Review Committee recommends: Yes \$10,000 3-0

Article 52: Shall the Town vote to raise and appropriate the sum of **\$140,000** for the purpose of **repairing the Perkins Cove Pier and reconstruction of the Perkins Cove Sea Wall**? [Note: If this article is defeated, the appropriation for **repairing the Perkins Cove Pier and reconstruction of the Perkins Cove Sea Wall** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0

Article 53: Shall the Town vote to raise and appropriate the sum of **\$150,000** for the **engineering and construction of Town sidewalks**? [Note: If this article is defeated, the appropriation for **engineering and construction of Town sidewalks** will default to \$0 pursuant to Section 503 of the Town Charter.]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 3-0

Article 54: Shall the Town vote to raise and appropriate the sum of **\$150,000** for the **first year lease and set-up of a new parking meters' infrastructure** for the Town of Ogunquit parking lots?

Select Board recommends: Yes \$150,000 5-0
Budget Review Committee recommends: Yes \$0 3-0

Article 55: Shall the Town vote to transfer up to **\$500,000** from **Undesignated Fund Balance** to fund the 2010-2011 fiscal year budget?

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 4-0

Article 56: Shall the Town vote to appropriate **\$1.3 Million Dollars** from anticipated parking lot revenue to fund the 2010-2011 fiscal year budget?

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 4-0

Article 57: Shall the Town vote to increase the property tax levy limit established for Ogunquit by State law in the event that the municipal budget approved for fiscal year 2010/2011 will result in a tax commitment that is greater than the property tax levy limit?

Article 58: Shall the Town vote to allow the Highway Department to plow and sand private roads on which the Town holds a recorded public easement during the upcoming winter season as otherwise allowed by Title 23 M.R.S.A. §3105 and previously authorized by a vote on Article 3 of a Special Town Meeting held on November 5, 2002, provided that any necessary expenses pertaining thereto must fall within existing appropriations?

Article 59: Shall the Town authorize the Select Board to apply for and accept grant funds, donations and gifts; and authorize the Selectmen to spend such funds for the purposes intended as allowed by law?

Article 60: Shall the Town vote to accept the categories of funds, listed herein, as provided by the Maine Legislature:

Article 60: Shall the Town vote to accept the categories of funds, listed herein, as provided by the Maine Legislature:

<u>ITEM</u>	<u>AMOUNT</u>
Homestead Reimbursement	\$Unknown
State Aid Road Grant	\$Unknown
Municipal Revenue Sharing	\$Unknown
State Education Tax Relief	\$Unknown
Emergency Management Funds	\$Unknown
General Assistance Rebate	\$Unknown
Snowmobile Registration	\$Unknown
Tree Growth Reimbursement	\$Unknown
Veteran's Exemption Rebate	\$Unknown
Public Library Aid	\$Unknown
Specialized State Grants/Funds	\$Unknown

Article 61: Shall the Town vote to fix the date when property taxes shall be due and payable as follows:

- One-half (1/2) of the tax commitment shall be due 45 days after the commitment; on or about October 31
- The other one-half 1(1/2) of the tax commitment shall be due on or about April 30; and further
- Interest at the rate of seven-percent (7%) per annum shall be charged for taxes not paid within 45 days following each due date.

Article 62: Shall the Town vote to pay no more than four-percent (4%) per annum to taxpayers who pay taxes in excess of the amounts finally assessed, and to authorize such interest paid or abatements granted to be charged against the Town's annual overlay, or if necessary, against the Town's undesignated surplus fund balance?

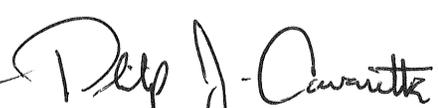
Article 63: Shall the Town vote to authorize the Select Board to sell and convey tax acquired property as they shall deem to be necessary and/or in the best interests of the Town; provided, however, that a delinquent taxpayer shall be given a thirty (30) day grace period after approval of this warrant article in which to redeem his/her property upon payment of all taxes, liens, interest and other applicable costs; and furthermore, shall the Town vote to authorize the Select Board to execute and deliver quit claim deeds, without covenant, for the conveyance of such property and/or the removal of tax liens from public records as justice may require?

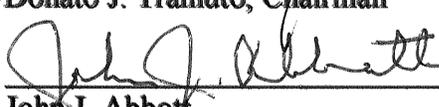
Article 64: Shall the Town vote to authorize the Select Board to dispose of town-owned surplus property upon such terms and conditions as the Selectmen may deem to be in the best interests of the Town as otherwise allowed by law?

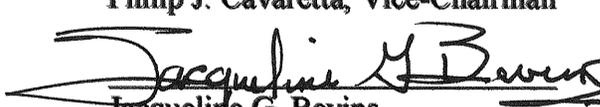
Given under our hands this 4th day of May 2010, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the municipal officers. ATTEST:

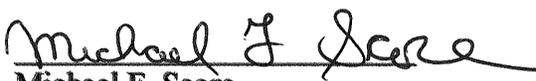
OGUNQUIT SELECT BOARD


Donato J. Tramuto, Chairman


Philip J. Cavaretta, Vice-Chairman


John J. Abbott


Jacqueline G. Bevins


Michael F. Score

VOTER INFORMATION: The Registrar of Voters will hold office hours while the polls are open to correct any error in or change a name or address on the voting list, to accept the registration of any person eligible to vote and to accept new enrollments. A person who is not registered to vote may not vote in any election.

RETURN OF WARRANT CERTIFICATION

In the Town of Ogunquit, County of York, State of Maine, ss.

Pursuant to the foregoing Warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the **11th day of May 2010, A.D.** copy of said Warrant at the Dunaway Community Center, Ogunquit Post Office, and WOGT, those being three (3) conspicuous and public places in said Town.



Patricia L. Arnaudin, Chief of Police
Town of Ogunquit

UNDER SEAL OF THE TOWN, A True Copy: ATTEST:

Office of the Town Clerk

OGUNQUIT

Beautiful Place by the Sea

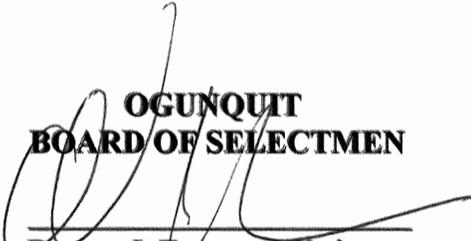
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled "An Ordinance to Amend Title X, **(Ogunquit Zoning Ordinance) To Strengthen Dumpster and Trash Receptacle Screening Requirements**". These amendments will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 8, 2010.

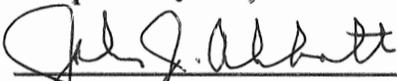
Pursuant to 30-A, MRSA §3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

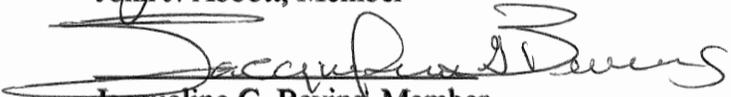
DATED: April 20, 2010

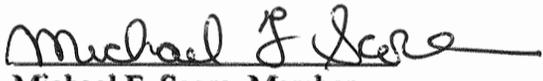
**OGUNQUIT
BOARD OF SELECTMEN**


Donato J. Tramuto, Chairman


Philip J. Cavaretta, Vice-Chairman


John J. Abbott, Member


Jacqueline G. Bevins, Member


Michael F. Score, Member

A TRUE COPY, ATTEST:

Judy Shaw-Kagiliery, Town Clerk

DATED: _____
P:\Clerk\Ordinance Certification.doc

Article 6 - EXHIBIT A

An Ordinance to Amend the Ogunquit Zoning Ordinance To Strengthen Dumpster and Trash Receptacle Screening Requirements

25 February 2009

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout~~ line. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

8.16 Dumpsters, Trash Containers, and Recyclables Containers - Setbacks & Screening (Adopted November 6, 2001, amended ~~insert date of Town Meeting~~)

Effective ~~insert date of Town Meeting~~, the following provisions shall apply to:

(1) any existing or new commercial entity required to register as a business, pursuant to the Business Registration Ordinance, Title IX, Chapter 9, of the Ogunquit Town Code; and

(2) any existing or new residential complex, containing four (4) or more dwelling units located on any single lot.

As of this effective date, the provisions of this section shall apply to any such existing commercial or residential properties meeting the above criteria, notwithstanding the provisions of section 3.1.A. of this Ordinance regarding continuance of nonconformities.

- A. Exposed trash containers, recyclables storage areas containers and dumpsters shall have sufficient setbacks and screening (such as containment within a cabinet, stockade fence or a dense evergreen hedge six (6) feet or more in height) to provide a visual buffer sufficient to minimize their impact on other land uses and properties in the area.
- B. Trash containers, recyclables containers and dumpsters shall be located within a cabinet or screened so as not to be visible from the a public way street or from the ordinary eye level of an individual standing on the ground from abutting residential property or transient accommodations. In a residential district or a property abutting a residential district or on a property abutting a strictly residential use only, trash containers, recyclables containers and dumpsters shall meet the setback requirement for structures.
- C. If any business is unable to comply with these standards, because of serious space limitations that make such enclosures or screening unworkable, it may apply to the Planning Board for a waiver, using forms provided for such purpose by the Land Use Office. The application fee for a waiver of this section shall be set annually by the Board of Selectmen. The Planning Board may waive any or all portions of this Article with or without limitations, when, after a site review of the waiver application, it is determined that suitable conforming space is not available on a subject property for the location of any screening for exposed trash containers, recyclables containers, or dumpsters on a subject property. The Planning Board may schedule a site visit to the subject property, before making a final determination on such a waiver application.

Enforcement of this section, and penalties for any violations shall be governed by Article 4 of this Ordinance.

OGUNQUIT

Beautiful Place by the Sea

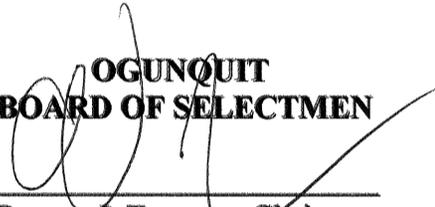
To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled "An Ordinance to Amend Title X, (Ogunquit Zoning Ordinance) To Require the Periodic Pumping of Septic Tanks". These amendments will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 8, 2010.

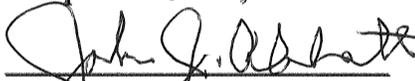
Pursuant to 30-A, MRSA §3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

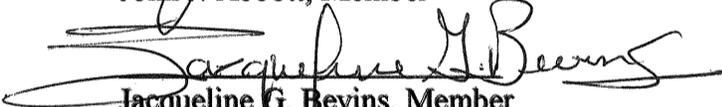
DATED: April 20, 2010

**OGUNQUIT
BOARD OF SELECTMEN**


Donato J. Tramuto, Chairman


Philip J. Cavaretta, Vice-Chairman


John J. Abbott, Member


Jacqueline G. Bevens, Member


Michael F. Score, Member

A TRUE COPY, ATTEST:

Judy Shaw-Kagiliery, Town Clerk

DATED: _____

P:\Clerk\Ordinance Certification.doc

Article 7 - EXHIBIT B

An Ordinance to Amend the Ogunquit Zoning Ordinance To Require the Periodic Pumping of Septic Tanks 24 August 2009

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “ * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)*

8.14 Waste-Water Pollution

- A. The disposal of waste water by means other than a public system must comply with the laws of the State of Maine and the Town concerning water pollution. Where a public sanitary sewer system is located within 100 feet, horizontal distance, of any portion of any new buildings used for human habitation or occupancy as measured from the public way, the Town shall require participation in said sewer. Wherever the requirements of this Ordinance are at variance with the rules and regulations of the Sewer District, the most restrictive shall govern. Buildings existing as of April 10, 2001 within 100 feet of a public sanitary sewer system which are served by a private sewer or drainage system shall not be required to connect to the sewer or drain of the Sewer District so long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate any law or ordinance applicable thereto or any applicable requirement of the State of Maine Plumbing Code as determined by the Ogunquit Licensed Plumbing Inspector. In the event of a failure of any private sewer or drainage system within 100 feet of a public waste water system as determined by the Code Enforcement Officer, such private system shall be replaced with a connection to the public sewer system. The effective date of this amended Article-8.12 is April 10, 2001.
- B. Discharge of sanitary waste from any private waste discharge system into any water body in the Town of Ogunquit is prohibited, except for systems which were lawfully existing at the time of adoption of this section, so long as they are in compliance with all applicable state and federal laws and regulations.
- C. The following provisions regarding the required pump-out of septic tanks shall become effective on 1 July 2010:
1. Any new or existing septic tanks outside of Shoreland Zones shall be pumped out not less than once every five (5) years.
 2. Any new or existing septic tanks within any Shoreland Zone shall be pumped out not less than once every three (3) years.
 3. Regardless of subsections 1 and 2 above, in any zone or district, advanced waste water treatment units, as defined in section 1802.4.4 of the Maine Subsurface Waste Water Disposal Rules, shall be pumped out not less than once every ten (10) years.
 4. Any person or company that pumps septic tanks in the Town of Ogunquit shall file a report each month with the Code Enforcement Officer. The monthly report shall indicate, for each tank pumped during that month:
 - a. The name of the customer;
 - b. The street address where the tank is located;

- c. The approximate number of gallons of septage pumped: and
- d. The location where the septage was taken.

OGUNQUIT

Beautiful Place by the Sea

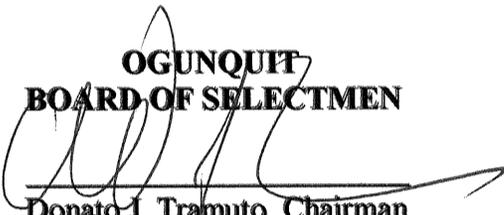
To the Town Clerk of Ogunquit:

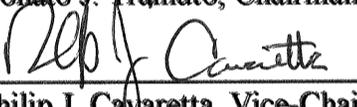
We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled "An Ordinance to Amend Title X, **(Ogunquit Zoning Ordinance)**" "*To Allow Additional Extensions to Site Plan and Design Review Approvals for Circumstances Beyond the Control of the Applicant*". These amendments will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 8, 2010.

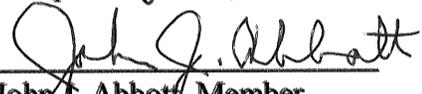
Pursuant to 30-A, MRSA §3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

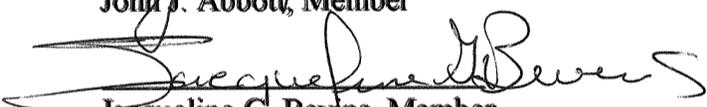
DATED: April 20, 2010

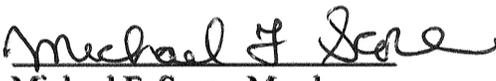
**OGUNQUIT
BOARD OF SELECTMEN**


Donato J. Tramuto, Chairman


Philip J. Cavaretta, Vice-Chairman


John J. Abbott, Member


Jacqueline G. Bevins, Member


Michael F. Score, Member

A TRUE COPY, ATTEST:

Judy Shaw-Kagiliery, Town Clerk

DATED: _____

P:\Clerk\Ordinance Certification.doc

Article 8 - EXHIBIT C

An Ordinance to Amend the Ogunquit Zoning Ordinance
To Allow Additional Extensions to Site Plan and Design Review Approvals
For Circumstances Beyond the Control of the Applicant
9 February 2010

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout~~ line. All other portions of the ordinance are proposed to remain unchanged. The symbol "*****" indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

6.6 Procedures for Site Plan Review

E. Decision.

2. Approval for a Site Plan Review approval secured under the provisions of this ordinance by vote of the Planning Board shall expire if:

A. the work or change involved is not commenced within one year of the date on which the Site Plan is authorized; or

B. the work or change involved is not substantially complete within two years of the date on which the Site Plan is authorized.

An extension of one year from either deadline may be granted by the Board, upon a written request. A single, additional one-year extension from either extended deadline may be granted upon a further written request, but only upon a showing of special circumstances that are beyond the control of the applicant. This provision shall be effective for any Site Plan Review approved after [insert date of town meeting] or any prior Site Plan Review approval that had not expired, as of January 1, 2010.

11.12 Enforcement (Amended 4-01-06)

B. A Design Certificate secured under the provisions of this Article shall expire if the work is not commenced within one year of the date on which it is granted or if the work is not completed within two years of the date on which the Certificate is granted. An extension of one year from either deadline may be granted by the Board, upon written request. A single, additional one-year extension from either extended deadline may be granted upon a further written request, but only upon a showing of special circumstances that are beyond the control of the applicant. This provision shall be effective for any Design Certificate approved after [insert date of town meeting] or any prior Design Certificate approval that had not expired, as of January 1, 2010.

OGUNQUIT

Beautiful Place by the Sea

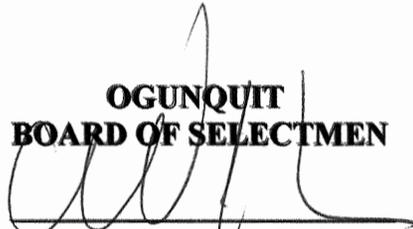
To the Town Clerk of Ogunquit:

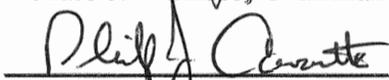
We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled "An Ordinance to Amend Title X, (Ogunquit Zoning Ordinance)" "To Clarify Sign Standards". These amendments will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 8, 2010.

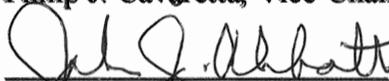
Pursuant to 30-A, MRSA §3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

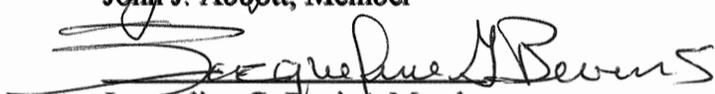
DATED: April 20, 2010

**OGUNQUIT
BOARD OF SELECTMEN**


Donato J. Tramuto, Chairman


Philip J. Cavaretta, Vice-Chairman


John J. Abbott, Member


Jacqueline G. Bevins, Member


Michael F. Score, Member

A TRUE COPY, ATTEST:

Judy Shaw-Kagiliery, Town Clerk

DATED: _____

P:\Elections\Ordinance Certification.doc

Article 9 – Exhibit D

An Ordinance to Amend the Ogunquit Zoning Ordinance
To Clarify the Standards for Signs
13 April 2010

ARTICLE 2 – DEFINITIONS

Definitions found in a standard Webster’s Dictionary of the current decade on file in the Code Enforcement Officer’s office will apply to all words not already defined in this Zoning Ordinance. Words used in the present tense include the future, and the plural includes the singular; the word “lot” includes the word “plot”; the word “building” includes the word “structure”; the word “shall” is always mandatory; “occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used/occupied.”

* * * * *

Sign

~~A~~Unless exempted in section 8.12.A.3, any structure or part of the structure attached thereto or painted or represented thereon or therein, regardless whether it is located out-of-doors or inside, which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement and which is intended for or effectively achieves the result of announcing, directing and/or advertising to the out-of-doors public. The word “sign” does not include any structure ~~of or~~ part of a structure, building or part of a building in existence in 1930 that is necessary to preserve its historical, architectural and neighborhood significance; ~~nor does it include the flag, pennant or insignia of any nation, state, city or other political unit; nor does it include inside “window” type displays or paraphernalia incidental and necessary to the business, such as jewelry cases, mannequins, clothing layouts, real estate display boards, menus and the like. Temporary display of any political, education, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event is not considered a sign.~~

For the purposes of this ordinance there are three types of regulated signs:

1. Business Sign
A Business Sign is a sign which identifies the name of a non-residential use or the name of a multifamily development or multifamily dwelling.
2. Advertising Sign
An Advertising Sign is a sign which identifies the goods or services available at a business or provides information about those goods and services, ~~and shall include menus posted for public view at restaurants.~~
3. Residential Sign

A Residential Sign is a sign erected at a single-family residence which identifies names of the occupants of the residence or the name of the property.

Sign, Off premises

A sign that is not located on the same contiguous lot or leasehold as the principal use for which it is advertising or directing attention.

* * * * *

8.12 Signs

A. General.

1. All signs in the Town of Ogunquit shall meet the following standards.
 - a. No business sign may be erected, altered, or relocated without issuance of a permit from the ~~Town Planner and/or~~ Code Enforcement Officer. Before issuing a permit the ~~Town Planner and/or~~ Code Enforcement Officer may submit the application to the Planning Board for review, interpretation and possible approval. The Code Enforcement Officer shall enforce Article 8.12 and all permits issued thereto.
 - b. ~~Except as provided by Section 8.12.B below, a~~All business signs shall be made of wood, metal or high density urethane board and may include raised or appliquéd wooden lettering or other graphics. The finished graphics of these signs may be carved, painted or of a vinyl material that resembles paint. Signs may not be surfaced with fluorescent or day-glow colors or other reflective material. Gold Leaf is permitted. The only exception from these material standards shall be for awnings or advertising signs, as provided by Section 8.12.B below, or for temporary commercial signs, as provided by Section 8.12.A.1.f below. (Amended June 11, 2002)
 - c. Illumination is permitted only by steady, uncolored, external lighting.
 - d. Signs ~~may not swivel, rotate or have animated parts and~~ shall be a maximum of 15 feet high.
 - e. The measurement of sign area shall be based upon the outer perimeter of all boards, panels or sheets of materials as well as the spaces between these materials, but does not include the supporting posts or structural element outside the limits of such perimeter which does not form an integral part of the display. Only one side of a two-sided sign shall be counted in the calculation of allowable sign area. In determining the area of wall signs, the entire area within a continuous perimeter enclosing the extreme limits of the actual letters and characters shall be measured. The area of background color will also be included if it differs from the color of the building itself.

- f. Temporary business sign(s) may be used by a new business while awaiting arrival of permanent sign(s), provided the sign is of a durable weatherproof material, however, temporary sign(s) shall be allowed only until permanent sign(s) is/are installed or for 60 days, whichever is the shorter period. Each temporary business sign shall be no larger in area or dimension than the conforming permanent sign that will replace it, and shall be placed in a manner and location in conformance with this ordinance, as if it were a permanent sign.
- g. Any sign which no longer advertises a business that is being conducted, a product being sold, or an activity or campaign being conducted, shall, within 30 days, be taken down and removed by the owner or tenant of the premises upon which such sign is located. This provision shall not be construed to require the owners of seasonal businesses to remove signs at the end of each season.
- h. Any sign, whether regulated by this section 8.12 or exempted from regulation pursuant to subsection 8.12.A.3 below, shall not be placed in rights-of-way or on other Town properties without express authorization of the Select Board.

2. The following types of signs shall be prohibited:

- e.a. Roof signs, and
- b. sStrings of pennants, inflated signs, tethered balloons, or banners, unless expressly exempted elsewhere in this Ordinance.
- c. Flags, other than those of any nation, state, city, coalition or other political unit, including, but not limited to, military or veterans groups. In no event shall any flag of any type exceed fifty (50) square feet in area are not permitted. (Amended April 8, 2002).
- f.d. Internally illuminated signs, specifically including, but not limited to, neon or gas filled tubular signs, light emitting diode (LED) signs, digital signs, or electronic message center signs, are prohibited. This prohibition shall include signs located inside a building, when such signs are intended to be visible by pedestrians or motorists.
- e. Signs which physically or visually move, rotate or create an illusion of movement, or which have parts or surfaces that physically or visually move, rotate or create the illusion of movement, or which emit audible sound or noise.
- f. Signs which appear animated or projected, or which are intermittently illuminated, or of a traveling, tracing, scrolling, or sequential light type, or signs which contain or are illuminated by animated or flashing light, including, but not limited to, electronic message center type signs, light emitting diode (LED) signs, or digital signs.

- ~~g.~~ The measurement of sign area shall be based upon the outer perimeter of all boards, panels or sheets of materials as well as the spaces between these materials, but does not include the supporting posts or structural element outside the limits of such perimeter which does not form an integral part of the display. Only one side of a two-sided sign shall be counted in the calculation of allowable sign area. In determining the area of wall signs, the entire area within a continuous perimeter enclosing the extreme limits of the actual letters and characters shall be measured. The area of background color will also be included if it differs from the color of the building itself.
- ~~h.~~ Temporary commercial sign(s) may be used by a new business while awaiting arrival of permanent sign(s), provided the sign is of a durable weatherproof material, however, temporary sign(s) shall be allowed only until permanent sign(s) is/are installed or for 60 days, whichever is the shorter period.
- ~~i.g.~~ No sign is permitted Any signs, whether regulated by this section 8.12 or exempted from regulation pursuant to subsection 8.12.A.3 below, placed within the right of way of a public way, unless expressly authorized by the Select Board. Any sign which is placed in a public way without such authorization, shall be removed by the Code Enforcement Officer, the Highway Department, or the Police Department. The Code Enforcement Officer shall attempt to ascertain the owner of the sign and within seventy-two hours of the sign's removal notify the owner of the location of the sign so it may be retrieved.
- ~~h.~~ Free-standing "A-frame" or other portable signs, located on public or private property, other than those expressly exempted elsewhere in this Ordinance, as authorized by the Select Board.
- ~~ji.~~ No sign may Signs which attempt or appear to attempt to direct movement of traffic or interfere with, imitate or resemble an official traffic sign, signal or device.
- ~~kj.~~ No sign Signs which may prevent the driver of a vehicle from having clear view of an official sign or other traffic.
- ~~k.~~ Off premises signs, unless exempted elsewhere in this section. The Town of Ogunquit shall not permit the erection of Department of Transportation Official Business Directional Signs, as defined in Title 23 M.R.S.A. §§ 1906 to 1925.

23. Exemptions

The following shall not be included in the application of ~~this Section~~.
Section 8.12 and shall not be considered otherwise regulated by this
Section 8.12:

- a. One sign not exceeding one square foot in area and bearing only street number, property name, and/or the name of occupants residing at the premises.
- b. Signs erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.
- c. Flags, each less than fifty (50) square feet in area, of any nation, state, city, coalition or other political unit, including, but not limited to, military or veterans groups.
- d. Signs within buildings that are oriented to patrons that have already entered the premises.
- ee. Signs directing and guiding traffic and parking on private property, not exceeding four square feet in area and bearing no commercial matter, indicating "enter" or "exit," and the like. Where confusion would occur, or to limit parking to patrons of an establishment, the name of the business may occur, but there shall be no graphics which otherwise identify the business.
- df. One sign advertising real estate for sale, lease or rent, not exceeding six square feet in area per lot or per dwelling unit, and located on the lot being advertised only. The sign shall be removed upon the closing of the sale or upon occupancy of rental property.
- g. Inside "window"-type displays or paraphernalia, incidental and necessary to the business, such as, but not limited to, jewelry cases, mannequins, and clothing layouts.
- h. Outside-mounted, glass-fronted display cabinets, no greater than 6 square feet in area, containing menus, real estate ads, and the like.
- ei. Memorial signs or tablets, names of historic buildings and the date of erection when engraved in the surface of the building or constructed of permanent material.
- fi. Civic group signs. One permanent, freestanding joint identification off-premise sign announcing the name of churches, social organizations and the time and place of meeting of civic clubs shall be permitted at the entrances of the Town along US Route One, provided that they shall be designed as an integrated unit and shall be landscaped. Such freestanding signs shall not exceed 32 square feet in total combined signboard area.
- k. A temporary sign, erected for no more than 30 consecutive days, placed either on or off premises, made of rigid or flexible material, and

- displaying any educational, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event.
- gl. Off-site, directional signs for non-profit museums, non-profit theaters, or houses of worship, located within the Town of Ogunquit.
(Amended 4-01-06 ATM)
- hm. Warning signs such as “Posted,” “No Trespassing,” “Beware of Dog,” and “Private Driveway” of no greater than two square feet in area.
- in. Contractor signs. One sign, no larger than six square feet, identifying the name of a contractor or tradesman performing work on the premises, provided the sign is removed within five days of the completion of the work.
- jo. The Ogunquit Playhouse on U.S. Route One, may maintain, repair or construct, subject to Design Review, the roadside billboard marquee, the line of pole-mounted pennants above the front façade, and one “Matinee” banner, that is are in use at the time of the adoption of this ordinance and said marquee signs will not be subject to the sunset provision of this ordinance, and will be permitted the use of changeable lettering for performance information.
- kp. Movie theaters currently existing and legally operating may maintain, repair or reconstruct any billboard marquee, and one “Matinee” banner, that is in use at the time of the adoption of this ordinance, and said marquee signs will not be subject to the sunset provision of this ordinance, and will be permitted the use of changeable lettering for show times and information.
- q. The Ogunquit Playhouse, Ogunquit Performing Arts, Leavitt Theater, Ogunquit Museum of American Art, and the Ogunquit Chamber of Commerce may erect portable, “A- frame” type on premises or off premises signs, collectively not to exceed eight in number within the town limits of Ogunquit, and each not displaying more than 12 square feet of sign area. Such signs shall be placed to avoid hazards to pedestrian traffic. The content and placement of such signs, as well as the allocation of signs among the groups, shall be approved annually by the Town Manager, as authorized by the Select Board. The Select Board may allow additional organizations with similar purposes, in addition to those listed above, to erect “A-frame” type signs in accordance with these standards, as long as the collective number does not exceed the above- stated town-wide limit.
- r. A business may erect, for no more than thirty (30) days, one temporary sign, which is made of materials and is illuminated in compliance with section 8.12.A.1 of this Ordinance, and that is no greater than three (3) sq. ft. in area, and indicating “Grand Opening” or “Opening Soon” or the like, and may include the impending date of the opening.

- s. A business may erect a sign at its main entrance indicating that the business is “Closed” or “Open,” which is no greater than three (3) square feet, and which is made of materials and is illuminated in compliance with section 8.12.A.1 of this Ordinance.
- t. Signs bearing political messages relating to an election, primary or referendum shall be entirely exempted from this section, and shall be governed by Title 23 M.R.S.A. sec. 1913-A, Maine Department of Transportation regulations, and section 208 of Title IV, Chapter 2 of the Ogunquit Town Code.

B. Awnings

Awnings in the business districts (DBD, GB1, GB2, LB, PCLB, OBB and ~~RPD and SOD~~ any Shoreland Zone as applicable) may be erected, altered or relocated with issuance of a permit from the ~~Town Planner and/or~~ Code Enforcement Officer. Before issuing a permit, the ~~Town Planner and/or~~ Code Enforcement Officer may submit the application to the Planning Board for review, interpretation and possible approval. The Code Enforcement Officer shall enforce Article 8.12.B and all permits issued thereto. (Adopted November 6, 2001)

No permit is required to erect, alter or relocate an awning within residential districts (OFR, R, RR1, RR2, PCR and F) so long as the free passage of pedestrians, bicyclists and motorists on public right-of-ways are not obstructed and public safety is maintained. (Adopted November 6, 2001)

Notwithstanding the provisions of Section 8.12.A.1.b above, awnings made of canvas, vinyl, nylon, polyester or other durable weather-resistant material may be used as a sign in accordance with the following provisions.

1. The lettering and symbols which make up the sign may be placed only on a vertical portion of an awning, no taller than 18 inches in height, which hangs from the awning frame with no support or frame on its lower edges except where the awning must be supported on its lower edge for structural purposes.
2. The area of the awning which is considered to be a sign shall be calculated by creating the smallest possible rectangle around all of the symbols, letters and characters which make up the sign on each surface of the awning. The top and bottom of the rectangle shall be horizontal with the ground.
3. No more than 25% of the maximum allowable business sign area for the business or structure may be included on an awning or set of awnings.

C. Number of Signs

1. Each nonresidential use and each multifamily development may have no more than one business sign attached to each face of the structure which directly faces a public way.

2. Each lot which has a nonresidential use and each multifamily development may have no more than one free standing sign.
3. No business ~~may~~ shall have a total of more than six signs, including both business and advertising signs, visible from a public way, including all directional, parking related or any other signs as defined and regulated by this ordinance.
4. In multiple tenant buildings (two [2] or more tenants}), there shall be a collective sign or free standing collective sign post that consolidates the signs for all of the individual tenants in the building. A multiple-tenant building shall have not more than one (1) collective sign or free standing collective sign post for each side of the building that faces a † public way and there shall be no more than one (1) collective sign or free standing collective sign post located on any individual side of a building that faces a public way. Each individual business with its own outside entrance may have one additional business sign at its entrance, as set forth in section D below. All signs permitted under this subsection shall be subject to the total size limitation set forth in Subsection D of this Section, (C.4 adopted April 5, 2003 Annual Town Mtg.) and the Town shall not be responsible for allocating the amounts of allowable sign area among various tenants.

D. Size Restrictions

Business and Residential Signs shall not exceed the following standards. Sign area shall include the combined area of free standing signs and signs attached to buildings, as well as any signs permitted on collective signs or free standing collective sign posts in accordance with the requirements of Subsection C of this Section. (Revised April 5, 2003 ATM.)

1. Residential Districts

In the One-Family Residential District, Residential District, Rural Residential District 1, Rural Residential District 2, and Perkins Cove Residential District: Two square feet.

2. Business Districts

a. In the Downtown Business District, General Business District 1, and General Business District 2:

- i. If there is only one business on the lot the maximum sign area shall be 40 square feet.
- ii. If there is more than one business on the lot and all businesses are accessed from the outside by common entrances and exits and no business is directly accessed from the outside, the maximum sign area for all tenants combined shall be 40 square feet, and all signage shall be combined on a collective sign or freestanding collective sign post, as set forth in section C.4 above.

- iii. If there is more than one business on the lot, and one or more businesses are directly accessed from the outside, then there ~~may~~ shall be no more than 40 square feet of sign area total signage on the collective sign or freestanding sign post, for all tenants, identifying the building, lot or development, and eEach business which is directly accessed from the outside may have one (1) additional sign indicating its entrance, with no more than 6 square feet of sign area at its entrance.
- b. Limited Business District, Perkins Cove Limited Business District, and Ogunquit Beach Business District:
- i. If there is only one business on the lot the maximum sign area shall be 12 square feet.
 - ii. If there is more than one business on the lot and all businesses are accessed from the outside by common entrances and exits and no business is directly accessed from the outside, the maximum sign area shall be 12 square feet.
 - iii. If there is more than one business on the lot, and one or more businesses are directly accessed from the outside, then there ~~may~~ shall be no more than 12 square feet of sign area total signage on the collective sign or freestanding sign post, for all tenants, identifying the building, lot or development, and eEach business which is directly accessed from the outside may have one (1) additional sign indicating its entrance, with no more than 6 square feet of sign area at its entrance.
3. Farm District: 40 square feet.
4. Residential Developments:
- A residential neighborhood, development or subdivision with clearly defined geographical boundaries may have one (1) sign located at the primary entrance not to exceed twelve (12) square feet. (Adopted November 6, 2001)

E. Advertising Signs

Advertising signs may be erected and altered without a permit from the Town Planner or Code Enforcement Officer. Business and Residential Signs shall require a permit, however. Advertising signs shall meet the following restriction:s-

~~1. Materials~~

~~Advertising signs which are outside of a building shall be made of wood, metal or high density urethane board and may include raised or appliquéd wooden lettering or other graphics or shall be enclosed by a durable weatherproof material such as glass, vinyl material or acrylic. The~~

~~finished graphics of these signs may be carved, painted or or a vinyl material that resembles paint. Signs may not be surfaced with fluorescent or day-glow colors or other reflective material. Gold leaf is permitted. (Amended June 11, 2002)~~

~~2. Aggregate Sign Area~~

~~The aggregate sign area of all advertising signs for an establishment shall not exceed six square feet and no advertising sign shall have any dimension greater than three feet. No window shall have more than 15% of its area covered with advertising signs.~~

F. Nonconforming Signs

- ~~1. Any sign or part thereof, legally existing prior to April 4, 1998, which does not conform to the requirements of this Section may continue and may be maintained, but may not be extended, reconstructed, enlarged or altered. Any sign replacing a nonconforming sign shall conform to the provisions of this Section, and thereafter the nonconforming sign shall not be displayed. Unless the owner of a sign which does not meet the terms of this Section can provide documentation that the sign conformed to all requirements at the time of its erection, the sign shall be made to comply with all the provisions of this Section by April 7, 1999.~~
2. Removal of nonconforming signs from properties with multiple-tenant buildings. The Town has hereby determined that there has been a proliferation of signs on lots that contain multiple tenant buildings. This proliferation has had a deleterious effect upon the aesthetics of the neighborhoods in which such buildings are located and in some cases may cause traffic safety problems with traffic circulation either on the site or on adjoining streets or both. Based upon these problems and notwithstanding the provisions of Subsection F.1 of this Section, any sign or signs that are located on a lot that contains a multiple tenant building must be brought into compliance with all applicable requirements for collective signs set forth in this Section. Such signs must be in full compliance with these requirements within one year from the effective date of these amendments. (Section F.2 Adopted April 5, 2003 at the ATM)



CERTIFICATION NOTICE

A Petition was turned into the Clerk's Office, on March 8, 2010, by Dr. Herbert Hoffman on behalf of himself and others. (See attached).

A verification of signatures obtained on said Petition has been completed as of this date. A total of **85** signatures were collected, on the Petition, with **80** being declared valid, registered voters. This meets the requirement of ten-percent (10%) of the votes cast in the last gubernatorial election (**788/79**) held on November 7, 2006, in the Town of Ogunquit.



Judy S. Kagiery, Town Clerk/Registrar

Dated: March 11, 2010

PROPOSED WARRANT ARTICLE 13

Town of Ogunquit, Maine

Annual Meeting Warrant

To determine whether the Town of Ogunquit, Maine will vote to approve the following resolution regarding the expenditure of \$369,000. of residents' tax money for U.S. federal government war expenditures.

A Resolution of the Town of Ogunquit, Maine to end the expenditure of our citizens' tax dollars for excessive, destructive, unnecessary warfare funding by the U.S. Congress.

Whereas,

1. the financial resources available for use by governments at the local, county, state and federal levels in the United States are and must be limited, and
2. an inordinate and wasteful level of military expenditure is being made by the U.S. federal government for pointless, illegal and destructive warfare in Iraq, Afghanistan and Pakistan, and
3. the people of the Town of Ogunquit, Maine are collectively paying approximately \$369,000. dollars per year of their limited financial resources for such warfare which supplies no identified public benefits, and
4. this warfare creates great and unnecessary harm to the people of the nations of Iraq, Afghanistan and Pakistan and to U.S. military personnel and their families, and
5. education services, infrastructure repairs, other essential public services, and family and private-sector financing in the Town of Ogunquit, and throughout the State of Maine, have been and are being substantially reduced in order for an excessive portion of available financial resources to be diverted from the constructive economy to destructive warfare,

Now, therefore, be it resolved that the Town of Ogunquit, Maine commands Maine's member of the U.S. House of Representatives from the First Maine Congressional District to oppose all legislation brought before the U.S. House of Representatives that provides further funding of the U.S. warfare and U.S. military occupation in Iraq, Afghanistan and Pakistan, and the Town of Ogunquit, Maine also demands that this member of Congress take strong and forceful action to influence the full U.S. House of Representatives to terminate funding of these military operations.

Herb Hoffman

3/12/2010

OGUNQUIT

Beautiful Place by the Sea

CERTIFICATION NOTICE

A Petition was turned into the Clerk's Office, on March 10, 2010, by Seth Driggin and Carla Bashaw and Richard Dolliver on March 11, 2010 on behalf of themselves and others. (See attached).

A verification of signatures obtained on said Petition has been completed as of this date. A total of **91** signatures were collected, on the Petition, with **85** being declared valid, registered voters. This meets the requirement of ten-percent (10%) of the votes cast in the last gubernatorial election (**788/79**) held on November 7, 2006, in the Town of Ogunquit.



Judy S. Kagiery, Town Clerk/Registrar

Dated: March 11, 2010