

**WARRANT RETURN
FOR THE
SPECIAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT
Tuesday, November 2, 2010**

The Annual Town Meeting was called to order by Town Clerk Judy Shaw-Kagiliery with the Reading of the Call, Return and First Article. The polls were declared open at 8:00 AM.

Cynthia Douglass, Blanche Feinberg, Frederica Hart, Leila Kupper, Tracy-ann Leach served as Ballot Clerks/Counters. A total of 766 votes were cast. A total of 770 voters cast a ballot.

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.]

Christine L. Murphy was elected as Moderator.

Article 2: Shall the Town vote to transfer the sum of \$40,000 [Forty Thousand Dollars] from undesignated fund balance for the road drainage project for Grasshopper Lane? (Note: If this article is defeated, the appropriation for this item shall be \$0 pursuant to Section 503 of the Town Charter.)

YES - 553 NO - 194

Article 3: Shall the Town vote to transfer the sum of \$11,664 [Eleven Thousand Six Hundred and Sixty-Four Dollars] from undesignated fund balance to cover the expense of installing updated Police Communications Equipment? (Note: If this article is defeated, the appropriation for this item shall be \$0 pursuant to Section 503 of the Town Charter.)

YES - 587 NO - 167

Article 4: Shall an Ordinance entitled “Public Resources and Conservation”, more specifically referenced as Title IV, Chapter 4 (Beaches) of the Ogunquit Municipal Code, be amended with the addition of the following section 407, Smoking Prohibited at Ogunquit Beaches as set forth herein? [Note: Proposed amendment is underlined.]

ADD:

407 Smoking Prohibited at Ogunquit Beaches

407.1 No person shall smoke tobacco or any other substance on Ogunquit Beaches including Main Beach, Footbridge Beach or North Beach.

Additionally, the discarding of cigarettes and cigar butts onto the ground at Ogunquit Beaches is unsightly, unclean and particularly hazardous to young children and wildlife. Disposal of such tobacco litter is also prohibited.

407.1.1 Enforcement

Prior to issuing a citation for a violation of this section, a police officer or any law enforcement officer or code enforcement officer shall issue one (1) verbal warning to an individual. Failure to comply, after an initial warning, shall merit a fine of \$50.00. In addition, failure to comply after one (1) warning is cause for said fine whether or not the failure or subsequent failures are contemporaneous in time with the initial warning.

EXPLANATION: The municipal officers of the Town of Ogunquit have determined that banning smoking and the improper disposal of tobacco products in Ogunquit beach areas is necessary to protect the health, safety and welfare of Ogunquit residents and visitors.

YES - 543 NO - 213

Moderator Murphy closed the polls at 8:00PM and the counting of ballots commenced. The Moderator declared the Election officially adjourned at 11:00 PM.

Dated: November 3, 2010

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

Office of the Town Clerk