

WARRANT FOR A SPECIAL TOWN MEETING

OF THE

TOWN OF OGUNQUIT

GREETINGS:

In the name of the State of Maine, you are hereby requested to notify and warn the Inhabitants of the Town of Ogunquit, qualified by law to vote in Town affairs, to meet in the Dunaway Community Center on School Street in said Town on Tuesday, December 19, 1989, A.D. at seven o'clock in the evening, then and there to act on Articles 1 through 9:

ARTICLE 1: To elect a Moderator to preside over said Meeting.

ARTICLE 2: Shall the Town vote to adopt the following Alarm Ordinance and to include it as Chapter 3 in Title II of the Ogunquit Municipal Code?

301 Definitions

For the purposes of this Chapter, the following definitions shall apply unless the context clearly states otherwise:

(A) Alarm Agent means any employee or representative of an alarm business whose duties include installing, servicing, or repairing alarm systems located within the Town of Ogunquit.

(B) Alarm Business means any person who is in the business of installing, servicing, repairing or monitoring alarm systems located within the Town of Ogunquit.

(C) Alarm User means any person whose property is protected by an alarm system located within the Town of Ogunquit.

(D) Alarm System means any mechanism or device designed for the detection of unauthorized entry upon any property, other than motor vehicles or vessels, fire, medical, or police call, and which, when activated, emits an audio, visual, electronic or other signal.

(E) Central Station means any telephone answering or similar supervised intermediary message service.

(F) Chief means the Chief of Police/Chief of Fire Department for the Town of Ogunquit or a designee thereof.

(G) False Alarm means any alarm signal which is not in response to an actual or attempted unauthorized entry, fire, police call requiring immediate Police or Fire response. "False Alarm" includes signals emitted by a negligently activated alarm system, or by an alarm system deliberately activated when an immediate Police or Fire response is not required, or by a malfunctioning alarm system. However, "false alarm" does not include signals emitted by an alarm system activated by unusually severe weather conditions or other causes beyond the control of the alarm user. It shall be the burden of the alarm user to demonstrate to the satisfaction of the chief(s) that an alarm signal was the result of such extraordinary cause.

(H) Person means any individual, firm or corporation.

302 Licenses

(A) Alarm Agents and Alarm Businesses. No person shall be an Alarm Agent or engage in the Alarm Business without a license. The license shall be carried on the person of every alarm agent while in the course of employment, and shall be prominently displayed by every alarm business at its principal place of business.

(B) Alarm Users. No person shall be an alarm user without a license. However, in the case of persons who are already alarm users on the effective date of this Chapter, this provision shall not take effect until ninety (90) days thereafter. Only one (1) license shall be required for an alarm user with more than that one alarm system at the same location or for an alarm user with an alarm system at more than one location if an alarm system is required by law.

(C) Applications. Applications for licenses shall be filed with the Chief(s) on a form prescribed for that purpose.

(D) Investigations; inspections. In the case of applications for alarm agent or alarm business licenses, the Chief(s) shall investigate the applicant's qualifications and fitness for the license. In the case of applications for alarm user licenses, the applicant shall file with the application a signed statement by a licensed alarm agent that the alarm system has been inspected and is in proper working order.

(E) Issuance; standards for denial. Upon receipt of a completed application, and in the case of applications for alarm agent or alarm business licenses, and upon completion of the Chief(s) investigation, the Chief(s) shall issue the license unless the Chief(s) finds that:

- (1) the applicant has knowingly or intentionally omitted or falsified information in the application; or
- (2) the applicant has previously violated any provision of this Chapter; or
- (3) in the case of applications for an alarm agent or alarm business licenses, the applicant (a) lacks the ability or expertise to perform satisfactorily the work of an alarm agent or alarm business; or (b) has been convicted of any offense involving burglary, theft, arson or fraud.

(F) Expiration. Alarm agent, alarm business and alarm user licenses shall be valid for no more than two (2) years, and shall expire bi-annually on January 1.

(G) Grounds for suspension or revocation; hearings. The Chief(s) may, after notice and hearing, suspend or revoke a license if:

- (1) the licensee had subsequently violated any provision of this Chapter; or
- (2) in the case of alarm agent or alarm businesses, the licensee is convicted of any offense involving burglary, theft, arson or fraud.

(H) Decision. The decision to deny, suspend, or revoke a license shall be made in writing, shall state the reason or reasons for the decision, and shall inform the applicant or licensee of the right to appeal.

(I) Appeals; fee. Any applicant who is denied a license, and any licensee whose license is suspended or revoked, may appeal to the Board of Selectmen by filing a written Notice of Appeal with the Chief(s) within seven (7) days of the decision. The Notice of Appeal shall state the basis for the appeal and shall be accompanied by payment of an appeal fee of \$10. A hearing shall be held by the Board within thirty (30) days after the filing of the Notice of Appeal. The Chief(s) shall give written notice of the hearing to the applicant or licensee at least five (5) days before the hearing. The Board may, after hearing, affirm, reverse or modify the Chief(s) decision.

ARTICLE 2: (Continued)

303 Audible Alarm Systems

No alarm user shall maintain any audible alarm system which sounds for more than fifteen (15) minutes when activated. However, in the case of any such alarm system which, in fact, sounds for more than fifteen (15) minutes when activated, the alarm user or designee shall respond within one (1) hour of Police/Fire notice to deactivate the alarm system.

304 Direct Connections to the Ogunquit Communications Center

No alarm user shall maintain any direct connection from an alarm system to the Communication Center.

305 Automatic Dialing Devices

Any alarm system may be connected to any central station by an automatic dialing device, but no such device shall connect any alarm system to the Communication Center.

306 False Alarm Penalties

(A) For Alarm Users

- (1) First response. For the first response to a false alarm within any calendar year, the Chief(s) shall give a written notice of the false alarm to the alarm user within three (3) days.
- (2) Second response. For the second response to a false alarm within any calendar year, the Chief(s) shall give written notice of the false alarm to the alarm user within three (3) days, and the alarm user shall file a written report with the Chief(s) within three (3) days thereafter stating the cause of the false alarm, if known, and describing corrective action taken, if any.
- (3) Third, fourth, and fifth responses. For the third, fourth, and fifth responses to a false alarm within any calendar year, the alarm user shall, upon demand, pay a penalty of \$25, and shall, in the case of any equipment failure, file with the Chief(s) within three (3) days of notice to do so a signed statement by a licensed alarm agent that the alarm system has been inspected and is in proper working order. In the case of human error or other cause, the alarm user shall file a written report with the Chief(s) describing corrective action taken, if any.
- (4) Sixth and subsequent responses. For the sixth and subsequent responses to false alarm within any calendar year, the alarm user shall, upon demand, pay a penalty of \$50.

(B) Grace Period for New Alarm Systems

For purposes of this section, the calendar year shall not include the first thirty (30) days following the date of installation of any alarm system installed after the effective date of this Chapter.

307 Inspections by Chief(s)

The Chief(s) may inspect or cause to be inspected any alarm system or any property protected by an alarm system at all reasonable times to ensure compliance with the provisions of this Chapter.

308 Rules

The Chief(s) may promulgate all reasonable rules not inconsistent with this Chapter to carry out the purposes and provisions thereof. Such rules shall be issued in writing and shall take effect no less than thirty (30) days following the date of issuance unless sooner suspended by the Board of Selectmen.

309 Violations

A violation of any provisions of this Chapter, including the failure to pay any false alarm penalty, shall be punishable by a penalty of

ARTICLE 2: (Continued)

309 not less than \$50 nor more than \$500. Each day's violation shall be deemed a separate offense.

310 Severability

If any provision of this Chapter is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, the surviving provisions shall not be affected thereby.

ARTICLE 3: Shall the Town vote to extend the expiration date of the present Ogunquit Public Sewer Usage Limitation Ordinance (Title II, Chapter 6, of the Ogunquit Municipal Code) from December 31, 1989 until December 31, 1990?

ARTICLE 4: Shall the Town vote to authorize the Board of Selectmen, on behalf of the Town, to take whatever actions are necessary for the Town to become a member of the Maine Municipal Association Property and Casualty Risk Pool, including but not limited to the execution of any contract required for such membership and the payment of any required fees or charges? The authority granted herein shall continue until revoked?

ARTICLE 5: Shall the Town vote to transfer the sum of \$25,235 from undesignated fund balance and authorize its use to pay fees or charges required for membership in the Maine Municipal Association Property and Casualty Risk Pool for the first six (6) months of 1990?

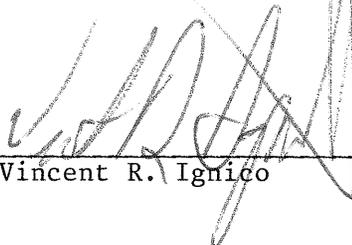
ARTICLE 6: Shall the Town vote to authorize the Board of Selectmen, on behalf of the Town, to enter into a Ground Lease Agreement with the Perkins Cove Fisherman's Association for the use of the ground under which the Bait Building sits at the Bait Wharf at Perkins Cove?

ARTICLE 7: Shall the Town vote to transfer the sum of \$3,000 from the Beach Maintenance Account to the Perkins Cove Account?

ARTICLE 8: Shall the Town vote to transfer the sum of \$4,200 from the Beach Maintenance Account to the Insurance Account and to authorize its use, along with the remaining funds in the Insurance Account, to pay additional premium costs for worker's compensation insurance in 1989?

ARTICLE 9: Shall the Town vote to authorize the transfer of a small structure, otherwise known as the Winn House Ell, to Larry Stevens for One Dollar (\$1.00) and other Valuable Considerations already paid?

The Board of Selectmen hereby give Notice that the Meeting will be held at seven o'clock in the evening of said day. Given under our hands this eighth day of December, 1989 A.D.



Vincent R. Ignico



Steven R. Einstein, Chairman



Larry E. Stevens

TOWN OF OGUNQUIT
BOARD OF SELECTMEN

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

ss:

Pursuant to 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 eighth day of December, 1989 A.D., a copy of the within Warrant at the Dunaway Community Center, Village Food Market and the Ogunquit Post Office, those being three (3) conspicuous and public places in said Town.



William P. Hancock, Jr., Chief of Police
TOWN OF OGUNQUIT

A TRUE COPY:
ATTEST: 

Madeline D. Brown, Town Clerk CMC