

AGENDA
MEETING OF THE OGUNQUIT SELECT BOARD
TUESDAY, SEPTEMBER 5, 2017

- 1.0 COMMITTEE INTERVIEW - 5:45PM
- 2.0 Comprehensive Plan

- 2.0 CALL TO ORDER: 6:00PM
- 2.1 Roll Call of Members
- 2.2 Pledge of Allegiance
- 2.3 Select Board Minutes - August 15, 2017

- 3.0 REPORTS
- 3.1 Town Manager

- 4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS, PRESENTATIONS
- 4.1 Budget Review Committee - Reappointment
- 4.2 Comprehensive Plan - New Appointment
- 4.3 Parking Meters Test Project - Gene McSweeney and Ray Hamlin (Visitor Services)

- 5.0 CITIZEN COMMENTS (For town topics not on the agenda)
The Select Board welcomes public comments and questions about Town-related issues that are not on the agenda. We ask that people keep comments on point and within 3 minutes.

- 6.0 PUBLIC HEARINGS
- 6.1 Maxwell's Pub - Malt, Spirituous & Vinous Liquor License Renewal Application
- 6.2 Maxwell's Pub - Amusement License Renewal Application
- 6.3 An Ordinance to Amend Ogunquit Zoning Ordinance, Title X, Article 7; Section 7.2.G - Land Use Controls: Retail Marijuana Prohibition
- 6.4 Amendments to the Ogunquit Zoning Ordinance, Title X, - Shoreland Zoning Standards (Section 9.15)(available at www.townofogunquit.org Special Town Meeting Documents)
- 6.5 Amendments to Title VI -Bicycle and Other Wheeled Goods and Pedestrian Ordinance

7.0 UNFINISHED BUSINESS

7.1 Select Board Rules - Pat Finnigan, Town Manager

Select Board Discussion and Action on the "Select Board Rules"

8.0 NEW BUSINESS

8.1 Consideration and Award of Bid for Codification of the Town Ordinances - Pat Finnigan, Town Manager

Select Board Review and Action on the Award of the Bid for Codification Services for the Town of Ogunquit

8.2 Consideration of Revocable License Agreement with Dunelawn Condominium Association - Scott Heyland, Code Enforcement Officer

Select Board Consideration of Entering into a Revocable License Agreement with Dunelawn Condominium Association

8.3 Proposed Amendments to the Ogunquit Zoning Ordinance - Scott Heyland, Code Enforcement Officer

Select Board Review and Action on the Request from the Planning Board for the Placement of Proposed Amendments on the Warrant for the November 7, 2017 Special Town Meeting

A. An Ordinance to Amend Ogunquit Zoning Ordinance, Title X, Article 7; Section 7.2.G - Land Use Controls: Retail Marijuana Prohibition

B. Amendments to the Ogunquit Zoning Ordinance, Title X, - Shoreland Zoning Standards (Section 9.15) (available at www.townofogunquit.org Special Town Meeting Documents)

8.4 Proposed Amendments to Title VI -Bicycle and Other Wheeled Goods and Pedestrian Ordinance

Select Board Review and Action on the Request from the Bicycle Pedestrian Committee for the Placement of the Proposed Amendments on the Warrant for the November 7, 2107 Special Town Meeting

8.5 Municipal Officers Certification of Official Text of Secret Ballot Referendum Questions - Pat Finnigan, Town Manager

Select Board Review and Action on the Certification of Official Text for the November 7, 2017 Special Town Meeting

A. An Ordinance to Amend Ogunquit Zoning Ordinance, Title X, Article 7; Section 7.2.G - Land Use Controls: Retail Marijuana Prohibition

B. Amendments to the Ogunquit Zoning Ordinance, Title X, - Shoreland Zoning Standards (Section 9.15)

C. Amendments to Title VI -Bicycle and Other Wheeled Goods and Pedestrian Ordinance

8.6 Consideration of Issuing a Request for Proposals for Legal Services - Pat Finnigan, Town Manager

Select Board Review and Action on the RFP for Legal Services

8.7 Consideration of Issuing a Request for Proposals for Engineering Services - Pat Finnigan, Town Manager

Select Board Review and Action on the RFP for Engineering Services

8.8 Set September 12, 2017 for a Select Board Special Meeting to discuss the Tax Overlay and to set the 2017-2018 Tax Rate - Pat Finnigan, Town Manager

9.0 OTHER BUSINESS

9.1 Select Board Reports and Announcements

11.0 ADJOURNMENT



COMMITTEE
INTERVIEWS

Received in the
Town Clerk's Office
on 08/17/2017
at 8:10

**TOWN OF OGUNQUIT, MAINE
TOWN CLERK'S OFFICE**

Rec. by ALM
Town Clerk

23 School Street, PO Box 2122, Ogunquit, Maine 03907
Telephone: (207) 646-9546 Fax: (207) 646-5920

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

New Re-Appointment Appointment from Alternate to Full Member

PLEASE ANSWER ALL QUESTIONS ON THE FORM

NAME: Peter J. Kahn
RESIDENCE: 3 Tern St Ogunquit ME 03907
MAILING (if different): Ogunquit, ME 03907
E-MAIL ADDRESS: _____ PHONE: _____

Please check your choices and list in order or priority by marking 1, 2, 3, etc.

- | | |
|--|--|
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Parks & Recreation Committee |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Performing Arts Committee |
| <input checked="" type="checkbox"/> Comprehensive Plan | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Harbor Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Heritage Museum Committee | <input type="checkbox"/> Shellfish Conservation Commission |
| <input type="checkbox"/> Historic Preservation Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Marginal Way Committee | <input type="checkbox"/> Other _____ |

RELATED EXPERIENCE (including other Boards/Commissions) None

I am a: (check those that apply)

Year- Round Resident Summer Resident Ogunquit Property Owner
 Registered to Vote in Ogunquit

PLEASE SPECIFY REASON FOR APPLICATION TO THIS BOARD: Concern for the future of the town

Please Circle

I have not attended at least two (2) meetings of the Board for which application is being made. I agree to attend all meetings, except in case of sickness or emergency, and will advise the Chairperson when I am unable to attend, if appointed.

Peter Kahn
Signature of Applicant

Attended one meeting
Date

TOWN OF OGUNQUIT, MAINE
Received in the
Town Clerk's Office
on August 30, 2017
at 1:45 pm

TOWN OF OGUNQUIT, MAINE
TOWN CLERK'S OFFICE

23 School Street, PO Box 2122, Ogunquit, Maine 03907
Telephone: (207) 646-9546 Fax: (207) 646-5920

Rec. by JM
Town Clerk

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

New Re-Appointment Appointment from Alternate to Full Member

PLEASE ANSWER ALL QUESTIONS ON THE FORM

NAME: SARAH POTTER
RESIDENCE: U
MAILING (if different) N/A ME 03906
E-MAIL ADDRESS Sarah@ogunquit.org PHONE: 207-646-1279
Please check your choices and list in order or priority by marking 1, 2, 3, etc.

- | | |
|--|--|
| <input type="checkbox"/> Bike-Pedestrian Committee | <input type="checkbox"/> Parks & Recreation Committee |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Performing Arts Committee |
| <input checked="" type="checkbox"/> Comprehensive Plan | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Harbor Committee | <input type="checkbox"/> Shellfish Conservation Commission |
| <input type="checkbox"/> Heritage Museum Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Historic Preservation Committee | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Marginal Way Committee | <input type="checkbox"/> Other _____ |

RELATED EXPERIENCE (Including other Boards/Commissions) Executive positions and member of various non-profit boards, planning committee for the HomeMaker's Health Services; owner of real estate subdivision; have experience with select board and planning boards in tourism-focused town.

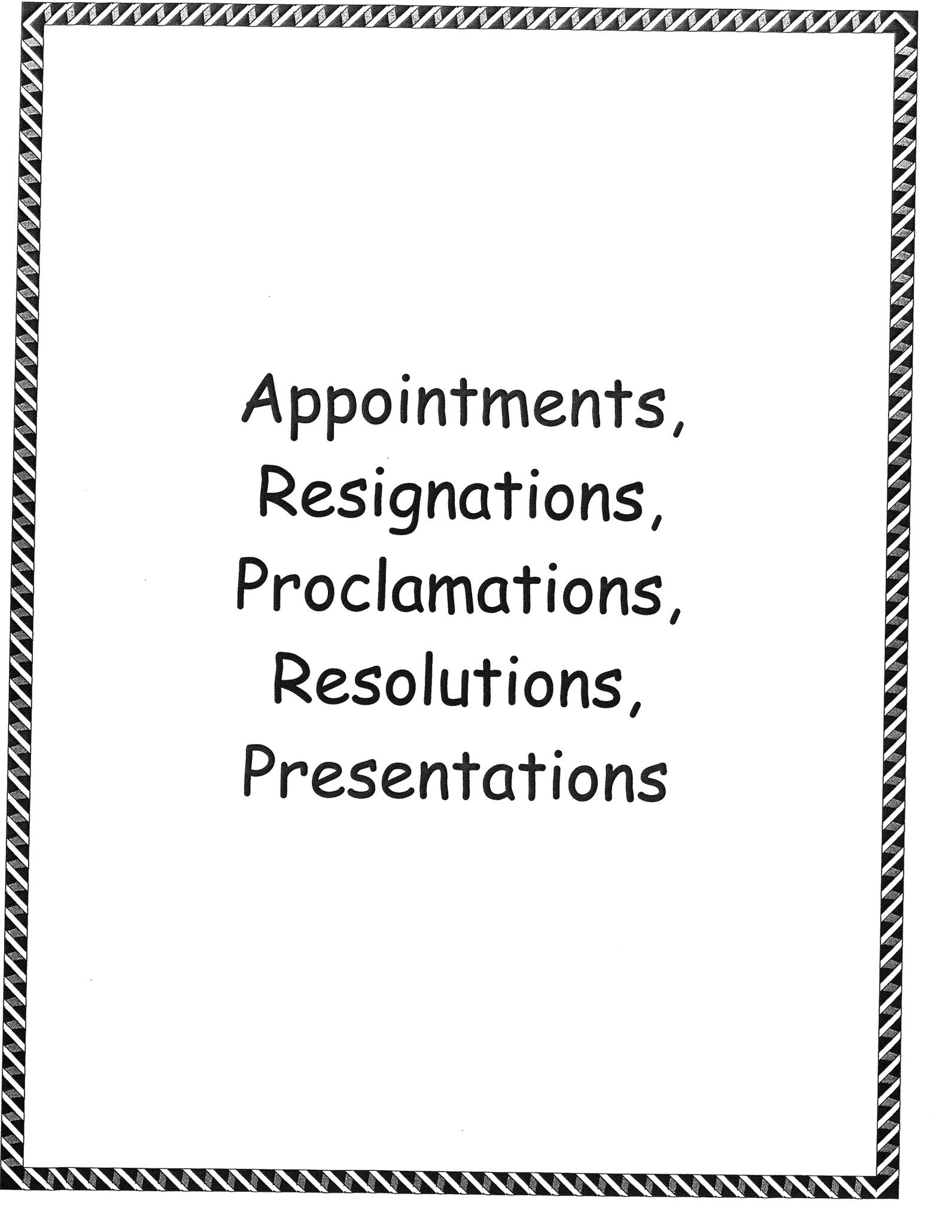
I am a: (check those that apply)
 Year-Round Resident Summer Resident Ogunquit Property Owner
 Registered to Vote in Ogunquit Ogunquit Chamber of Commerce Representative

PLEASE SPECIFY REASON FOR APPLICATION TO THIS BOARD: Genuine interest in participating in the process to build a better Ogunquit; preserving her uniqueness and NATURAL beauty while also mindful of required changes necessary to improve infrastructure and physical needs, while ever mindful of Ogunquit's vision and quality of life.

Please Circle
I have not attended at least two (2) meetings of the Board for which application is being made. I agree to attend all meetings, except in case of sickness or emergency, and will advise the Chairperson when I am unable to attend, if appointed.

Sarah Potter
Signature of Applicant

8/21/17
Date



Appointments,
Resignations,
Proclamations,
Resolutions,
Presentations

TOWN OF OGUNQUIT, MAINE

Received in the

Town Clerk's Office

on 8/30/17
at 9:30

**TOWN OF OGUNQUIT, MAINE
TOWN CLERK'S OFFICE**

Rec. by CLM
Town Clerk

23 School Street, PO Box 2122, Ogunquit, Maine 03907
Telephone: (207) 646-9546 Fax: (207) 646-5920

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

New Re-Appointment Appointment from Alternate to Full Member

PLEASE ANSWER ALL QUESTIONS ON THE FORM

NAME: Lindsey Perry
RESIDENCE: Ogunquit
MAILING (if different) 329 North Village
E-MAIL ADDRESS: _____ PHONE: 207

Please check your choices and list in order or priority by marking 1, 2, 3, etc.

- | | |
|--|--|
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Parks & Recreation Committee |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Performing Arts Committee |
| <input type="checkbox"/> Comprehensive Plan | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Harbor Committee | <input type="checkbox"/> Recycling Committee |
| <input type="checkbox"/> Heritage Museum Committee | <input type="checkbox"/> Shellfish Conservation Commission |
| <input type="checkbox"/> Historic Preservation Committee | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Marginal Way Committee | <input checked="" type="checkbox"/> Other <u>BRC</u> |

RELATED EXPERIENCE (Including other Boards/Commissions) _____

I am a: (check those that apply)

Year- Round Resident Summer Resident Ogunquit Property Owner
 Registered to Vote in Ogunquit

PLEASE SPECIFY REASON FOR APPLICATION TO THIS BOARD: re-application

Please Circle

I have/have not attended at least two (2) meetings of the Board for which application is being made. I agree to attend all meetings, except in case of sickness or emergency, and will advise the Chairperson when I am unable to attend, if appointed.

Signature of Applicant

Date

8/30/17



MUNICIPAL OFFICES

23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875

Website: www.townofogunquit.org
E-mail: info@townofogunquit.org

(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
(207) 646-5920 Fax

Certificate of Appointment

In accordance with Article III, Section 310.2 of the Charter of the Town of Ogunquit, the undersigned municipal officers of the Town of Ogunquit do hereby vote to appoint and confirm:
Lindsey Perry as a Budget Review Committee Member - 1st Alt

Dated: September 5, 2017
Term Expiration: June 30, 2018

OGUNQUIT SELECT BOARD

John M. Daley

Richard A. Dolliver

Madeline S. Mooney

Charles L. Waite, III - Chair

Robert N. Winn, Jr. – Vice Chair

State of Maine
County of York, ss

_____, 2017

Personally appeared the above named Lindsey Perry, who has been duly appointed and confirmed as a Budget Review Committee Member - 1st Alt in said municipality and took the oath necessary to qualify for office and perform the duties thereof for the above-stated term according to law.

Before me,

Christine L. Murphy, Town Clerk
Jo Anne Lepley, Deputy Town Clerk



MUNICIPAL OFFICES
 23 SCHOOL STREET • P.O. BOX 875
 OGUNQUIT, MAINE 03907-0875
 Website: www.townofogunquit.org
 E-mail: info@townofogunquit.org

(207) 646-5139	General Offices
(207) 646-9326	Land Use
(207) 646-9546	Town Clerk
(207) 646-5920	Fax

Certificate of Appointment

In accordance with Article III, Section 310.2 of the Charter of the Town of Ogunquit, the undersigned municipal officers of the Town of Ogunquit do hereby vote to appoint and confirm:
Peter Kahn as a Comprehensive Plan Committee

Dated: September 5, 2017
 Term Expiration: Until Completed

OGUNQUIT SELECT BOARD

 John M. Daley

 Richard A. Dolliver

 Madeline S. Mooney

 Charles L. Waite, III - Chair

 Robert N. Winn, Jr. – Vice Chair

State of Maine
 County of York, ss _____, 2017

Personally appeared the above named Peter Kahn, who has been duly appointed and confirmed as a Comprehensive Plan Committee in said municipality and took the oath necessary to qualify for office and perform the duties thereof for the above-stated term according to law.

Before me,

 Christine L. Murphy, Town Clerk
 Jo Anne Lepley, Deputy Town Clerk



MUNICIPAL OFFICES

23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875

Website: www.townofogunquit.org
E-mail: info@townofogunquit.org

(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
(207) 646-5920 Fax

Certificate of Appointment

In accordance with Article III, Section 310.2 of the Charter of the Town of Ogunquit, the undersigned municipal officers of the Town of Ogunquit do hereby vote to appoint and confirm:

Sarah Potter as a Comprehensive Plan Committee

Dated: September 5, 2017

Term Expiration: Until Completed

OGUNQUIT SELECT BOARD

John M. Daley

Richard A. Dolliver

Madeline S. Mooney

Charles L. Waite, III - Chair

Robert N. Winn, Jr. – Vice Chair

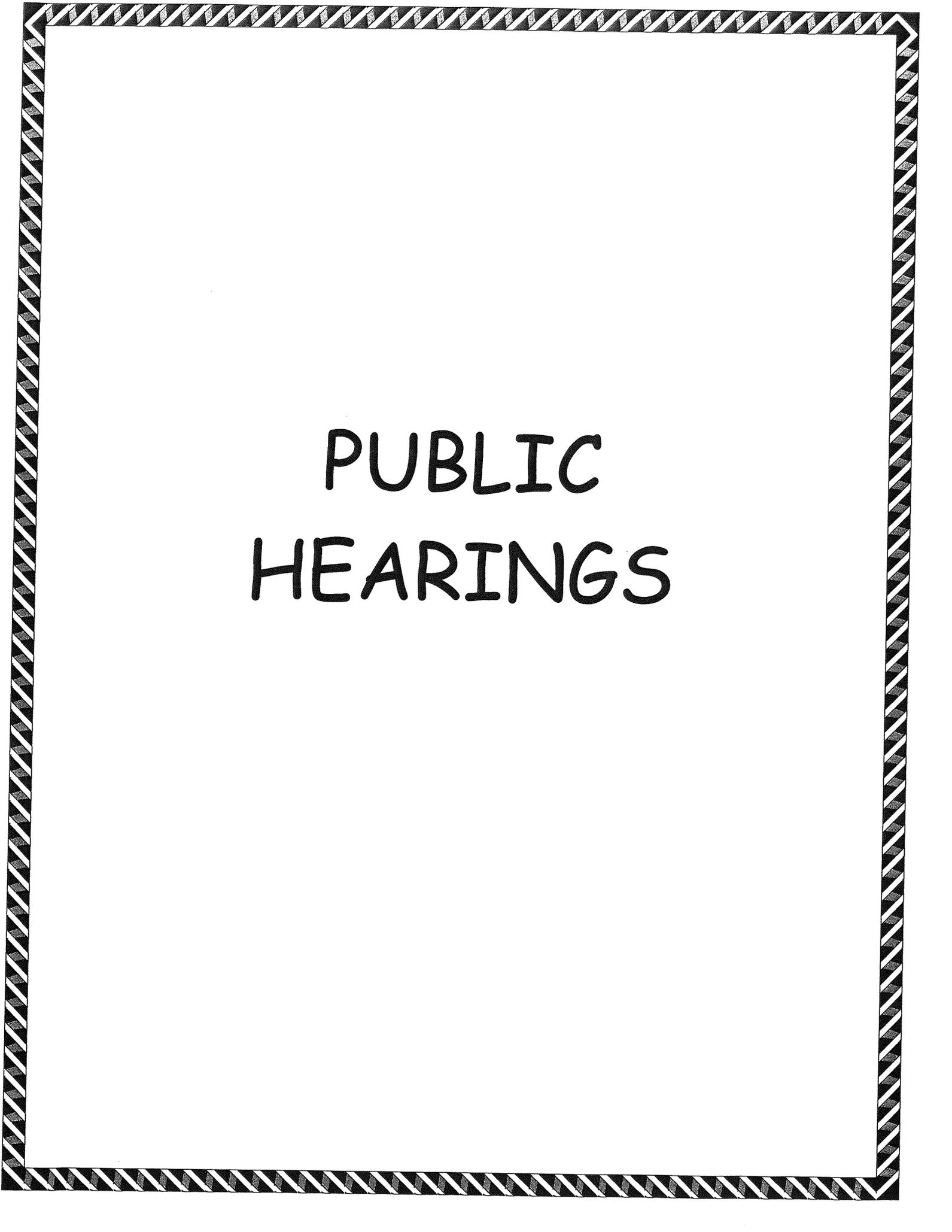
State of Maine
County of York, ss

_____, 2017

Personally appeared the above named Sarah Potter, who has been duly appointed and confirmed as a Comprehensive Plan Committee in said municipality and took the oath necessary to qualify for office and perform the duties thereof for the above-stated term according to law.

Before me,

Christine L. Murphy, Town Clerk
Jo Anne Lepley, Deputy Town Clerk



PUBLIC HEARINGS

7/27/2017
@ 10:00am

OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT LIQUOR LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR: 2017
CURRENT LICENSE EXPIRATION DATE: 9/23/17

BUSINESS NAME: MAXwell's Pub
APPLICANT: Pubs Inc
EMAIL: _____
BUSINESS REG #: 2017-102 ISSUE DATE: 4/4/17 MAP: 007 LOT: 127
OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 134

NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Patricia L. Demudis</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	08-28-2017
Fire Chief	<i>Mark Brown</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8-16-17
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8-16-17

ATTENDANCE AT PUBLIC HEARING IS REQUIRED PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

William E. Hurdick
APPLICANTS SIGNATURE

FOR OFFICE USE ONLY

Application Fee: \$200 Date Paid: 7-14-17 Check/Cash Check #: 11993
 Background Check Fee: \$ 42.00 (\$21.00 per person listed on application)
 Business Reg. Fee: \$150.00 Paid prior to Liquor Application? YES NO
 TOTAL PAID WITH APPLICATION: \$ 242 Received by: *[Signature]*
 (Town Clerk's Office)
 DATE RECEIVED: 8/29/2017

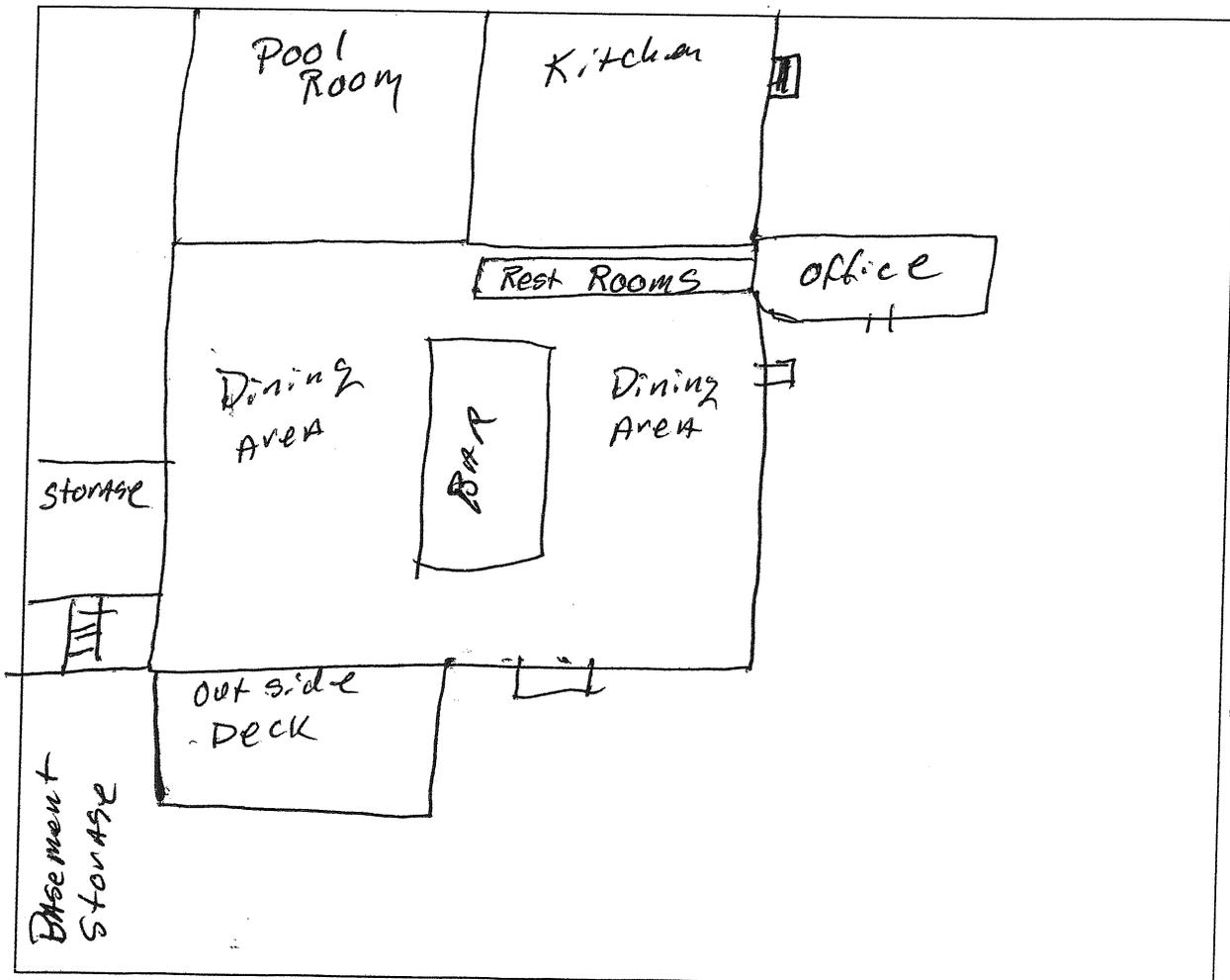
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR:

BUSINESS NAME:

BUSINESS ADDRESS:

BUSINESS PHONE # HOME PHONE #

BUSINESS REG # ISSUE DATE: MAP: LOT:

(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF:

NATURE OF BUSINESS:

FORM OF ENTERTAINMENT: (Please be specific)

APPLICANT: ADDRESS:

HAS YOUR LICENSE TO CONDUCT THIS BUSINESS EVER BEEN DENIED, SUSPENDED OR REVOKED?
YES NO

If, YES, please explain:

HAVE YOU, ANY PARTNERS OR CORPORATE OFFICERS EVER BEEN CONVICTED OF A FELONY?
YES NO

If, YES, please explain:

NOTE - SPECIAL ATTENTION

APPLICATION MUST BE SUBMITTED NINETY DAYS (90) PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

Please consult Title IX, Chapter 3 of the Ogunquit Municipal Code for all provisions applicable to this license. "Entertainment" is defined as follows in said Code:

"Entertainment shall include dancing by and for patrons, any music, videogames, devices, machines and any other amusement, performance, exhibition, diversion or other activity with an entertainment value whether provided for or used by patrons, independent contractors, employees or proprietors.

Entertainment shall not include televisions or radios nor shall it include "background music" meaning music not involving live performers and not used for dancing and which music is only incidental to the primary activity offered."

ATTENDANCE AT PUBLIC HEARING IS REQUIRED

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business since None

(Insert date when change was made)

William E. Alleshil
PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

1. All applications shall be accompanied by two (2) scale drawings at a scale of one (17") inch to ten (10') feet depicting the floors of the building in which the entertainment is to be located, all entrances and exits and all areas open to patrons indicating in each area the use made by patrons and indicating the floors and areas for which the applicant seeks a license.
2. Applicants for video game entertainment shall present, to scale, floor plans depicting the location and floor area of these devices and the location of the supervisor(s). Machines shall be listed by function and serial number.
3. Applicants for patron dancing entertainment shall present to scale floor plans depicting the location and size of the dance floor(s).
4. Each application shall constitute a new application and all required information must be included. Licenses expire on May 31st of each year.

FOR OFFICE USE ONLY

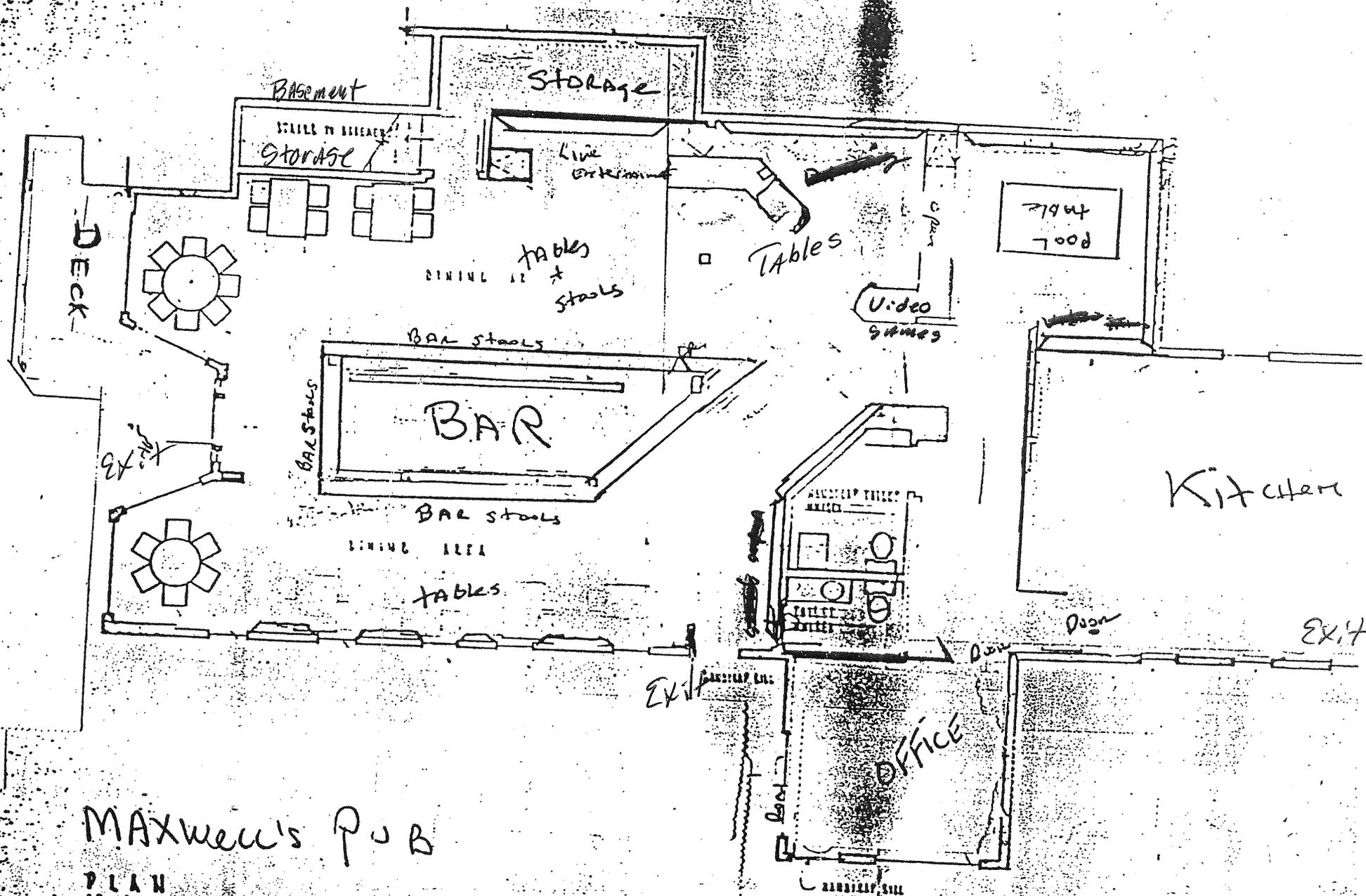
TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief	<u>Patricia L. Amodeo</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>08-23-2017</u>
Fire Chief	<u>Michael O'Brien</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8-21-17</u>
Code Officer	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8-17-17</u>

Received by: CEM Fee\$ 100.00 Date Paid 08/17/17
(Town Clerk's Office)

Check / Cash Cash
Filed with Liquor License Application

Date posted: _____ Date Heard: _____ Date Approved: _____ Date Denied: _____

OGUNQUIT BOARD OF SELECTMEN



MAXWELL'S PUB

PLAN
4-1-88

OGUNQUIT

Beautiful Place by the Sea

NOTICE OF PUBLIC HEARING

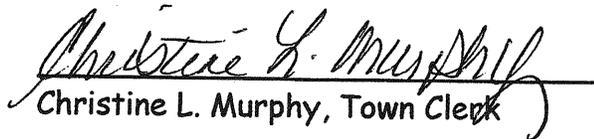
The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, September 5, 2017, in the Auditorium of the Dunaway Community Center, 23 School Street, to consider proposed amendments to be acted upon at the November 7, 2017 Special Town Meeting.

Copies of the proposed ordinances are on file in the Town Clerk's Office or on the Town's website (www.townofogunquit.org)

Amendments to Title VI - Bicycle and Other Wheeled Goods and Pedestrian Ordinance

An Ordinance to Amend Ogunquit Zoning Ordinance, Title X, Article 7; Section 7.2.G - Land Use Controls: Retail Marijuana Prohibition

Amendments to the Ogunquit Zoning Ordinance Title X - Shoreland Zoning Standards (Section 9.15)


Christine L. Murphy, Town Clerk

Posted by: 
Patricia L. Arnaudin, Police Chief

Posted: August 29, 2017
Dunaway Community Center
Ogunquit Post Office
Ogunquit Transfer Station
WOGT



Land Use Office
Post Office Box 875
Ogunquit, Maine 03907-0875

Tel: 207-646-9326
ceooqt@townofogunquit.org

An Ordinance to Amend
Ogunquit Zoning Ordinance
Article 7 Section 7.2.G Land Use Controls

Note: The symbol of " * * * *" indicates that there is missing text that will remain unchanged, which has been left out of this document for the purpose of brevity. Underlines indicate proposed language to add, and strikeouts indicate proposed removals of language.*

G. Retail Marijuana Prohibition

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, as either a principal use or an accessory use, are expressly prohibited in Ogunquit.

No person or organization shall develop or operate a business that engages in retail sales of marijuana or any retail marijuana-product, both as defined by 7 M.R.S.A. § 2442.

Maine Marijuana Legalization Act Enforcement Summary

MRSA 7 §2442 (22) Definition of Marijuana under the MLA:

Marijuana is:

- The leaves, stems, flowers, seeds of all species of the plant whether growing or not.

Marijuana Concentrate:

- The resin extracted from any part of the plant genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation from such resin including hashish. In determining the weight of the marijuana concentrate, the weight of other ingredients used to make a marijuana product may not be included.
- *Note: this definition of marijuana *does not apply to minors or juveniles in possession*. See MRSA 15 §3103(1); and MRSA 22 §2383(1)(A).

MRSA 7 §2452: Adults:

A person 21 years of age or older may:

- Use, possess or transport marijuana accessories and use, possess or transport up to 2 ½ ounces of marijuana or a combination of marijuana and marijuana concentrate which may include *no more than 5 grams of marijuana concentrate*.
- Transfer or furnish, without remuneration, up to 2 ½ of marijuana or a combination of marijuana and marijuana concentrate, which may include no more than 5 grams of marijuana concentrate.
- Possess, grow, cultivate process or transport up to 6 flowering plants, 12 immature plants, and unlimited seedlings, and possess all the marijuana produced by the plants at the adult's residence.

MRSA 7 §2452(6): Personal Use Violation:

Violation of this section is civil and no more than \$100 fine is allowed.

- A person 21 years of age or older may consume marijuana or marijuana concentrate only if that person is:
 - In a private residence, including curtilage; or
 - On private property, not generally accessible to the public; with explicit permission from the property owner.
 - Except day care facilities or in a workplace designated smoking areas as provided under the Workplace Smoking Act of 1985.
- The operator of a vehicle on a public way or a passenger in a vehicle *may not* consume marijuana or marijuana concentrate. Vehicle is defined as T 29-A, §101 (91).

- **Vehicle.** "Vehicle" means a device for conveyance of persons or property on a way. "Vehicle" does not include conveyances propelled or drawn by human power or used exclusively on railroad tracks or snowmobiles as defined in Title 12, section 13001 or an electric personal assistive mobility device.

MRSA 7 §2452(7): Possession of Certain Edibles:

- Until February 1, 2018, a person may not possess edible retail marijuana products. This subsection does not apply to marijuana products purchased for medical use under Title 22 chapter 558-C.

MRSA 22 §2383(1)(A): Minor:

Marijuana possession by a person under 21 years of age:

- Except for medical marijuana, a person under 21 years of age *may not possess* marijuana. A person 18, 19, or 20 years of age who possess a usable amount of marijuana commits a civil violation for which a fine of not less than \$350 and not more than \$600 must be adjudged for possession of up to 1 ¼ ounces of marijuana and a fine of not less than \$700 and not more than \$1,000 must be adjudged for possession of over 1 ¼ ounces to 2 ½ ounces of marijuana none of which may be suspended. *For this section, marijuana has the same meaning as in Title 17-A section 1101, subsection 1:*
 - "Marijuana" includes the leaves, stems, flowers and seeds of all species of the plant genus cannabis, whether growing or not; *but shall not include* the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin including hashish and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, fiber, oil or cake or the sterilized seed of such plant which is incapable of germination.

MRSA 15 §3103 (1): Juvenile:

Juvenile Crimes are:

- The possession of a useable amount of marijuana as provided in Title 22 §2383(1)(A) unless the juvenile is authorized to possess marijuana for medical purposes pursuant to Title 22 Chapter 558-C. Note: this section also uses the above MRSA 17-A §1101(1).
- The use or possession of drug paraphernalia as provided in Title 17-A, section 1111-A subsection 4-B:
 - The person in fact uses drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of \$300 must be adjudged, none of which may be suspended.

- The person possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a scheduled drug in violation of this chapter or Title 22, section 2383. Violation of this paragraph is a civil violation for which a fine of \$300 must be adjudged, none of which may be suspended.
- Illegal transportation of drugs by a minor:
 - "Drug" means a schedule W, X, Y or Z drug as defined in Title 17-A, section 1102. Note: this section also uses the above MRSA 17-A §1101(1).
 - "Minor" means a person who has not attained 21 years of age.
 - Minor may not transport drugs. Unless possession of the drug is expressly authorized by this Title or Title 32, a minor may not:
 - Knowingly transport or knowingly permit to be transported a drug in a motor vehicle under the minor's control.
 - A minor who violates this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged. A forfeiture of not less than \$200 must be adjudged for a 2nd offense and a forfeiture of not less than \$400 must be adjudged for a 3rd or subsequent offense, none of which may be suspended.
 - The court shall suspend the operator's license or right to operate or right to obtain a license of a minor found in violation of this section.
 - If a minor is charged with a violation of this section, the minor may not be charged with a violation of section 2383 or Title 17-A, chapter 45.

Prepared by Scot Mattox
 Traffic Safety Resource Prosecutor
 Maine Bureau of Highway Safety
 March 20th, 2017



Chief Patricia L. Arnaudin

From: MAINELAWOFFICERSBULLETIN@yahoogroups.com on behalf of 'MacMaster, Brian'
brian.macmaster@maine.gov [MAINELAWOFFICERSBULLETIN]
<MAINELAWOFFICERSBULLETIN-noreply@yahoogroups.com>
Sent: Monday, January 30, 2017 6:41 AM
To: .MaineLawOfficersBulletin@yahoogroups. com
(MaineLawOfficersBulletin@yahoogroups.com)
Subject: Marijuana Monday
Follow Up Flag: Follow up
Flag Status: Flagged

Recreational marijuana is now legal in Maine. Here's what you need to know

You have to be 21 or older to possess up to 2.5 ounces, you can't use pot in public and you can't buy it – but you can grow your own.



BY GILLIAN GRAHAM STAFF WRITER

You have to be 21 or older, you can't use it in public and you can't buy it – but you can grow your own.

It's marijuana Monday in Maine.

Today, Maine joins seven other states and the District of Columbia that have legalized marijuana for recreational use, despite federal prohibitions on the drug.

The road to legalization in Maine was bumpy, starting with two competing initiatives and a legal challenge to getting the referendum question on the November ballot. After legalization was approved in a close vote the opponents requested a recount, but after two weeks of hand-counting ballots there was no change in the outcome.

The state is entering a rapidly growing industry expected to reach \$21 billion in sales by 2021. Last year, North American consumers spent \$6.9 billion on legal cannabis products, up 34 percent from 2015, according to a new report from Arcview Market Research.

The transition to legal pot has not always gone smoothly in other states, and Maine lawmakers rushed to address several potential flaws in the voter-approved law before it took effect. On Friday, Gov. Paul LePage signed a bill unanimously approved by the House and Senate to close a loophole that could have allowed people under age 21 to legally possess marijuana. The legislation also prohibits the consumption of marijuana while in a vehicle in operation and delays the start of retail sales until February 2018, giving agencies more time to craft and implement rules governing the industry.

Local government officials have also scrambled to get ready for legal marijuana. Dozens of towns have implemented or considered moratoriums on marijuana sales to give officials time to consider land use regulations. Others have voted to become “dry towns” and forgo marijuana retail shop and social clubs altogether.

Adults may be legally allowed to light up a joint, but some things won’t change: It is still illegal to drive while under the influence of marijuana, to use marijuana products in public and to give them to anyone under 21. And until the state issues licenses, it’s still illegal to purchase marijuana.

So before you light up, here’s what else you need to know now that marijuana is legal in Maine:

Q: When can I start using?

A: Marijuana becomes legal today, Jan. 30, but it is not yet legal for marijuana to be sold.

Q: Can anyone use marijuana legally?

A: No. The law says you have to be 21 years or older.

Q: Can I use as much as I want?

A: No. The law allows an individual to possess as much as 2.5 ounces of marijuana. We’re told you can roll about 60 marijuana cigarettes, or joints, with each ounce. You can also give a friend up to 2.5 ounces as long as you don’t take anything in return.

Q: Can I smoke it anywhere?

A: No. The law prohibits using marijuana in public, whether you smoke it or eat it. You will have two options – smoking in private, such as in your home, or smoking in a state-licensed marijuana social club. You could be fined up to \$100 for using marijuana in public.

Q: Wait, a marijuana social club?

A: The new law allows for state-licensed clubs where customers can use marijuana in a social setting. Proponents say it will provide a place for tourists and others to use the drug legally, an issue that has presented problems in other states.

Q: When can I go to a marijuana store or social club in Maine?

A: Not until at least February 2018. Lawmakers have implemented a moratorium on retail sales to allow time to set up a licensing and regulatory framework.

Q: Will there be stores everywhere?

A: Not necessarily. Maine communities can restrict the locations of the businesses or even ban them outright. Some communities are adopting temporary bans to allow time to consider zoning and other rules, and others are implementing permanent bans to become “dry towns.”

Q: Can't I just buy it from a medical marijuana dispensary or caregiver?

A: No. State-licensed dispensaries and caregivers are only allowed to sell cannabis products to patients who have received a certification from their doctor.

Q: Can I just grow it myself?

A: Yes. An individual is allowed to have six mature plants, 12 immature plants and an unlimited number of seedlings at any given time. You can't grow it where it is visible to others and must prevent access by anyone under 21. Each plant has to be labeled with a tag that includes your name and your Maine driver's license or identification number.

Q: What about workplace drug testing?

A: State officials have said the referendum language is unclear about workplace drug testing, while proponents have said employers will still be able to use drug tests to screen job applicants and existing employees. Employers can forbid employees from coming to work under the influence of marijuana, but standard drug tests do not prove someone is impaired at the time of the test and positive results could reflect marijuana use that occurred weeks before the test was done.

Q: What about smoking pot and driving?

A: It will remain illegal – and dangerous – to drive while intoxicated, whether because of alcohol use or marijuana use. There is no existing test similar to an alcohol Breathalyzer to determine intoxication by marijuana, so police officers will use field sobriety tests and other evidence to determine whether someone has used marijuana before getting behind the wheel.

Q: Can I buy a gun if I use marijuana?

A: No. Federally licensed firearms dealers cannot sell guns to people who use marijuana, even in states where it is legal for recreational or medicinal use. This is because marijuana is illegal on the federal level.

Posted by: "MacMaster, Brian" <brian.macmaster@maine.gov>

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**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

(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.)

Chapter 2 Wheeled Goods and Bicycles

201 Operation

201.1 A person shall not operate ¹any wheeled goods or bicycles ²in an unsafe and hazardous manner so as to endanger the operator or other people or property.

201.2 A person shall not operate ³any wheeled goods or bicycles ⁴so as to impede or hinder traffic.

201.3 A person operating ⁵any wheeled goods or bicycles shall ~~not~~ pass motor vehicles ~~unless the motor vehicles are stopped or nearly stopped, and the operator can pass the other vehicles safely.~~ safely at the person's discretion and own risk. Such passing shall may be to the left or right only while proceeding in the same direction as traffic. Passing a motor vehicle on the left shall only occur when: a) a line of motor vehicles are waiting to make a right-hand turn in the right lane; b) a motor vehicle is stopped in the right lane; and c) a bus is stopped in the right lane.

201.4 ~~A person shall not operate ⁶any wheeled goods on a sidewalk except that young children riding bicycles having wheels. No person shall propel a bicycle and/or a wheeled good on any sidewalk or within any sidewalk area except for children age 10 and under who are accompanied by an adult.~~

201.5 A person operating a wheeled good or bicycle upon a roadway at a speed less than normal speed of traffic moving in the same direction at that time and place shall operate on the right portion of the way as far as practicable except when it is unsafe to do so as determined by the operator of the wheeled good or:

201.5.1 When overtaking and passing another wheeled good operator or bicycle in the same direction;

¹ Section 201.1 – ATM 6-9-2009

² Section 201.1 – STM – 11/3/2009

³ Section 201.2 – ATM 6-9-2009

⁴ Section 201.2 – STM – 11/3/2009

⁵ Section 201.3 – STM – 11/3/2009

⁶ Section 201.4 – STM – 11/3/2009

201.5.2 When preparing to make a left turn at an intersection or into a private road or driveway;

201.5.3 When proceeding straight in a place where right turns are permitted; and

201.5.4 When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, wheeled goods, pedestrians, animals, broken pavement, glass, sand, puddles, ice, surface hazards or opening doors from parallel-parked vehicles, or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow for a bicycle or roller skier and a vehicle to travel safely side by side in the lane.

201.6 Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this Town applicable to a driver of a vehicle, except as to special regulations in this chapter and except to those provisions of laws and ordinances which by their nature can have no applicability.

201.7 The operator of a wheeled good or bicycle emerging from an alley, driveway or curb shall, upon approaching a sidewalk of the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

201.8 No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars (of a bicycle).

202 Parking

202.1 A person shall park a bicycle at racks or designated areas where provided. Otherwise, the person shall park such bicycle in such manner as not to interfere with traffic or pedestrian movement.

202.2 A person shall not park a bicycle in front of or secured to any of the following:

202.2.1 Entrances to buildings or other structures;

202.2.2 Fire Hydrants;

203 Fines and Penalties

203.1 Fines and penalties provided by Maine statutes shall apply for all violations including local ordinances. In addition, the following provisions shall apply for impounded bicycles.

203.2 Where any bicycle has remained parked for any period exceeding twenty-four (24) hours, authorized officials may remove and impound the bicycle. The owner may recover the bicycle upon payment of ten dollars (\$10).

203.3 Where the ownership of an impounded bicycle is known or may be reasonably ascertained, the Chief of Police shall notify the owner that such bicycle has been impounded. Any bicycle not claimed within thirty (30) days shall be considered abandoned, and the Town may dispose of any abandoned bicycle.

204 **Prohibitions**

204.1 No person shall use, ride or operate, or attempt to use, ride or operate ^{7/8}the following wheeled goods (i.e., skateboard, roller skates, roller blades or in-line skates) on U.S. Route One, Shore Road, Beach Street, River Road, Hoyt's Lane, Berwick Road, Perkins Cove Road, Wharf Lane and the ramp between the Upper and Lower Lots, or upon a lawful sidewalk, or upon private property without permission from the property owner. Bicycles are permitted on the aforementioned roads.

⁹All wheeled goods, including bicycles, are not permitted on the Marginal Way.

The operation of ¹⁰all wheeled goods, including bicycles, is permitted within a public parking area, if undertaken in a manner which does not interfere with the flow of traffic associated with vehicular parking and vehicular and pedestrian passage.

204.2 Children age 10 and under who are accompanied by an adult may ride a bicycle or other wheeled good on any sidewalk. Any person over the age of 12 shall not ride a bicycle or other wheeled good on any lawful sidewalk. Any person shall not ride a bicycle or other wheeled good or on Marginal Way, on any private property without permission of the owner, on Ogunquit Beach from May 15 until September 15 of each year, or in a fashion which causes damage to any municipal property. A bicyclist is permitted to walk a bicycle over any grassy area, wooded trail, or any paved surface, including sidewalks, reserved for pedestrian use.

⁷ Section 204.1 – ATM 6/9/2009

⁸ Section 204.1 – STM 11/3/2009

^{9/10} Section 204.1 – STM – 11/3/2009

204.3 Any person convicted of a violation of this Ordinance shall be liable to a penalty of not more than twenty-five dollars (\$25) and may suffer in the sound discretion of the court forfeiture of his/her interest in the ¹¹wheeled goods in question to the Town of Ogunquit for disposition in such manner as the court may direct.

DRAFT

¹¹ Section 204.3 – STM – 11/3/2009

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

(**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.

Chapter 3 Pedestrian Ordinance

301 State Statutes to Apply

~~State statutes~~ Maine State Revised Statutes, Title 29-A regulating pedestrian movement shall apply to all streets in Ogunquit. Penalties provided by Maine State Revised Statutes, Title 29-A statutes shall also apply.

DRAFT

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 4 Prior Ordinance Repealed

401 | Prior inconsistent or conflicting provisions of the "Traffic and Parking Ordinances - Ogunquit Village Corporation", adopted on May 17, 1976, and other ordinances pertaining to traffic, parking, and pedestrians are repealed.

Comment [JT1]: This may need to be changed once this ordinance is repealed and replaced with new language at Town Meeting

DRAFT

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 5 Effective Date

501 The Bicycle and Pedestrian Ordinance shall become effective immediately.
(Adopted by vote of the Board of Overseers on June 3, 1980)

Comment [JT1]: This should be updated based on if/when this is passed via Town Meeting

DRAFT

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 5-A An Ordinance Restricting the Distribution of Commercial Handbills

501-A Title

This Chapter shall be known and may be cited as the “Ordinance Restricting the Distribution of Commercial Handbills.”

502-A Purpose

The purpose of this Ordinance is to protect the public health, safety and welfare by prohibiting the distribution of commercial handbills in certain areas of the Town where that activity has generated serious issues affecting the safety of pedestrians, free flow of vehicular traffic, littering problems that diminish aesthetics and the environment and, regarding aggressive solicitation, protecting the safety and privacy interests of Ogunquit residents and visitors.

503-A Authority

Authority to enact this Ordinance is found generally in the Maine Revised Statutes, 30-A M.R.S.A. § 3009, which authorizes the municipal officers of any Maine municipality to enact an Ordinance protecting sidewalks and public ways, and in the general authority of Maine municipalities to enact ordinances to protect the public health, safety and welfare.

504-A Definitions

As used in this Ordinance, the words listed below shall have the following meanings:

- 504-A.1** Restricted Areas are those areas in Ogunquit where the distribution of commercial handbills has generated serious issues of pedestrian safety, vehicular traffic congestion, and aesthetic and environmental problems from littering and are specifically designated as follows:
- U.S. Route 1 (and extending out 50' feet from the edge of the existing pavement);
 - Shore Road (and extending out 50' feet from the edge of the existing pavement);

Title VI – Bicycle and Pedestrian Ordinance, Chapter 5-A – An Ordinance Restricting the Distribution of Commercial Handbills

- Beach Street (and extending out 50' feet from the edge of the existing pavement);
- Town public parking lots;
- Town MSW transfer station;
- Ogunquit Beach;
- Marginal Way; and
- Within the actual travel way of any public street.

504-A.2 Aggressive Solicitation means to pursue or verbally or physically accost citizens, either intentionally or recklessly, in an effort to pass out, distribute or otherwise disseminate commercial handbills to them where the person being solicited is likely to fear imminent bodily harm or the commission of a crime against his property or is likely to feel intimidated into accepting the commercial handbill.

504-A.3 Commercial Handbills means any written or printed materials promoting or offering for sale or trade any goods or services.

505- A Restricted Activities

505-A.1 No person, firm or corporation shall pass out, distribute or otherwise disseminate commercial handbills in restricted areas to pedestrians or occupants of motor vehicles.

505-A.2 No person, firm or corporation shall engage in aggressive solicitation with regard to passing out, distributing or otherwise disseminating commercial handbills anywhere within the Town.

505-A.3 No person, firm or corporation shall staple or otherwise affix any commercial handbills to any publicly owned property or utility pole in any public right-of-way, nor shall any person, firm or corporation affix commercial handbills to motor vehicles parked anywhere in the Town unless the owner or operator thereof specifically requests or authorizes the same.

506-A Limitations

Nothing in this Ordinance shall be deemed to regulate in any manner distribution or dissemination, whether orally or by printed materials, of any religious, political, community-based, charitable or other noncommercial

message or materials. To the extent a handout or other written material purports both to fall within this section’s exemption and to promote the sale or trade of goods or services, the restrictive provisions of this Ordinance shall apply if it appears from the commercial handbill that a material purpose in such handbill is to promote the commercial sale or trade of goods or services.

507-A Enforcement

This Ordinance may be enforced either by any law enforcement officer or the Town’s Code Enforcement Officer.

508-A Penalties

The penalty for violations of this Ordinance, except where otherwise specified by State law, shall be a fine of not less than One Hundred Dollars (\$100) for a first offense and by a fine of not less than Five Hundred Dollars (\$500) for each subsequent offense by the same person, firm or entity or by another individual on behalf of a person, firm or entity previously found in violation of this Ordinance. Fines collected for violations of this Ordinance shall be recovered for the sole use and benefit of the Town of Ogunquit.

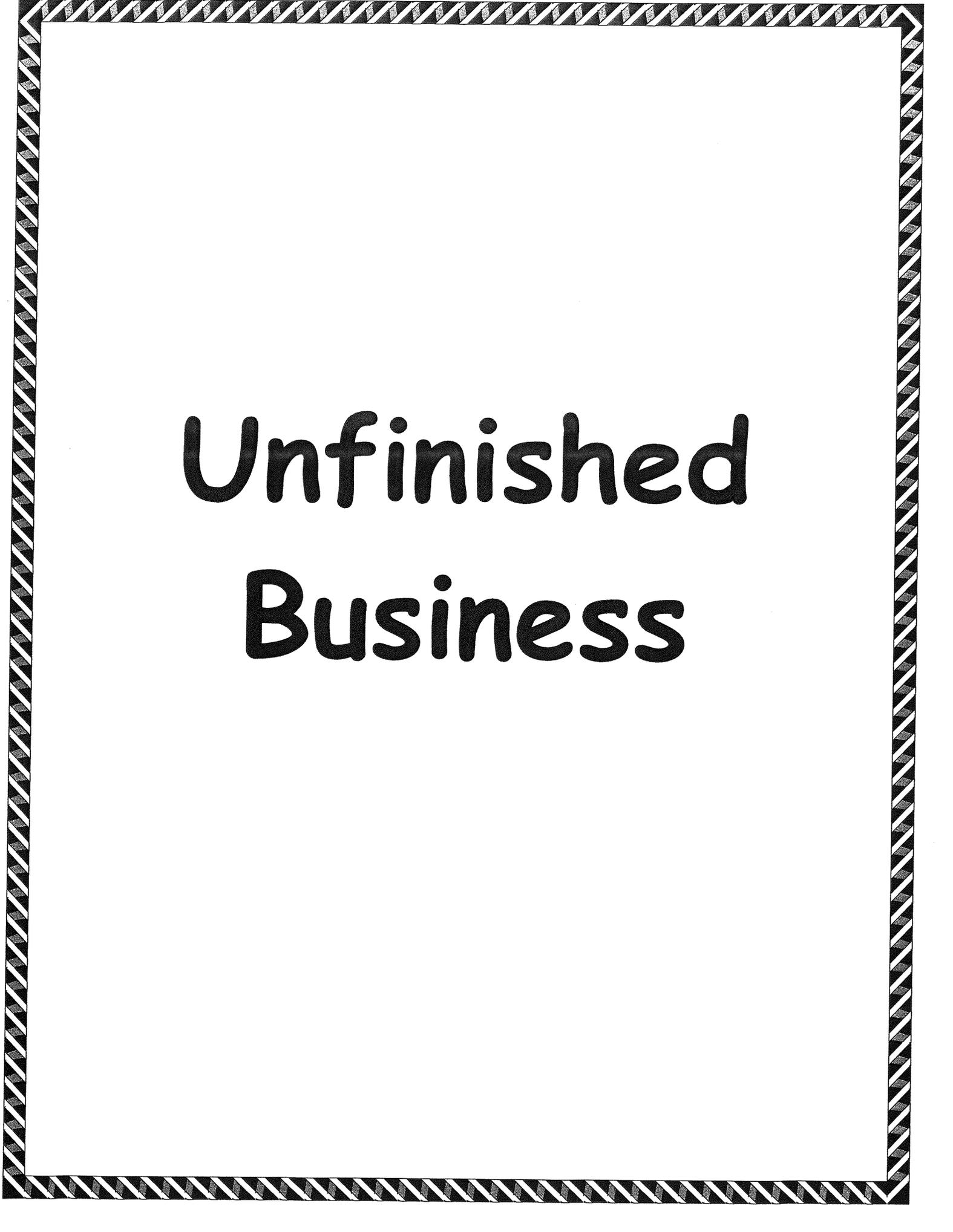
509-A Severability

If any provision of this Ordinance is for any reason held to be invalid, such determination shall not affect the validity of the remaining portions of this Ordinance.

510-A Effective Date

This Ordinance shall become effective immediately upon adoption by the Board of Selectmen. ~~(Adopted September 17, 2002)~~

Comment [JT1]: This will need to be changed when this is adopted via Town Meeting



Unfinished Business

TOWN OF OGUNQUIT
SELECT BOARD RULES

The Select Board shall transact all official business at a public meeting. The following items deal with the transaction of business at official meetings of the Select Board.

1. Right to Know

Except for Executive Sessions, the proceedings of all meetings and workshops of the Select Board are open to the public and broadcast on WOGT and streaming on the Town's web site

2. Rules of Order

Roberts Rules of Order shall govern the proceedings of all Select Board meetings.

3. Regular Meetings and Workshops

Regular meetings of the Select Board will be held on the first (1st) and third (3rd) Tuesdays of the month at the Dunaway Community Center regularly starting at 6:00pm. When the regular meeting date falls on a holiday the Select Board will reschedule to an alternative date. Workshops of the Select Board may be scheduled at regular Select Board meetings or on other dates and times to accommodate the Select Board's schedule.

Select Board members will be furnished with the date, time and place for each meeting along with an agenda and meeting material which information will also be posted on the Town's website. This information will be provided by the Town Manager's Office no later than 4:00pm on the Friday before the Regular Meeting or Workshop.

4. Special and Emergency Meetings

Special and Emergency Meetings of the Board may be called by the Chairperson, or in the absence of the Chairperson, by the Vice Chairperson, or by a majority of the Board. The Select Board will be furnished with the date, time and place and an agenda (if necessary) by the Town Manager's Office. Meeting notification requirements are pursuant to State Statute.

5. Requests for Agenda Items

All Select Board requests for regular meeting agenda items must be submitted to the Town Manager along with supporting background material, or a position paper the Wednesday prior to the scheduled meeting date. The Chairperson of the Board shall review agenda requests with the Town Manager to assure proper background and staff support has been afforded the item requested. If, in the opinion of the Chairperson additional information and/or study are required, the requested agenda item will be postponed until proper preparation has been made. The Chairperson of the Board will subsequently notify the affected Select Board member.

6. Order of Business

- A. Call to Order
 - Roll Call
 - Pledge of Allegiance
 - Minutes
- B. Reports
 - a. Town Manager
 - b. Select Board
- C. Appointments/Resignations/Proclamations/Resolutions, Presentations
- D. Citizen Comments (for Town-related business not on the agenda)
- E. Public Hearings
- F. Unfinished Business
- G. New Business
- H. Other Business
- I. Adjournment

7. Majority Vote

Three (3) affirmative votes are required for the transaction of business.

8. Select Board Action on Items

- A. The following procedures will be used for the orderly transaction of business:
- B. The Town Manager or the Sponsor of the item introduces and explains the item. Sponsor, Manager, staff, or others (as designated by sponsor or Manager) provide additional explanation or information. Any Select Board member may make a motion or may second the motion.
- C. Select Board questions (not discussion at this time).
- D. Public input.
- E. Additional questions from Select Board (not debate).
- F. Chairperson recites motion, if already made, or looks for motion.
- G. Select Board discussion.
- H. Amendments to motion (optional) and debate.
- I. Vote on motion (as amended, if applicable).
- J. The passage, adoption or enactment of any item requires three (3) votes for passage. In the case of a tie vote, the motion fails.

9. Public Comment Period Guidelines:

- A. The Select Board welcomes public participation and comment. The Select Board agenda will include a public comment at every regularly scheduled Select Board meeting to allow citizens an opportunity to comment on non-agenda items that pertain to Ogunquit Town government and duties of the Select Board.

- B. During the public comment period, speakers will be asked to be brief and keep to the point. The Select Board meetings are business meetings where the Board acts on policy matters and legally required actions, Out of respect for everyone's time, citizens are asked to keep their comments within three (3) minutes. With the Board's permission, this period may be extended once. People may speak on any Town-related issue that is not on the agenda; they may cover multiple issues, but speak only once during the public comment period.
- C. Citizens speaking during the public comment period must follow the rules of decorum described below.
- D. Citizens speaking during the public comment period may not make any comments that:
 - i. Disparage individual Select Board member, Town staff, or other citizens;
 - ii. Address specific situations that are in litigation, including situations where the Town is a party to the litigation;
 - iii. Pertain to any personal disputes between themselves and other residents;
or
 - iv. Make any comments referencing support or opposition for any candidate for political office or political causes.
 - v. Do not pertain specifically to the Town of Ogunquit or the Select Board's responsibilities.

10. Decorum and Order

The Chairperson shall preserve decorum and decide all questions of order and procedure, subject to appeal to the Select Board

- A. During the Select Board meetings, Select Board members shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the Chairperson or the Rules of the Select Board.

Select Board members desiring to speak shall address the Chairperson, and upon recognition by the Chairperson, shall confine themselves to the question under debate and shall avoid all personalities and indecorous language. A Select Board member, once recognized, shall not be interrupted while speaking unless called to order by the Chairperson, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a Select Board member is called to order while speaking, the Select Board shall cease speaking immediately until the question of order is determined. If ruled to be in order, the Select Board member shall be permitted to proceed. If ruled to be not in order, the

Select Board member shall remain silent or shall alter the remarks so as to comply with Rules of the Select Board.

All members of the Select Board shall accord the utmost courtesy to each other, to Town employees and to public members appearing before the Select Board and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities. The Select Board shall confine their questions as to the particular matters before the assembly and in debate shall confine their remarks to the issues before the Select Board. Members shall be removed from the meeting for failure to comply with decisions of the Chairperson or for continued violations of the rules of the Select Board. If the Chairperson fails to act, any member may move to require the Chairperson to enforce the rules and the affirmative vote of a majority of the Select Board shall require the Chairperson to act.

- B. Members of the administrative staff and employees of the Town shall observe the same rules of procedure and decorum applicable to members of the Select Board. While the Chairperson shall have the authority to preserve decorum in meetings as far as staff members and Town employees are concerned, the Town Manager shall also be responsible for the orderly conduct and decorum of all Town employees under the Town Manager's direction and control. The Town Manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by Town employees in Select Board meetings. Staff members or the Town Manager desiring to address the Select Board or members of the public shall be recognized by the Chairperson, shall state their name for the record, and shall limit their remarks to the matter under discussion. All remarks and questions addressed to the Select Board shall be addressed to the Select Board as a whole and not to any individual member thereof. No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the Chairperson.
- C. Public members attending Select Board meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Select Board. Any person making personal, impertinent, or slanderous remarks or who becomes boisterous while addressing the Select Board or while attending the Select Board meeting may be removed from the premises if a police officer is so directed by the Chairperson, and such person shall be barred from further audience before the Select Board for the duration of the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Chairperson, who may direct a police officer to remove such offenders from the premises. Aggravated cases shall be prosecuted on appropriate complaint signed by the Chairperson. In case the Chairperson shall fail to act, any member of the Select Board may move to

require the Chairperson to act to enforce the rules, and the affirmative vote of the majority of the Select Board shall require the Chairperson to act.

- D. Public members desiring to address the Select Board shall be recognized by the Chairperson, shall state their name and address in an audible tone for the record, and shall limit their remarks to the question under discussion. All remarks and questions addressed to the administration of the Town shall be addressed to the Town Manager and not to any individual Town employee. No person shall enter into any discussion either directly or through a member of the Select Board without the permission of the Chairperson.

11. Communications

Unsigned communications may not be introduced in Select Board meetings.

12. Suspension of Rules

Any provision of these rules not governed by the Charter or code may be temporarily suspended at any meeting of the Select Board by a vote of four (4) or more Select Board members. The vote on the suspension shall be taken by yeas and nays and entered upon the records.

13. To Amend Rules

These rules may be amended or new rules adopted by majority vote of the Select Board. An amendment must be submitted in writing at a preceding meeting and shall be placed on the Agenda under the order of new business.

14. Correspondence to the Select Board

If a citizen requests their correspondence to be read aloud at Select Board meeting, it shall be read by the Chairperson without persobal edits or comments,at the start of the public comment period, when the following conditions are met.

- a. The correspondence has been shared in advance with all Select Board members,
- b. The content adheres to all of the Select Bard meeting rules, particularly the decorum and order section, and
- c. The author is not able to attend the meeting in person.

At the Chairperson's discretion, he/she can read only a portion of lengthy correspondence.

15. Town Mailings to Residents

Any Town financed mailings to Ogunquit citizens shall be approved in advance by the Select Board unless required by Town Charter or laws of the State of Maine.



New Business

TO: Patricia Finnegan, Town Manager
 FROM: Chris Murphy, Town Clerk
 DATE: September 1, 2017
 RE: Codification

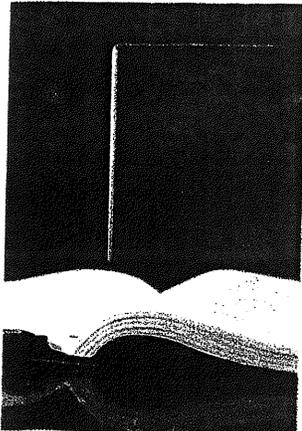
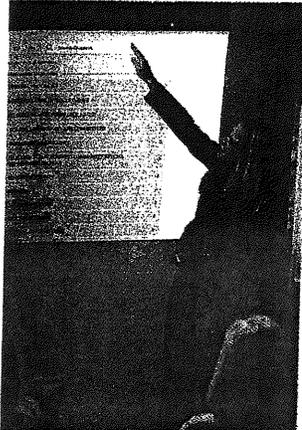
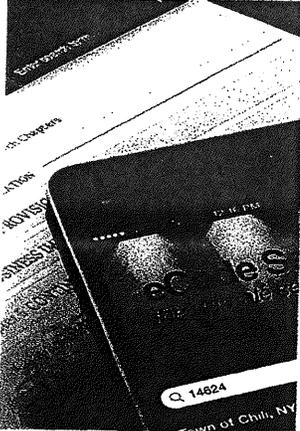
Below is a summary of the two (2) proposals that the Town of Ogunquit received for Codification services. It is my recommendation that the Town contract with General Code for the Codification services.

	GENERAL CODE	MUNICODE
Base Price:	\$13,435 <i>(based on 680 pages)</i>	\$15,950 <i>(based on 700 pages, \$24 per page in excess of 700 pgs, not to exceed \$18, 134)</i>
Receipt of materials		
Editorial Analysis		
Manuscript		
Editing		
Stylizing		
Word processing		
Proofreading		
Draft		
Comprehensive Index		
 Options:		
1. Teleconference or Web Conference	No additional charge	no charge up to 5 hours <i>(\$150 per hour thereafter)</i>
2. Legislation appended to online Code	No additional charge	\$25 per ordinance
3. Code on Disc in PDF Format	Free downloads available In Premium eCode 360 only	\$100
4. Code on Disc in MS Word Format	Free downloads in 3Code 360 Premium & Standard	\$100
5. Additional copies of Code Book in Binders	\$75	\$150
6. Reprints of Chapters or Portions of Code	upon request	\$0.075 per impression
7. Distribution of Codes/Supplements to Non-Municipal Clients	\$100 original/\$25 supp.	\$195/100 per year
8. Onsite Training		\$500 per day plus expenses
9. Seal Imprint		\$275
 Online Code Annual Fee	 \$1,195	 \$1,195



GENERAL CODE

Response to Request for Proposal for Codification Services



Prepared for
**Town of Ogunquit,
Maine**

Suzanne Owens
Codification Account Manager
(855) GEN CODE
sowens@generalcode.com

Date:
August 31, 2017
(Valid for 90 Days)

**GENERAL
CODE**
Codification Division

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Executive Summary



GENERAL CODE Codification Division

Serving the needs of communities for 55 years, General Code provides codification and enterprise content management solutions to more than 3,000 municipal governments throughout the United States and Canada. Our staff has developed, implemented and maintained codification projects for a wide variety of local governments, ranging from small townships and villages to major cities and counties.

Thank you for the opportunity to respond to the Town of Ogunquit's Request for Proposals for Codification Services. General Code previously submitted a proposal to the Town in 2016; in response to this Request for Proposals, we have reevaluated the Code and other source materials, and have arrived at a base project price based on our current estimate of 680 pages.

New England's Leading Codifier

General Code serves over 3,000 local governments, including over 278 in Maine and the rest of New England (New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut). With 55 years of codification experience, we have developed a highly effective, customer-focused process for building and maintaining municipal Codes.

Our codification services are designed to strengthen the municipalities we work with, enabling them to govern more effectively and be more service-efficient. Over 2,000 municipalities now rely on our electronic Code solution to provide progressive, reliable, and accurate access to their laws.

Understanding Your Project Needs

Your Code of Laws is a declaration of who you are as a community. Such a critical document should only be entrusted to a company that understands the inner workings of Maine local governments like yours. General Code is that company.

As a codifier that has over 30 years of experience working with Maine communities, we are committed to ensuring the long-term viability of your legislation. We provide a level of customization that will reflect the Town's unique character and that you will find invaluable in continuing to meet the Code enforcement needs of your community as laws are newly adopted or revised.

The General Code Process

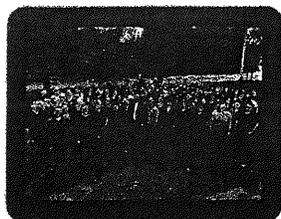
We believe codification is not a 'one-size-fits-all' type of service. We have built our reputation on listening carefully to what our customers tell us they need, and then immersing ourselves in their laws and regulations.

Throughout our comprehensive Editorial and Legal Analysis process, our Codification Consultants work collaboratively with you, your Attorney and your board at every step to achieve the Code that best governs and represents your municipality.

Qualifications and Experience

We attribute our highly respected services to a number of key factors regarding our staff of codification professionals, including:

- Attorney and Code Editors with extensive experience in Code projects, as well as supplementation of existing Codes, in numerous states



- Project teams that annually produce, publish and post to the web over 100 new Code projects and produce over 2,500 electronic and print supplements annually, and append over 15,000 pieces of legislative supplements to our library of eCodes
- Specially trained data entry, proofreading, indexing and research staff
- A Finance Department that works with our customers to provide flexible billing plans tailored to meet the specific needs of each client

Your digital needs are as important as the accuracy and reliability of your printed Code and that is why we developed a platform that is specifically designed for codified laws and ordinances. We provide an eCode platform:

- Designed by General Code software engineers and staff who specialize in codification
- That performs at an 'uptime' 99.9% reliability rate
- That is trusted by more than 2,000 local governments
- That is supported by a professional training and support team



Investing in Maine

We understand that the codification of your laws is a serious investment. That's why it is important to us to continually invest in technology, our employees and, most importantly, in you.

- To make you more effective as a governing body: We continually invest in developing progressive, forward-thinking technology and refining our codification process
- To ensure you receive the highest quality service from our Codification Consultants: We invest in ongoing training programs and educational opportunities
- To support our Maine customers and their colleagues, we invest in Maine Municipal Association; Maine Town & City Clerks Association; New England Association of City & Town Clerks; New England Municipal Clerks Institute; International City/County Management Association; International Institute of Municipal Clerks Region I; Southern New England American Planning Association; and Northern New England American Planning Association

Proven and Sustained Value

Anyone can say they have a passion for customer service excellence, but our customer survey results prove it. In our most recent survey of nearly 600 respondents, our clients returned an extraordinary 4.8 rating out of 5 for Overall Satisfaction with General Code's codification services.

All of us at General Code look forward to serving the Town of Ogunquit's codification needs — now and for the long-term.

Situation Analysis



The Town of Ogunquit is located in York County in Maine and was first established as a Village in 1913, then as a Town in 1980. Today the Town is home to more than 800 residents.

Codification

The Ogunquit Municipal Code was originally published by another codifier in 1980. Since then it has been supplemented several times, most recently on July 10, 2017, including legislation through July 10, 2017. The Code is currently posted online as a series of PDF files on the Town's website.

Source Materials

The Town of Ogunquit has provided to General Code the following, which will be used as the source materials for the codification project:

- A copy of the Town's Charter, as updated through November 8, 2016, effective July 1, 2017, as downloaded from the Town's website on August 3, 2017
- A copy of the Town's 1980 Municipal Code, including Titles 1 – 17, as updated through June 29, 2017, as downloaded from the Town's website on August 3, 2017
- A copy of the Town's Floodplain Management Ordinance, effective November 7, 2001, as downloaded from the Town's website on August 3, 2017
- A copy of the Town's Subdivision Regulations, as amended on December 10, 2007, as downloaded from the Town's website on August 3, 2017

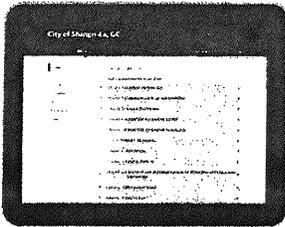
This proposal only takes into account legislation submitted for review, which will be included within the scope of this project. General Code requests that the Town set up a process during the project to routinely send any new legislation upon adoption. These additional materials will be included in the Code up to the point where the editorial work has been completed and shall be subject to an additional charge at the end of the project.

Recommended Solution



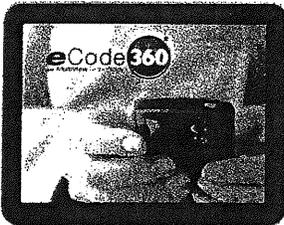
General Code will provide the Town of Ogunquit with professional codification services and solutions designed to meet the specific needs of your community, based on your requirements and 55 years of experience working with local governments. We will provide you with a variety of options for publishing the Code of the Town of Ogunquit, including posting on the Internet and traditional print formats.

Services Included



PDF Interim Online Code in *eCode360*

As an initial step in the project, General Code will temporarily post PDF copies of your current Code and any new uncodified legislation to the Internet, to provide ready access to information until such time as publication of your new Code books is completed. Once the project is completed and your new Code is published, the interim Internet version will be replaced with General Code's *eCode360*. Typically, the interim Internet version is produced within 60 business days of contract signing and receipt of all necessary materials.



eCode360

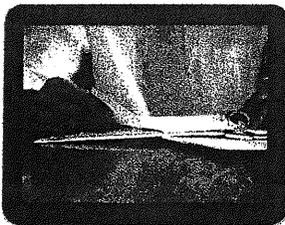
General Code's *eCode360* with the PubDocs Module makes the complete current text of your Code available online in an easily used and navigated format that is fully searchable.

The PubDocs Module permits uploading of non-code documents to the web for easy searching and public access, such as resolutions, minutes, comprehensive plans, and proposed ordinances under review prior to adoption.

For more detail, see the full *eCode360* description beginning on page 11.

Publication of New Code Volumes

The base price includes the publication of 5 new Code volumes in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using an 11-point Times New Roman font in a single-column format on 100% recycled paper. You may choose blue, dark red, green, brown, black or gray binders, with white, silver or gold silk-screen lettering. The Town Seal can also be embossed on the front and spine if you wish. Each Code will also include a set of tab dividers for individual customization. Each copy of the Code will be serial-numbered.



Comprehensive Index

General Code will prepare and publish a comprehensive Index for the Code. The Index is specifically designed to be easy to use, so that the information in the Code can be quickly located.

Disposition List

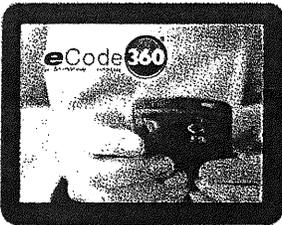
The Disposition List sets forth, in chronological order, the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project and indicates its inclusion in or omission from the Code. The Disposition List is designed to assist you in locating not only legislation that is included in the Code but also legislation that is not included.

Derivation Table

Our agreement with the Town provides for the renumbering and reorganization of the Code into our standard format. To ease the transition from the old numbering to the new numbering system, we will prepare a Derivation Table. The Derivation Table, which will be included at the end of the published Code, will clearly show the chapter numbers from the Town's existing 1980 Code, and where they have been included in the new Code.

Code Adoption Legislation

The editor assigned to your codification project will prepare adoption legislation for the proposed Code. This material will be furnished to the Town Attorney for review and enactment by the governing body. If the Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Code is adopted, it can be amended directly to change, add or delete material.



Updated eCode360

The Town's interim online Code will remain available for the Town's staff and general public for the duration of this project. Once the project has been completed, General Code will update the Town's eCode360 with the new version of the Town's Code.

Pamphlets

We can provide the Town with soft-covered copies of the any portion of their Code. Pamphlet bindings provide for easy updating of the pamphlet copies as the chapters in the Code are updated. Since small quantities of pamphlets are always immediately available to you, we generally recommend that municipalities not order more than a six-month supply.

The General Code Codification Process



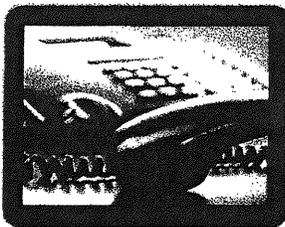
We see you as a partner in the codification process.

General Code's unique and easily accessible style is readily discernible. Your legislation is organized into a systematized, clean format, designed to provide you and your community with an easily readable, simple to reference, and logically indexed Code.

Including You in the Process

The unique project workflow that General Code has developed engages the Town with a Code editor at key stages throughout the process. Our Code editors bring a breadth of knowledge and expertise acquired over the half century we've invested in working with local governments. Combining our experience with your involvement ensures that your Code will accurately reflect your community's particular needs and requirements for a reliable resource tool.

Process Outline

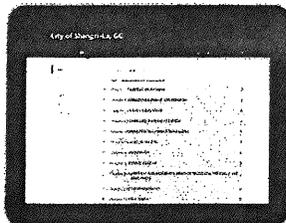


Beginning a Code Project

To begin the project, the Town of Ogunquit has provided the source materials for the new Code. For more detail, see the source materials listed on page 5.

Preliminary Telephone Conference

At the beginning of the project, General Code will consult with the Town's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Town.



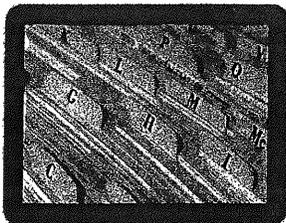
PDF Interim Online Code in eCode360

General Code will temporarily post PDF copies of your current Code and any new uncoded legislation to the Internet, to provide ready access to information until such time as publication of your new Code is completed. Once the project is completed and your new Code is published, the interim Internet version will be replaced with eCode360.

Organizational Analysis

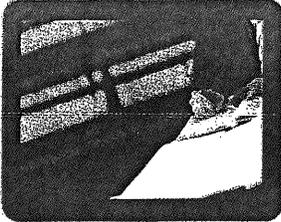
The first part of the analysis of the Town's legislation will be the preparation of an Organizational Analysis for the Town to review. The editor will prepare a proposed Table of Contents of the Code and a listing of legislation reviewed, along with any missing material and adoption dates, and any other questions pertaining to the completeness of materials being reviewed.

The Town will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback they receive into the project and move forward to the preparation of the Manuscript and the Editorial and Legal Analysis.



Manuscript

As applicable, a Manuscript will be prepared using the materials obtained from the Town. The Manuscript organizes your legislation into a logical system, arranged alphabetically by subject matter, into chapters. Amendments will be incorporated into the Manuscript, and repealed or superseded material will be noted. The Manuscript will show exactly the legislation that is currently in effect.



Editorial and Legal Analysis

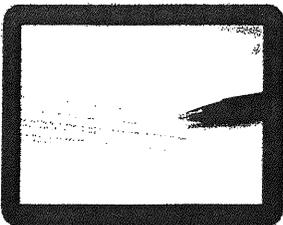
For the second part of the analysis of the Town's legislation, an Editorial and Legal Analysis will be prepared for your review. Our staff of editors and attorneys is in contact with hundreds of communities. They will provide you with the benefit of their experience and with information that you can use to determine how your legislation can be revised and improved. The project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be compiled into a workbook, with an easy-to-use checklist format, for the use of Town officials, including the Town Attorney, who will have the final decision-making authority for the resolution of any and all issues.

The Editorial and Legal Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- Identification of duplications, conflicts and inconsistencies with Maine statutes
- Any practical recommendations to make your legislation more enforceable
- Suggestions regarding fines, fees and penalties
- Suggestions on ways to modernize your legislation

The Town will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Town officials and the Town Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code.



Final Editing of the Manuscript

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During the editing process, we will:

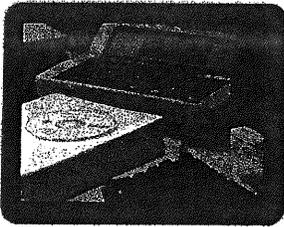
- Prepare a Table of Contents listing all chapters and articles included in the Code
- Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment
- Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- Copyread to correct typographical and spelling errors

Draft

General Code will submit a Draft of the Code for final review by the Town. Any specific questions that arise during the editing process shall be submitted with the Guidelines for Draft Review. Such questions may include missing wording or incomplete information, conflicts with incorporating new ordinances, and inconsistencies within chapter provisions. Minor changes in content as a result of the Town's review may be made. Any substantial changes in organization or content shall be subject to additional charges.

Comprehensive Index; Code Adoption Legislation

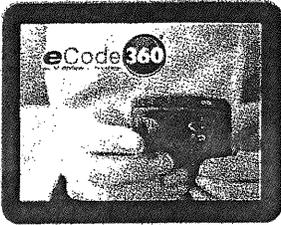
During final publication, General Code will prepare a comprehensive index. We will also prepare the proposed Code adoption legislation and/or any other necessary information to establish the Code as an official document. This material will be furnished to the Town Attorney for review and enactment by the governing body.



Code Delivery; Recordkeeping; Supplement Distribution

After the Code is delivered, we will review the project with the Town to ensure that everything meets your expectations. At that time, we will work with you to set up an effective recordkeeping system to keep track of the distribution, sale and maintenance of Codes and supplements.

eCode360[®]



General Code's eCode360 is our electronic Code, providing a choice of on-screen viewing options on any computer platform and, for the first time, automatically customizing the Code for optimal viewing on any computer or mobile device, including smartphones and tablets. Engineered for speed and designed for easy searching and navigation, eCode360 will provide unprecedented flexibility and access to the Code in the office, at home or on the go.

General Code's eCode360 is a secure, reliable, and virtually maintenance-free product containing the complete current text of the Town's Code online. Hosted and maintained by General Code, eCode360 will enable anyone to view and search the Code wherever there is access to the Internet. Access to the Code is as simple as adding a link on your website or General Code's website, enabling users to click and review the Code at any time.

eCode360 Lite (optional) includes the following features:

- Posting of New Laws: Post legislation not yet codified in between supplements
- Easy and Flexible Searching: Use key words or phrases, section numbers and more
- Electronic Index: Use a comprehensive list of key words and phrases to speed your searching
- Dynamic Table of Contents: Find the information you're looking for and see your current location with a table of contents that moves with you
- Email or Share Links: Shortcuts to email a link to a specific Code section, or to share via social media
- Printing: Simple, user-friendly print functionality and a variety of user options
- Bookmarking Searches: Save as "favorites" to quickly return to popular sections of the Code
- eCode360 Search App: Use your mobile device to search throughout your municipal Code
- Archive View: View a permanent online archive of your Code, updated with each supplement
- Customized Banner: Add a customized masthead banner and accent colors, for a seamless transition from your municipal website to your online Code

Standard eCode360 (optional) includes all of the above Lite features plus:

- Download to Word: Download Code text to a Microsoft Word document to edit and track changes when drafting new legislation
- Public and Private Notes: Create personalized links and annotations within the Code
- Sample Legislation (MultiCode Search): Search across multiple Codes

Premium eCode360 (included) includes all of the above Lite and Standard features plus:

- eAlert: Sign up to receive notifications of changes in the Code
- Download to PDF: Directly download text and graphics to an Adobe PDF document to view and share offline
- PubDocs Module: Post non-Code documents along with your online Code

Public Documents Module

General Code is proud to offer our Public Documents (PubDocs) online module for our electronic Code services. With PubDocs, you can provide immediate online access to information and documents that you want to make available to the public, such as meeting minutes, agendas, resolutions, budgets, pending legislation, and more.

PubDocs is fully integrated with Premium *eCode360*, your online Code, and provides an easy-to-use process for document management. PubDocs is a great way to augment your e-government services and improve your overall outreach to the community. Best of all, PubDocs enhances your Town's transparency by offering your citizens and other constituents a solution that meets their ever-growing needs and expectations for instantaneous information in today's digital world. (Please note that PubDocs is not a repository for archiving purposes.)

Benefits of PubDocs:

- Easy to use, self-managing process
- Secure process for posting documents
- Documents are automatically converted to searchable PDFs
Search by name, date, description, category or use our advanced features such as a color-coded search filter with checkboxes
- Fully integrated and accessible through *eCode360*
- Fully hosted service through General Code
- Upload all types of documents (e.g., Word documents, Excel spreadsheets, etc.) to view and search
- Public documents viewable by anyone — anytime, anywhere

PubDocs is included with Premium *eCode360* at no additional charge. Costs associated with any necessary scanning services will be provided upon request.

Lacey Township, NJ
Ocean County

Code

New Laws

Index

Notes

Public Documents

Agendas

Budgets

Comprehensive Plans

Legislation

Minutes

Misc. Documents

Resolutions

Minutes

Showing: All Documents

Select Category Select Year Select Month Select Day

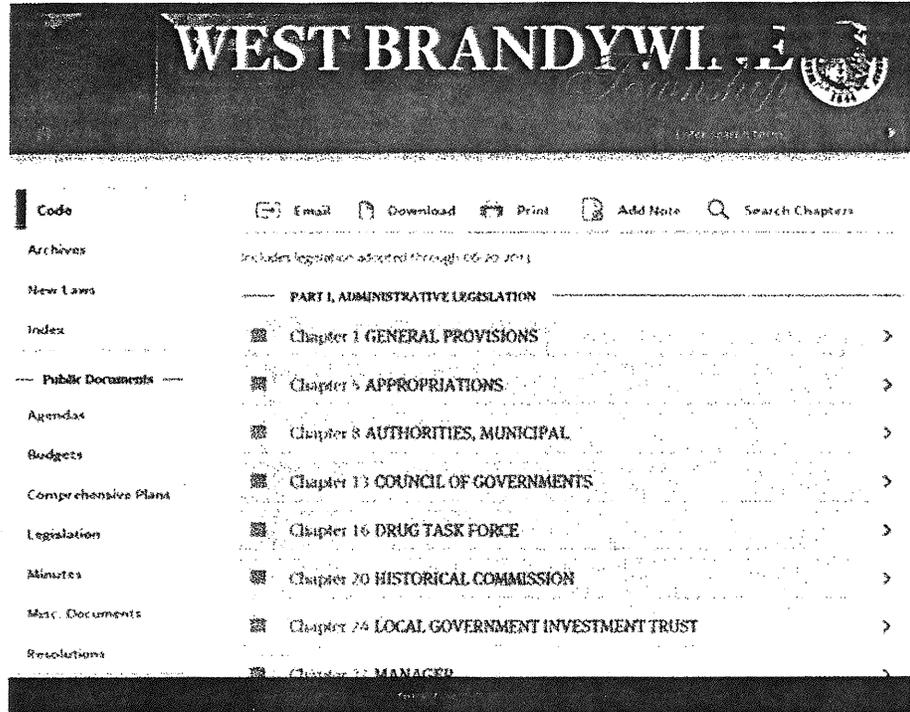
Category: Caucus

2014

2014-08-14 C
2014-07-10 C
2014-06-23 C
2014-06-12 C
2014-05-22 C
2014-05-08 C
2014-04-24 C
2014-04-10 C

Customized Banner

A customized masthead banner and accent colors, for a seamless transition from your municipal website to your online Code, will also be provided.



Customer Service and Technical Support



Ongoing customer service and technical support is always available. General Code has in-house Client Service Representatives available to answer your calls and take your questions Monday — Friday from 8:00 a.m. to 5:00 p.m. EST. Online assistance is available 24 hours each day at <http://www.generalcode.com/ekit/>.

eCode360 Log Out

Welcome

Browse

Search

Administration

FAQ

Welcome

eCode360 delivers a searchable online version of your Municipal Code. You can easily search, print, email, and copy and paste any text contained in the Code. The features and functionality of eCode360 provide superior content management.

Introduction

eCode360 offers two modes to help you find the information you're looking for in your Municipal Code: Browse and Search. Browse mode will give you access to the entire Code as published by your municipality, as well as access to Public Documents such as meeting minutes or agendas and budgets, New Laws that have not been incorporated into the Code, and a Quick Search bar. Search mode is designed to give you powerful tools to dig in and find exactly the information you need to get your task done.

Questions About Content

This documentation is designed to help you learn more about how to use General Code's eCode360 Platform. **Please be aware that General Code is not allowed to answer specific questions about content.** If you have a question about the content in a Code, please contact your Municipality directly. General Code Customer Service cannot provide specific answers to questions about content of a Code such as "What does this section mean?" or "How tall of a fence can I build?" ([More information here.](#)) Feel free to save or bookmark this document for future reference. You can also check out our [Webinar schedule](#) for an hour-long training session on eCode360, free for municipal officials.

Browser Requirements

To make full use of the features of eCode360, we recommend using the latest versions of Chrome, Firefox, or Internet Explorer. Some content in eCode360 requires a PDF reader to view. [Get Adobe PDF Reader for free](#)

Sign up today for a FREE eCode360 webinar!

<http://www.generalcode.com/resources/webinars/>

Committed to immediate responsiveness, our representatives are trained professionals with a highly specialized knowledge base in eCode, codification, supplementation and content management, with over 40 years of combined experience.

For all inquiries, we pride ourselves on a response time of 30 minutes or less from receipt of a call. Any online customer inquiries are also handled in less than 30 minutes time. Your Account Manager, Suzanne Owens, is available throughout the period of the contract for onsite support as well as to coordinate additional onsite training and support needs.

OnsitePLUS

Training is readily available upon delivery of your eCode. We will schedule an onsite training session for you and your employees including how-to sessions on all your eCode products and services.

WebinarPLUS

This provides one-on-one online training to municipalities tailored to meet your specific eCode objectives. This is in addition to our standard eCode webinar training series offered each month to all municipalities.

Disaster Recovery



Data Backup and Recovery

General Code will host the Code of Ordinances on a secure Web server using our eCode360 platform hosted on Amazon's Web Services platform. In the unlikely event that the eCode360 server does go down, we have a second off-premise backup site that is refreshed nightly with current data. That site can be brought online in 10 minutes.

Source materials provided for supplementation are archived in a Laserfiche repository, covered by internal snapshot and backup.

Security

AWS reliability provides the best security available with PCI DSS Level 1 certification and ISO 27001 compliance. General Code never stores your password, only the result of a complex mathematical process so your password cannot be compromised. A full overview of security processes for AWS can be found at <https://aws.amazon.com/security/>.

Investment Detail and Options



Base Project Price

\$ 13,435

Your base project includes the following:

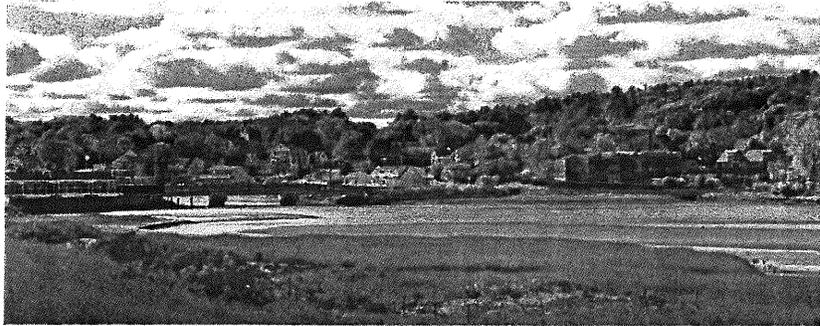
- * Preliminary Telephone Conference
- * Creation of a New Code through July 10, 2017
- * Conversion of the Code into an XML Document with General Code Numbering and Format
- * Organizational Analysis
- * Editorial and Legal Analysis
- * Manuscript
- * Editorial Work
- * Proofreading
- * Draft
- * Duplication and Publication of 5 Code Volumes in Standard Imprinted Post Binders
- * Customizable Tabs
- * Comprehensive Index
- * Code Adoption Legislation
- * Disposition List
- * Derivation Table
- * Premium eCode360, including PubDocs Module (Setup and First Year)
- * Customized Masthead Banner
- * Shipping

Premium eCode360 Annual Maintenance: \$ 1,195

Standard eCode360 Annual Maintenance: \$ 995

eCode360 Lite Annual Maintenance: \$ 695

The maintenance fee is an annual recurring flat fee. Therefore it is our recommendation that the Town budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements. Please note that this does not include the cost for codifying new legislation.



**Request for Proposals for Codification Services for the
Municipal Code, Zoning Ordinances, Floodplain
Management Ordinance and Town Charter**

of the Town of

Ogunquit, Maine
“Beautiful Place by the Sea”

August 31, 2017

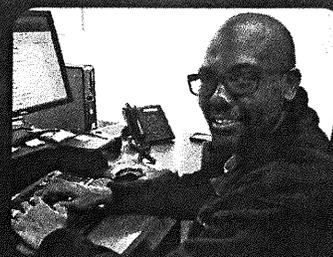
Valid for 90 days

Steffanie Rasmussen
Assistant Vice President of Sales

Municipal Code Corporation

800.262.2633 ext. 1148

Email: steff@municode.com



municode



Connecting you and your citizens

Since 1951

municode

Municipal Code Corporation | P.O. Box 2235 Tallahassee, FL 32316
info@municode.com | 800.262.2633
www.municode.com

August 31, 2017

Ms. Cheryl Emery
Administrative Assistant
Town of Ogunquit
23 School Street
Ogunquit, ME 03907

Dear Ms. Emery:

Thank you for providing us with the opportunity to respond to your Request for Proposals (RFP) for Codification Services for the Town of Ogunquit, Maine. We understand that the goal of the Town is to create a current, accurate, well organized, legally sound and professionally edited Code of Ordinances that is free of internal conflicts and inconsistencies, conforms to the laws of the state of Maine, and is readily accessible to staff and citizens alike, both in print and online.

We further understand that the Town wishes the newly recodified code to be maintained by the codifier via the supplementation process, and posted online on a code hosting platform that is freely accessible to the public and includes advanced research and code navigation tools. We are confident that we can meet and exceed the Town's expectations for the scope of work described in your RFP.

Our team is driven by the desire to serve you and your citizens. We believe that quality customer relations and exceptional service are what have set us apart in the legal codification industry since 1951. Our commitment to service inspires us to provide you with the highest quality legal codification services in the industry; set the standard for online and mobile services; ensure that you receive the most accurate and timely supplements possible and to work with you as a long-term partner.

Why Municode?

Integrity. *"Our word is our bond."* We believe that long-term relationships built on trust are built to stand the test of time. Our goal is to serve you and your citizens for decades to come.

Experience. With over 4,200 customers in all 50 states, we are the nation's most trusted and experienced codifier of local government codes, currently hosting over 3,330 municipal codes online. With over 215 professionals committed to serving you, we have the depth of knowledge and experience that it takes to stay at the forefront of legal and technological developments.

Relationships. For over 66 years, we have earned the trust, loyalty and respect of our customers by focusing on what is most important to us: our customers. We have a team of customer service professionals dedicated to serving you, your team and your citizens. No matter what the challenge, we are here for you.

Quality. We are committed to excellence in every product that we create. Our team of legal editors and legal proofreaders, each averaging over ten years of service, is dedicated to providing you with the most accurate and timely product available in the nation.

Why Our Clients Love Us

Applying our Legal Experience. We have a large team of full-time attorneys, each averaging over 20 years of professional codification experience. This is a crucial factor to consider when assessing the qualifications of a codification company that is being considered for legal publication and

supplementation services. No other codification company has this level of experience and knowledge that can be harnessed for your benefit.

Team Approach. We have 14 legal editorial teams consisting of over 55 legal editors and proofreaders. In partnering with us, you are provided with a depth of legal talent that is unmatched in the industry. You and your citizens deserve the best and deserve to have a team that will be here to serve you no matter what the situation.

Customer Service. Our goal is to fully understand your unique needs. If you have a question, our response time is normally less than a few minutes via e-mail (constantly monitored) or within the half-hour for phone correspondence. When you call us, you will find that our phones are answered by our team members...not an automated answering service. We are a family-owned medium sized business which means you will always receive a level of personal service that is unparalleled in the industry. We earn our reputation by providing exceptional customer service, offering helpful suggestions and developing solutions for your unique situation.

Responsible Citizen. We are proud to support numerous Clerk, Attorney, Municipal and County Associations. Additionally, we partner with the International Institute of Municipal Clerks and International Municipal Lawyers Association to provide services to their members. Our Vice President of Sales, Dale Barstow, is a former president and current Board Member of IIMC, to which we regularly contribute to allow more clerks/officials to attend the national IIMC Conference. We are also extremely active within our community, supporting the United Way, Boys Town, the Tallahassee Veteran's Village and Ability First through quarterly employee volunteer days.

We will work hard to earn and retain your business and are committed to excellence in every product that we create. In 2016, 93 municipalities that had no code, updated their code internally or used another code publisher chose to join the Municode family based on our qualifications, experience, and reputation. Additionally, last year, over 110 existing Municode clients trusted us with the codification, recodification, legal analysis, reformatting and/or republishing of their code, knowing from experience that their expectations would be exceeded in this regard. We would love to add the Town of Ogunquit to our Municode family!

Please let us know if you have any questions regarding the details of this proposal. As the Executive Vice President of Municode, I also welcome your call, comments, inquiries and suggestions at any future point during which I hope the Town will enjoy a productive and satisfying relationship with our team.

Sincerely,



H. E. "Rick" Grant
Executive Vice President

HEG/djp

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X. Additional Information Requested 23

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Signature Page 30

Attachments

Attachment A: Sample Legal Memorandum

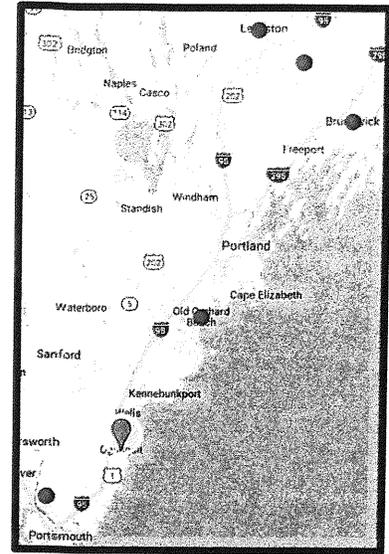
Attachment B: Sample Index

Attachment C: Customer Satisfaction Surveys 2016 - 2017

Company Background & Experience

With over 66 years of experience, Municode has fine-tuned its operations to offer the most efficient and technologically advanced codification and publishing services available world-wide. Founded in 1951, we currently provide services to over 4,200 customers in all fifty states and host over 3,330 municipal codes online via our code hosting platform, MunicodeNEXT.

In 2016, we produced over **5,700 supplements** consisting of over **561,000** amended code pages and codified, recodified, conducted Legal Reviews and/or republished entire codes for over **210** new and existing clients. From 2014 to 2016, we codified, recodified, performed Legal Reviews and/or republished entire codes for over **500 municipalities**. Over the past several years, we have transitioned several high population municipalities to Municode, including **Westchester County**, New York; **Austin**, Texas; **San Jose**, California, and **Boston**, Massachusetts (Zoning). We have the experience and the resources to provide these clients, and the **Town of Ogunquit** with superior products and excellent customer service for decades to come.



Municode has extensive code publishing In Maine and throughout the United States.

Our headquarters in Tallahassee, Florida is home to over 215 employees (most of whom enjoy a tenure with Municode of over 10 years). Our office complex includes four buildings totaling 56,000 square feet. We have regional offices located in Rancho Mirage, California; Loveland, Colorado; Sarasota, Florida; Boise and Rexburg, Idaho; Chicago, Illinois; Carmel and Kewanna, Indiana; Stillwater, Minnesota; Hudson, New Hampshire; Asheville and Raleigh, North Carolina; Lake Oswego, Oregon; Fort Worth, Dallas, and Edinburg, Texas and Charlottesville, Virginia.

From creating or updating a code to posting the content online to editing, printing and shipping a supplement, Municode assures the fastest, most accurate delivery of codification services possible. We consider our clients to be part of our Municode family and we work hard to maintain the high level of service that they deserve.

Our Code Department is led by Rick Grant, our Executive Vice President. Rick is also the former Judge Advocate General (JAG) of the United States Navy. With the combined expertise of Rick and his team of seasoned codification attorneys, our Code Department has successfully completed well over 4,200 intricate codification, recodification and Legal Review projects.

Our Supplement team is led by our Director of Supplements, Tassy Spinks, whose 14 professional legal editorial teams work diligently to ensure that our clients receive the timeliest and most accurate supplements possible, with the highest quality of printed publications originating directly from the printing facility located in our Tallahassee headquarters.

Our IT team is led by our Chief Information Officer/Chief Operating Officer, Phillip Claiborne, whose staff of 17 web application developers and system administrators is dedicated to remaining the industry's leader for technological advances in our field. They maintain and routinely enhance our website, MunicodeNEXT to create new ways to make your code as transparent and informative as possible. The feedback we are receiving after transitioning our customers to our latest website upgrade has been both positive and rewarding.

For further information regarding our background, experience, services and capabilities, we encourage you to visit our corporate website at <https://www.municode.com/> or our online code library of over 3,330 municipal codes here: <https://library.municode.com/>.

II. Qualifications of Codifier

References

We are pleased to provide contact information and project history for the following Maine clients, all of whom can verify the quality of our products and services. Please see **Attachment C** to review samples of recent customer satisfaction surveys.

Auburn, Maine

Project Type: Recodification, Supplementation and Electronic Publishing

Years of service: 2010 to present

Ms. Susan Clements-Dallaire, CCM, City Clerk sdallaire@auburnmaine.gov (207) 333-6601 ext. 1126

Services provided: We completed a recodification of the City's code in 2010. The City utilizes our CodeBank feature for the online code, and supplements the code in print on a quarterly basis.

Online code: https://library.municode.com/me/auburn/codes/code_of_ordinances

Old Orchard Beach, Maine

Project Type: Recodification, Supplementation and Electronic Publishing

Years of service: 2003 to present

Ms. Kim, McLaughlin, Town Clerk kmclaughlin@oobmaine.com (207) 934-4042 ext. 242

Services provided: We recodified the Town's Code of Ordinances in 2003 and have been providing supplement services for the code since that time. The Town utilizes our CodeBank, CodeBank Compare + eNotify and OrdBank features for the online code. The code is supplemented in print on a quarterly basis, and supplements are also provided in PDF and Folio formats.

Online code: https://library.municode.com/me/old_orchard_beach/codes/code_of_ordinances

Orono, Maine

Project Type: Codification, Supplementation and Electronic Publishing

Years of service: 1995 to present

Ms. Nancy Ward, Administrative Assistant to Town Manager nancyw@orono.org (207) 866-2556

Services provided: We codified the Town's ordinances in 1995 and have been maintaining the code since that time. The Town utilizes our CodeBank, CodeBank Compare + eNotify and OrdBank features. We supplement the code in print and provide supplements in WORD format. We also provide the Town with reprints of the Land Use Ordinance upon request.

Online code: https://library.municode.com/me/orono/codes/code_of_ordinances

Maine Clients



*Auburn

*Brunswick

Dexter

*Eliot

*Lisbon

*Old Orchard Beach

*Orono

*Clients whose codes are posted on our website at
<https://library.municode.com/>

II. Qualifications of Codifier

Code Update Turnaround Time

Our average turnaround time for printed code updates (supplements) is within **30 to 45 days** from the Town's authorization to proceed with the supplement. With our electronic supplement (updates) option, the code can be fully updated, hyperlinked and cross referenced within **15 business days** of our receipt of your material. Our OrdBank solution enables us to post new legislation online in PDF format within **24 to 48 hours** of our receipt of your material. Please contact any of the references listed on the previous page to confirm their assessment of our code update services. Customer satisfaction surveys attesting to the reliability and accuracy of our recodification and code update services can also be found in **Attachment C**.

Project Contact Person

Primary Contacts. Rick Grant, our Executive Vice President, will be the main point of contact for the recodification project. Steffanie Rasmussen, Assistant Vice President of Sales, will be the Town's main point of contact throughout the term of the contract, including the proposal evaluation and contracting process, the republication of the code, and during the ongoing maintenance and website hosting of the code. Dennis Heller, our Sales Representative for the state of Maine, is also available to assist the Town at any time.

Steffanie Rasmussen

Assistant Vice President of Sales
Municipal Code Corporation (Municode)
Phone: (800) 262-2633 ext. 1148
Fax: (850) 575-8852
Email: steff@municode.com

Rick Grant

Executive Vice President
Municipal Code Corporation (Municode)
Phone: (800) 262-2633 ext. 1278
Fax: (850) 575-8852
Email: RICK@municode.com

Dennis Heller

Maine Sales Representative
Municipal Code Corporation (Municode)
Phone: (800) 262-2633 ext. 1299
Fax: (850) 575-8852
Email: DHeller@municode.com

Key Personnel

Customer Service/Sales

Please note that we are listing our Customer Service/Sales Representatives first. This is because customer service is always our priority. Our Customer Service staff of 17 is led by Dale Barstow, the Vice President of our Sales Department and former President of the Municipal Clerks Education Foundation.

Dale Barstow, Vice President of Sales, Graduate of Embry-Riddle Aeronautical University and pilot of Municode's corporate airplane; Honorary Town Clerk in 5 States; Municipal Clerks Education Foundation Board Member and Past President of 15 years. Dale has conducted many sales training seminars and has been a lead speaker at over 40 municipal conferences. Dale has over 45 years of experience with Municode, oversees all aspects of our Sales and Customer Service Department and interacts with our customers personally to ensure the best communication and project coordination possible.

Steffanie Rasmussen, Assistant Vice President of Sales, M.S., Industrial & Organizational Psychology, Kansas State University; B.S., Business Psychology, Florida State University; certificate in Performance Management, Florida State University. Operating out of our Tallahassee headquarters since 2010 and directly overseeing our customer service staff of 17, Steffanie specializes in nurturing new contracts to fruition, from pre-contract negotiations to web publication and ongoing supplementation customer service support. Steffanie is available to host personalized webinars as often as requested to demonstrate the ease of navigation of your online code and the utilization of the powerful features and tools available therein.

II. Qualifications of Codifier

Dennis Heller, Maine Sales Representative, Dennis has over 35 years of experience in Network Management in the Telecommunications Industry and has been with Municode since 2005. His expertise in customer service, with a focus on municipal codes, will ensure that your code is well maintained and all your codification needs are met. Dennis is available to answer your questions, meet with you virtually over the telephone and host webinars for you and your staff to aid in the navigation of your online code.

Recodification

Our legal team consists of 12 full time in-house attorneys, most with an average of over 20 years of professional codification experience with Municode. The recodification and all related conferences will be conducted by a Municode attorney who is intricately familiar with the laws of the state of Maine. We have included biographies for several of our Senior Code Attorneys below.

H. E. "Rick" Grant, Esq., Executive Vice President, B.S., U. S. Naval Academy; J.D., Florida State University. Rick is a former naval aviator and naval attorney (JAG Corps) who retired as the Navy's senior attorney, the Judge Advocate General of the Navy. He has been with Municode for 18 years as the Executive Vice President and has led the Code Department for the last 6 years. He has overall supervision of the legal work of all code projects and ensures that the completed codification project is up to Municode's demanding standards.

Roger D. Merriam, Esq., B.A., Mercer University; J.D., Emory University; more than 41 years of experience in local government law; member of the Florida Bar. Roger has completed codification projects in 48 states, including Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, **Maine**, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, Ohio, Oklahoma, South Dakota, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

Alyce A. Whitson, Esq., B.A., University of South Florida; J.D., University of Florida; over 43 years of experience in local government law; member of the Florida Bar. Alyce has completed codification and various other legal projects throughout the United States, including Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, **Maine**, Maryland, Massachusetts, Minnesota, Missouri, Montana, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming.

Jim Jenkins, Esq., B.A., Eckerd College; J.D., University of Maryland School of Law; Former Appellate Attorney and Trial Prosecutor for the Kingstown District Attorney's Office in Brooklyn, NY; 20 years of experience in complex legal research and litigation; 10 years of experience in local government law. Jim has completed codification projects in Alabama, California, Georgia, Louisiana, Minnesota, New Hampshire, Oregon, South Carolina, Texas, Utah, Washington and Wisconsin.

Supplementation and Website Hosting

The supplementation of your Code of Ordinances is performed by our experienced editorial team, which includes 55 professional legal editors, proofreaders and indexers. This team is led by our Director of Supplements, Tassy Spinks. Our IT Team is led by our Chief Information Officer, Phillip Claiborne, whose staff of web application developers and system administrators are dedicated to remaining the industry's leaders for technological advances in our field.

Tassy Spinks, Director of Supplements, B.A., Biology, Randolph-Macon Woman's College in Lynchburg, Virginia (magna cum laude). Tassy also studied abroad at the University of Reading in Reading, England and at Green College at Oxford University, Oxford, England. Tassy was a Legal Editor at Municode for 19 years before becoming Director of Supplements, and has applied her editorial and project management skills to large municipalities including Fulton County GA; Alexandria, VA; Clark County NV; Gainesville FL; St. Louis MO, Omaha NE, and Santa Barbara County CA.

Phillip Claiborne, Chief Information Officer/Chief Operating Officer, B.S., Management Information Systems, Florida State University; MBA, University of Florida; CompTIA Certified A+, Net+, Security+, Microsoft Certified Systems Administrator. Phil joined Municode in 2002. He has 16 years of extensive experience supporting, designing and administering corporate network environments and 11 years of product development experience, with a specific focus on digital publishing and web based applications.

II. Qualifications of Courier

Jim Bobrycki, Production Support Supervisor, with over 30 years of managerial experience, Jim coordinates the distribution of our client's incoming printed and electronic data, working with the editors, proofreaders and indexers throughout each project and ensuring that team goals and deadlines are met.

Joy Luczynski, Indexing Supervisor, A.A., Calhoun Community College; Paralegal Technology; Member of the American Society of Indexers. Joy began her career with Municode in 2001 and is highly qualified in the science of indexing. Joy and her team of indexers will provide oversight and technical assistance for the initial editorial preparation of the index and for its updating during the ongoing supplement process in the future. She oversees the creation of new indices for codification and recodification projects for Municode clients throughout the United States.

Kelly Heaton, Legal Editor, B.S., English Literature, Florida State University. Kelly has been a legal editor at Municode for 13 years and provides her editorial skills to municipalities including Prince George's County, MD; Raleigh, NC; **Orono, ME**; Des Moines, IA; Fairfax, VA; New Orleans, LA; Seminole County, FL and the Metro. Gov't. of Nashville and Davidson County, TN.

Michelle Walsh, Legal Editor, B.S., Florida State University. Michelle is an experienced Municode editor for accounts including Chelsea, MA; Chesapeake, VA; Cicero, IL; Reno, NV; **Auburn, ME**; South Salt Lake, UT; Champlin, MN and Rolling Hills Estates, CA.

Janet Cramer, Legal Editor and Proofreader, Janet has applied her editorial expertise to Municode clients for over 25 years. She attended the University of Miami for Continuing Education and Microsoft Word Training and is one of our most experienced and highly regarded editors and proofreaders. Her experience and expertise is relied upon to handle many municipalities, including Boardman, OR; **Orono, ME**; Los Angeles, CA; Houston, TX; Miami, FL; Panama City Beach, FL; Atlanta, GA and Prince George County, MD.

III. Scope of Services

Scope of Services Summary

We understand that the Town is seeking the services of a professional codifier to recodify the Municipal Code, Zoning Ordinances, Floodplain Management Ordinance and Town Charter to produce a current, accurate, well organized, legally sound and professionally edited Code of Ordinances that is free of internal conflicts and inconsistencies, conforms to the laws of the state of Maine and is readily accessible to staff and citizens alike, both in print and online. We further understand that the Town wishes to receive 5 (five) printed copies of the newly adopted code in heavy duty, 3-post expandable leatherette binders imprinted with the name and seal (if elected) of the Town of Ogunquit on the front and spine. Our proposal also includes pricing and information regarding the ongoing maintenance of the code via supplementation, and internet publication of the code in a fully searchable and browseable format that is feature rich, easy to navigate and readily accessible on any internet browser.

We can fully comply with **Items A-G**, as specified in the recodification summary below and as shown in the requested samples, **Item C (Attachment A, sample Legal Memorandum)** and **Item E (Attachment B, sample Index)**. Also included is a chart showing the anticipated time frame for the recodification project.

Recodification Summary

During the recodification process, the attorney assigned to your project will examine the existing Code of Ordinances and all related code material in its entirety and will conduct an analysis to ensure the code is free from internal conflicts and inconsistencies and conforms to the laws of the state of Maine.

The Municode attorney assigned to this project will be available to consult with Town staff at any time during the recodification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The recodification process is outlined below.

Ordinances. All legislation of a general and permanent nature, passed in final form by you as of the cutoff date established by the Town and your Municode attorney, will be included in the recodification process. All material will be acknowledged via e-mail to establish a record of included ordinances. Legislation not of a general and permanent nature will be omitted from the code unless otherwise instructed by you.

Attorney Analysis and Review of Material. A Municode attorney and a team of legal editors, proofreaders and indexers will be assigned to this project. Our legal team will research all legislation submitted by you against the State Statutes of Maine. The ordinances will also be compared to other ordinances to determine if there are any inconsistencies or conflicts within the legislation itself. Ordinances enacted, or added, after the date of this agreement, or items not contemplated within the scope of service, may be included later at an agreed upon page rate. We will include any suggestions regarding the structure and organization of the code in the analysis.

Page Format Options. We will work with you to determine the desired formatting and style of the new code, and will review page composition format options, such as font type and size, page layout, and graphics appearance and placement to choose a format that produces a professional document that is easily researched.

References. We will provide State Law References within the code. Editorial notes will be provided as appropriate. Internal references within the code will be hyperlinked in the online version.

Legal Memorandum. We will provide the Town with a user-friendly Legal Memorandum (see **Attachment A**) summarizing our analysis and recommendations. This memorandum will reflect our attorney's Legal Review and will provide recommended options intended to remove conflicts and inconsistencies, conform to state law and ensure compliance with your charter. This approach facilitates collaboration and dissemination among departments, thus making the process as easy for our clients as possible.

Conference. Within 30 days of your receipt of the Legal Memorandum, we will conduct a conference, either in person or via telephone or webinar, to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. The conference will address issues discovered during the legal research, with the goal of the conference being to come to

agreement on any required changes. Your attorney has the final decision-making authority for resolution of issues brought up at the conference or noted in the Legal Memorandum.

Editing and Proofreading. Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code, unless approved by the Town. However, non-substantive revisions to improve readability are a part of the process. We will proofread and review the text to ensure proper sense and structure.

Index, Graphics and Tables. Our team will create a hierarchical, subject matter Index and all tables (contents, State Law Reference, prior code comparison and ordinance disposition) for your code as necessitated by the materials provided. To view a sample Index, see **Attachment B**. We will insert the graphics you have provided into the printed and electronic versions of the code.

Post Conference Memorandum and Code Draft. After editing and proofreading, a post-conference memorandum and a Code Draft incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you in print form for final review prior to printing and shipping. We guarantee typographical correctness. Any errors attributable to our team will be corrected at no charge during the term of this agreement.

Adopting Ordinance. Our attorney will provide an adopting ordinance upon completion of the project.

Printing and Binding. We will print 5 copies of the newly adopted code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in our attractive three-post, heavy duty leatherette binders and stamped with the Town's name and seal (if elected) on the front and spine of the volume. Divider tabs for each major section of the code and index will also be provided.

The time frame below provides for completion of the recodification and republication project within 12 to 15 months, excepting any delays occasioned by the Town.

<u>Recodification Time Frame</u>	<u>Municode's Responsibilities</u>	<u>Town Responsibilities</u>
Immediately	Acknowledge receipt of contract and material	Send contract to Municode
Immediately	Send listing of all ordinances received	Town reviews listing of ordinances to confirm that all material has been received
After ALL material has been received - 2 months	Material is organized and our attorney begins legal research and review	Town is available to answer questions
Within 5 to 6 months after confirmation of receipt of ALL material	Submission of Legal Memorandum to Town	Review Legal Memorandum and prepare questions and comments
Within 30 days after submission of Legal Memorandum	Conduct conference regarding Legal Memorandum	Town attorney and other interested officials to attend conference
Within 2 to 3 months after conference	Submission of post conference memorandum and Code Draft to Town	Town to review and return Code Draft within 30 days, with any changes indicated thereon
Immediately	Acknowledge return of Code Draft and begin to incorporate revisions	Town available to answer questions
Within 2 to 3 months	Delivery of completed code to Town	Adopt code and send us a copy of the approved adopting ordinance

IV. Functionality

While we believe that the Scope of Services, Internet Online Code, Code Update Services and Price Quotation sections of our response to this RFP fully address all services, procedures and applicable costs related to the Town's RFP, we welcome the opportunity to respond to any questions regarding our proposal, as well as the opportunity to demonstrate the online features available via our code hosting platform, MunicodeNEXT.

Website Hosting Summary

Our code hosting platform, MunicodeNEXT, meets all the requirements listed in **Items A-I** of your RFP and many, many more. When your code is posted on MunicodeNEXT, your staff and citizens need only click the link provided on the Town's website to access your full Code of Ordinances. With MunicodeNEXT, your staff and citizens not only have access to your complete and current Code of Ordinances, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time and the ability to be notified every time your code is updated. **To view our complete library of over 3,330 online codes, please click here: <https://www.municode.com/library/>.** We have provided links to 3 online codes in Maine on **page 2**.

We will host your code on MunicodeNEXT 24 hours per day, 7 days per week and 365 days per year. Our website is the most reliable code hosting platform available nationwide. We notify our clients at least 7 days in advance of any planned, rare and brief maintenance. We confidently guarantee an annual SLA (Service Level Agreement) uptime percentage of 99.95%.

We house our public facing website in a secure, SAS70, PCI compliant data center owned and operated by Peak 10 in Atlanta, Georgia (<http://www.peak10.com/about-peak-10/data-center-locations/atlanta/>). All systems are backed up and synchronized between our Tallahassee, Florida and Atlanta, Georgia locations for full geographic redundancy. We actively monitor the status of our hosting facility. We utilize Veeam Backup & Recovery to take daily snapshots of all servers in both of our datacenters. Snapshots are performed from 8 pm EST to 5 am EST, are replicated between sites and are routinely tested.

Our powerful search engine allows users quick, narrow, pinpoint and advanced searching options, including Boolean, Narrow and Stem searches, with Synonym searching to be added by the end of 2017. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code, or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order and translate your code into hundreds of languages via Google Translate. Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

MunicodeNEXT features are all present and appropriately sized on desktop, smartphone, and tablet viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices, the fastest growing segment of internet usage. The advanced user interface uses large buttons and icons, making it extremely touch friendly. Our mobile platform can be accessed by any smart phone or tablet running iOS, Android, Windows Phone 7 or higher, WebOS, or Blackberry OS.

There will be no onsite installation required to host your code online. Our online hosting platform is easy to navigate and includes a direct link to our IT Department should any technical support be required. We offer video tutorials and personalized webinars to assist your staff in becoming familiar with the advanced searching capabilities and powerful tools available therein, and are happy to assist with onsite training, if elected.

Please see **page 12 (Additional Capabilities)** for a complete description, including screenshots, of our MunicodeNEXT features and additional services available. We would be happy to schedule a personalized webinar to demonstrate the powerful online tools available for your code. **Among the many features available, in addition to OrdBank, is our MuniPro service, which allows your staff to search all the over 3,330 codes in our library for samples of legislative material;** search our total ordinance repository of tens of thousands of pertinent ordinances; save frequently used or complex searches; create a note and attach it to any section in any publication and draft new ordinances. Our web tools are designed to make your job easier, your code more accessible and your citizens more informed.

VI. Other Project Options

Additional Services Available

Municode and our family of solutions now offer a wide variety of services designed to serve you and your citizens. MunicodeWEB (powered by *aHa! Consulting*) creates interactive, dynamic and efficient municipal websites. MunicodePAY provides bill presentment and payment for municipalities, MCC Innovations (MCCi) increases efficiency through records and document management and **enCodePlus** provides interactive zoning maps for sophisticated planning departments. Now, and in the future, Municode is committed to providing you with the highest quality legal and publishing experience, as well as additional solutions to make your job easier and more efficient. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

When selecting any of the solutions outlined below as your service provider, you can be assured of receiving the same excellent customer service and superior products that over 4,200 clients have come to expect from Municode! Municipalities that utilize a combination of our family of services can attest that in addition to lower overall costs, their workload is significantly reduced, their citizens are more informed and they are receiving the best customer service experience possible... from the most reliable provider of government services in the nation...**Municode!** <https://www.municode.com/>

municodeWEB

MunicodeWEB - Government Website Development powered by aHa Consulting! Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

When MunicodeWEB designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price. To learn more about MunicodeWEB, please visit www.ahaconsulting.com

municodePAY

MunicodePAY offers a comprehensive, centralized electronic payment platform that includes a user-friendly citizen online portal that results in significant operational savings and improved customer retention. Your citizens will be able to pay their bills via the web, automated phone number or through your staff. Our platform is equipped with complete accounting and settlement functions that integrate with your CRM, finance and general ledger systems. Daily, weekly and monthly reports for easy tracking, and reconciliation of payments are available on demand in a variety of formats (including PDF, CSV and Excel).

With MunicodePAY, payments are collected faster, your operating procedures are simplified, and your citizens are happy. Currently, over 80 municipalities trust MunicodePAY to process over 10 million statements annually. Costs for these services are competitively priced and transaction based with low to no implementation costs. MunicodePAY also offers traditional **Statement Printing and Mailing** services, **Lock Box** Payment Processing Services and **Customer Call Center** Outsourcing Solutions. To learn more about MunicodePAY, please follow these links: Website: <https://www.municode.com/#electronicpayments>, Demo: <https://vimeo.com/143619736>

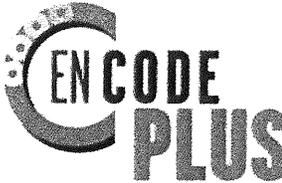


Municode Innovations (MCCI) understands the challenges organizations face every day with paper based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCI is passionate about helping organizations run their office more efficiently – saving time, money and resources! Please visit our website for more details about any of the services listed below: <https://www.mccinnovations.com/>

Enterprise Content Management Software and Services (Laserfiche). With more than 900 clients nationwide, MCCI is the largest provider of Laserfiche solutions in the world.

Digital Imaging Services. Services include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCI provides the most powerful index retrieval search engine available.

JustFOIA helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.



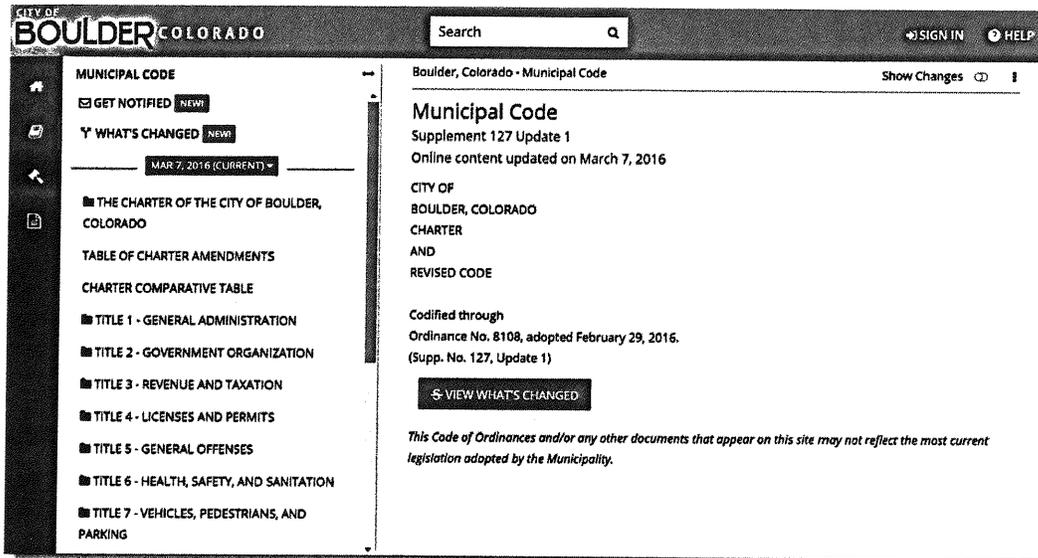
enCodePlus is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **encodePlus** assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a Land Use Look-up tool, hyperlinking to outside resources, historical archiving and in-line graphics. From its humble beginnings as a stand-alone Windows PC program, **enCodePlus** has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCodePlus** can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: <http://www.encodeplus.com/>

VII. Additional Capabilities

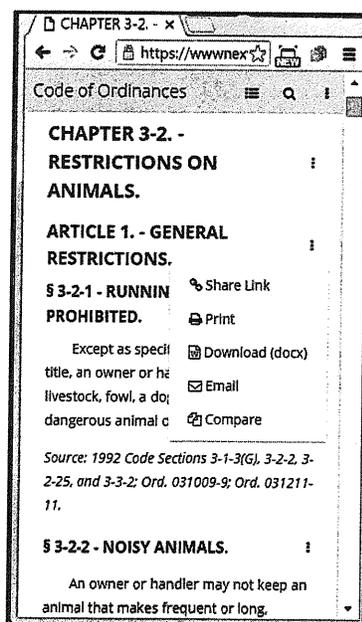
Our code hosting platform, MunicodeNEXT, includes both standard and premium features, as described on the following pages. These features provide a wide variety of **additional capabilities** for the research and navigation of your code, as well as for preserving its history. We recommend our bundled feature option, **MyMunicode** for the most transparent and feature rich code possible. **MyMunicode includes the annual online hosting and maintenance service with CodeBank, CodeBank Compare + eNotify, OrdBank, MuniPro and a custom online code banner to match the Town's website.** We would welcome the opportunity to demonstrate all our MunicodeNEXT features to the Town during the evaluation process for this RFP.

Standard Features of MunicodeNEXT

Responsive Design – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.

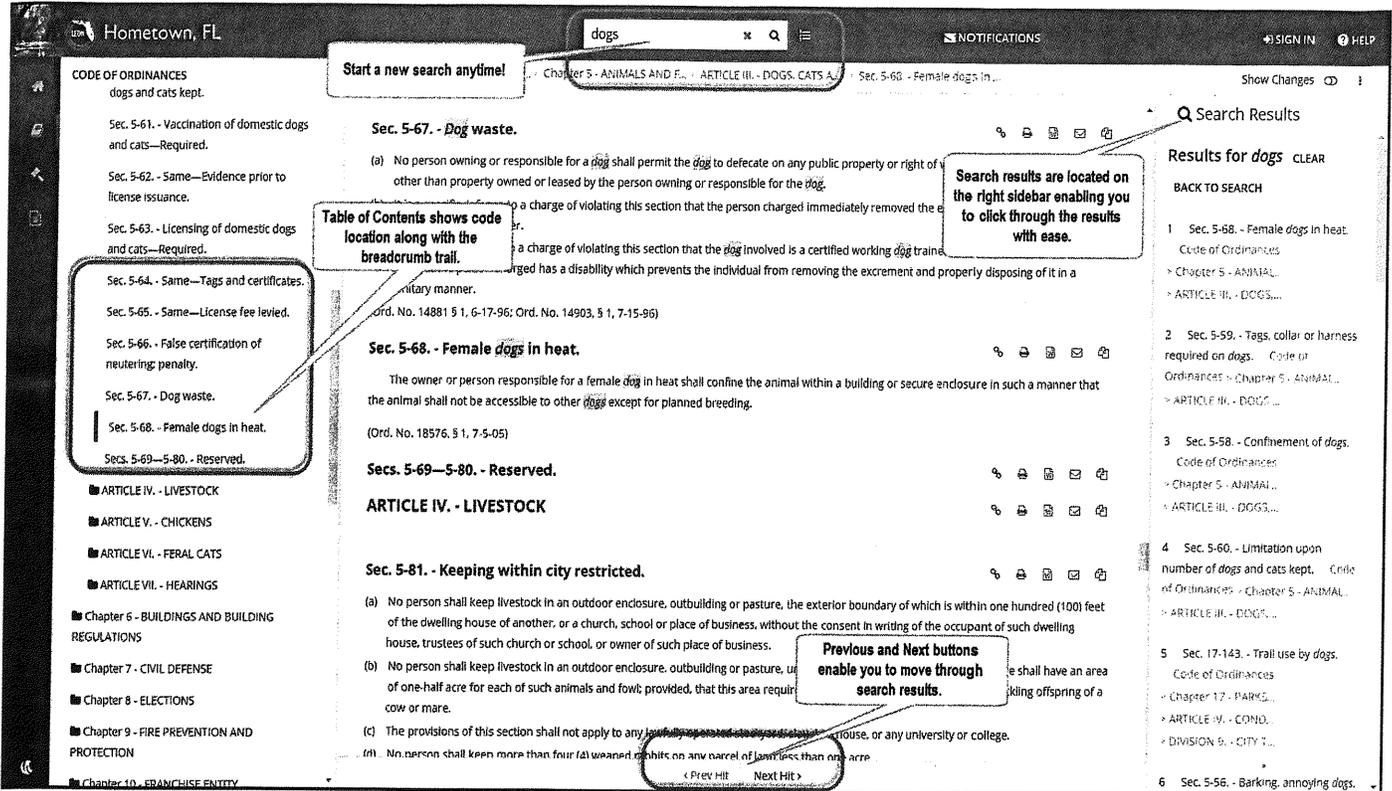


Mobile and Tablet friendly – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



Print/Save/Email – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

Searching – Municode leverages a powerful open source search platform that also powers sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking “back” to a search results page. The code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



Municode Search Components:

- 🔍 **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- 🔍 **Multiple Publications** – If you have multiple publications (code, zoning, etc.), they will all be searchable from one interface.
- 🔍 **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- 🔍 **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- 🔍 **Narrow Searching** – Your users can search selected chapters or titles to pinpoint their searches and find what they are looking for as quickly as possible!
- 🔍 **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser’s bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser’s tabs.

VII. Additional Capabilities

The screenshot displays the search results for 'animals'. On the left, there are two facet panels. The 'Products' panel shows 'Code of Ordinances' (72), 'Unified Development Code' (3), and 'Unified Development Ordinance' (3). The 'Content' panel shows 'Chapter 5 - ANIMALS AND FOWL' (36), 'Chapter 29 - ZONING' (10), 'Chapter 12A - LAND PRESERVATION' (4), and 'Hometown, Florida - Unified Development Ordinance' (3). The search results list includes 'Sec. 16-260. - Animals and birds.', 'Sec. 5-57. - Dangerous or aggressive animals.', and 'Sec. 5-3. - Disposition of animals biting or attacking persons.'. A search bar at the top right allows sorting by 'Relevance' or 'Document Order'. A breadcrumb trail is visible above the results: 'Code of Ordinances / Chapter 5 - ANIMALS AND FOWL / ARTICLE III - DOGS, CATS AND OTHER ANIMALS'.

Search enhancements provided with our latest website upgrade include (see screenshot above):

- Multiple products as facets on the left.
- Number of hits in content types and products displayed.
- Ability to sort code results by relevance OR book order.
- Ability to sort ordinance results by relevance OR date order.
- Ability to sort MuniDocs (minutes, etc.) by relevance OR date order.
- Breadcrumb trail on each search result.
- Prev/Next buttons to navigate through hits.
- **COMING SOON!** *Synonym searching by the end of 2017.*

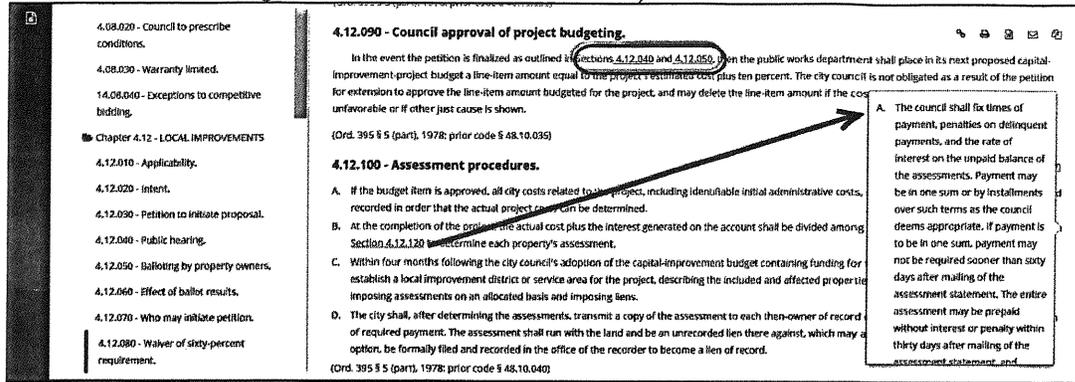
Browsing – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you’re viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.

The screenshot shows a document page with a breadcrumb trail at the top: 'Leon Coun... / CODE O... / Chapter... / ARTICLE... / DIVISIO... / Sec. 10-2...'. Below the breadcrumb, there are navigation buttons for 'Previous' and 'Next'. The main content area displays a table of contents for 'ARTICLE II. - ADMINISTRATION' and 'DIVISION 1. - IN GENERAL'. A specific section is highlighted: 'Sec. 10-2.101. - Comprehensive plan adopted.' with a sub-section: 'The Tallahassee-Leon County 2010 Comprehensive Plan as adopted and amended by the county is adopted. (Ord. No. 07-20, § 2, 7-10-07)'. There are also icons for search, print, and other actions.

- ☞ **Internal Cross-Reference Linking** – Cross-references within your code are linked to their respective destination Article, Chapter or Section.
- ☞ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your code. Easily view your maps, graphs and charts by simply enlarging the item.

- 🖱 **Mouseover (cluetips)** – Navigate to your code and any linked cross-reference will quickly display in the pop-up preview window.
- 🌐 **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted codes in over 100+ languages.

(Cross-reference linking and mouseover shown below)



Translation – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted codes in over 100+ languages.

Social Media Sharing – You and your users are able to share code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

Static Linking – Copy links of any section, chapter or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

GIS – We can provide a permalink to any code section and assist staff to create a link from your GIS system to relevant code sections.

In-line Images & PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the code that have very specific viewing and layout requirements.

Website Accessibility – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.0.

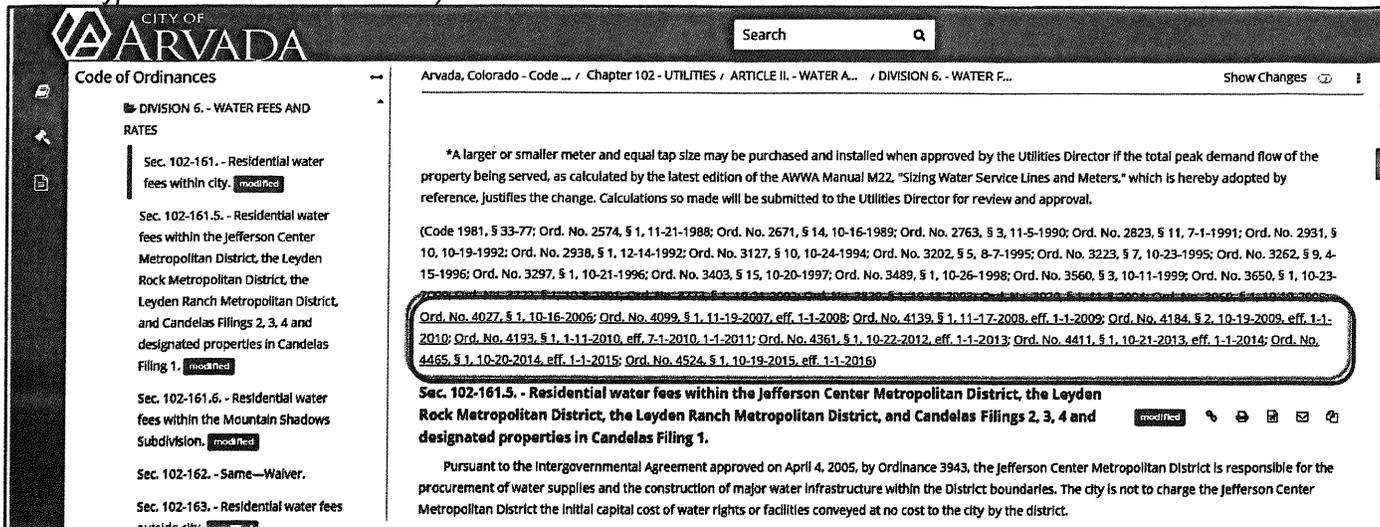
Support – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

Premium Features of MunicodeNEXT

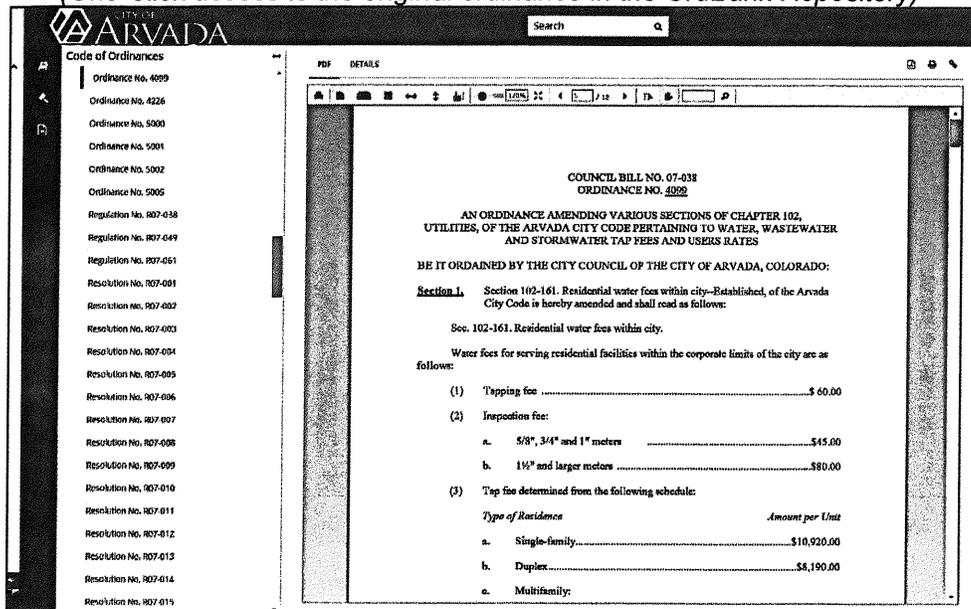
Custom Banner. We can customize the look and feel of your code to more closely match your website. Please note the custom banners in each of the screenshots provided in this sample.

OrdBank. With our OrdBank solution, newly adopted legislation will be posted online in between supplements. Upon the completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the "OrdBank" tab.

Hyperlinked ordinance in text)

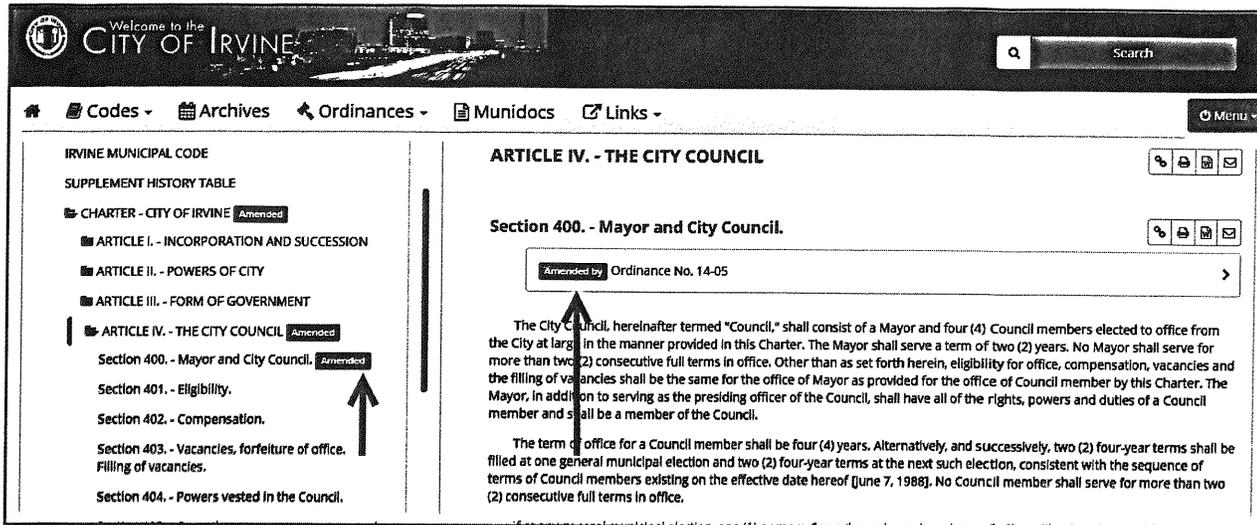


(One-Click access to the original ordinance in the OrdBank Repository)



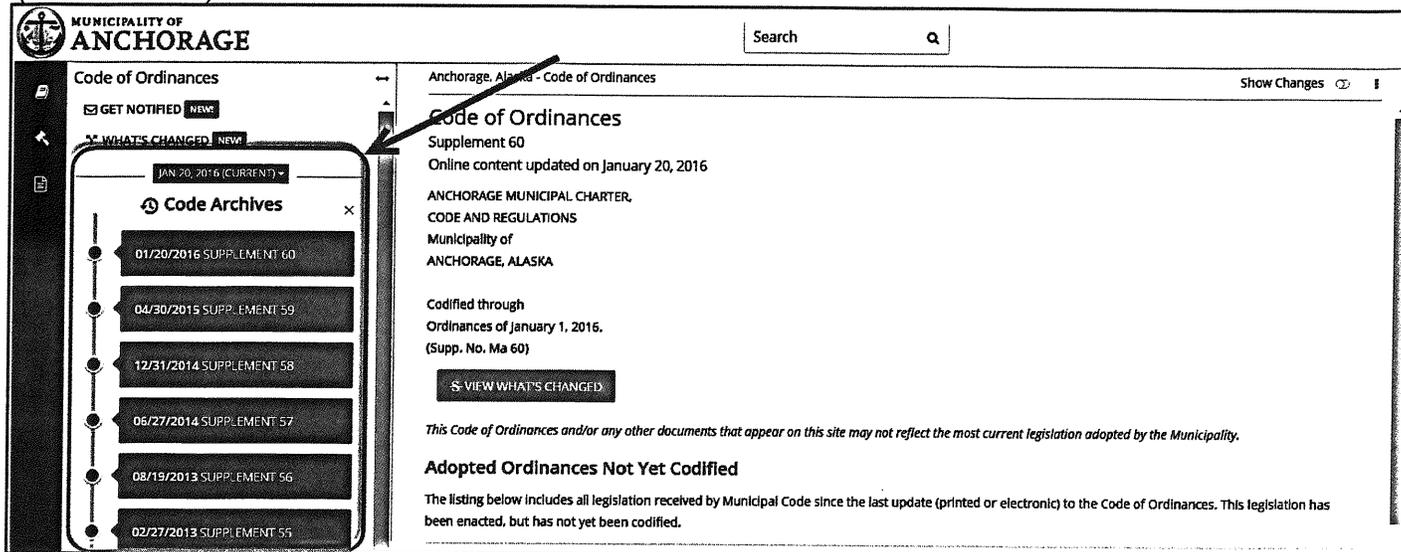
VII. Additional Capabilities

OrdLink + OrdBank. Prior to incorporating the ordinances into your code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



CodeBank. Our CodeBank feature provides an online archival platform for previous supplements of your code. Empower your staff and citizens to access every previous version of your code with one click.

(CodeBank Tab)



CodeBank Compare. Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online code and compare it to any other version of your online code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the code via "modified," "new" or "removed" badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your code that were implemented during the most recent update.

VII. Additional Capabilities

eNotify. Our eNotify service allows users to enroll online and receive email notifications each time your online code is updated. This will empower your staff and citizens to receive instant notifications every time your online code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.

Get Notified

Filling out this form will allow you to receive an email notification every time select publications are updated.

Note: If you no longer wish to receive these notifications once signed up, you can unsubscribe via a link in the notification email.

Email
Enter email

Profession
Select One

Codes

Unified Development Code

Unified Development Ordinance

Code of Ordinances

Sign up to be notified for all publications or narrow notifications to only one product.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the code stored in CodeBank.

(Changes are shown in your Text Changes Tab and in your Table of Contents)

MUNICIPALITY OF ANCHORAGE

Search

SIGN IN HELP

Code of Ordinances

- Chapter 2.30 - RULES OF PROCEDURE FOR ASSEMBLY
- 2.30.010 - Organization: election of chair and vice-chair.
- 2.30.020 - Presiding officer.
- 2.30.030 - Meetings modified
- 2.30.040 - Appearance requests and audience participation.
- 2.30.050 - Introduction of ordinances: action on ordinances.
- 2.30.055 - Conduct of public hearing.
- 2.30.060 - Public hearings and action on proposed resolutions.
- 2.30.070 - Voting.

Anchorage, Alaska - Code of Ord... / TITLE 2 - LEGISLATIVE BRANCH / Chapter 2.30 - RULES OF PROCE...

K. Executive sessions.

1. The assembly may recess to meet in executive session to discuss the following subjects if the express nature of the subject is stated in the motion calling for the session:
 - a. Pending a specific legal matter, including pending litigation;
 - b. Labor negotiations with municipal employees;
 - c. Matters that the immediate knowledge disclosed, of which would clearly have an adverse effect upon the finances of the municipality; or
 - d. Matters which tend to defame or injure the reputation and character of a person, provided the person may request a public discussion;
 - e. Matters which by law, municipal charter, or ordinance are required to be confidential; or
 - f. Matters involving consideration of government records that by law are not subject to public disclosure.
2. No official action may be taken in executive sessions except to give direction to an attorney or labor negotiator regarding a specific legal matter or pending labor negotiation. Although the public may be excluded, the session shall be electronically recorded. The tapes shall be available for public access according to the following schedule:
 - a. If the session concerns pending litigation, the release date shall be when all causes of action have been resolved by final judgment or when further claims arising from the matter are otherwise barred;

CHANGED SECTIONS

- ANCHORAGE MUNICIPAL CHARTER, CODE AND REGULATIONS modified
- SUPPLEMENT HISTORY TABLE modified
- TITLE 2 - LEGISLATIVE BRANCH - Chapter 2.30 - RULES OF PROCEDURE - 2.30.030 - Meetings. modified
- TITLE 2 - LEGISLATIVE BRANCH - Chapter 2.50 - INITIATIVES, REFERENDUMS - 2.50.090 - Effect of vote. modified
- TITLE 3 - ADMINISTRATION / Chapter 3.20 - EXECUTIVE ORGANIZATION - 3.20.010 - Executive and administrative order. modified

(Show changes button and a custom banner are shown below)

City of Bonita Springs Florida

Search

Show Changes

Code of Ordinances

GET NOTIFIED NEW

WHAT'S CHANGED NEW

JAN 29, 2016 (CURRENT)

- BONITA SPRINGS CITY CODE
- PREFACE
- SUPPLEMENT HISTORY TABLE modified
- CHARTER
- ARTICLE I. - [IN GENERAL]
- ARTICLE II. - [EFFECTIVE DATE]

Bonita Springs, Florida - Code of Ordinances

Code of Ordinances

Supplement 2

Online content updated on January 29, 2016

BONITA SPRINGS CITY CODE

Codified through Ordinance No. 15-27, enacted December 2, 2015.

VIEW WHAT'S CHANGED

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality.

municode Response to Request for Proposals

18

VII. Additional Capabilities

MuniPRO. MuniPRO Searching allows you to search the over 3,330 codes we host (the entire country, a single state or individually selected codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

- 🔍 **Multiple Code Search.** Search all codes within one state, multiple codes within one state, or search all codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.
- 🔍 **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.
- 🔍 **MuniPRO Notes.** Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.
- 🔍 **MuniPRO Drafts.** Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.

The screenshot displays the MuniPRO search interface. At the top, a search bar contains the term "animals" and includes "ADVANCED" and "RESET" options. A "SEARCH" button is located to the right. Below the search bar, a navigation bar shows the search results: "CODES 129183", "ORDINANCES 5190", and "MUNIDOCs 288". The main content area is titled "Results" and shows "Showing results 1 - 25 of 129183". On the left side, there are two filter panels: "Classification" and "Pop Range". The "Classification" panel lists various levels of government with checkmarks and counts: City (97991), County (20299), Town (11618), Village (5680), Township (1828), Parish (1386), Consolidated Government (532), Borough (425), Tribe (181), and Charter Township (54). The "Pop Range" panel lists population ranges with checkmarks and counts: Pop 5 (28621), Pop 4 (19502), Pop 6 (18479), Pop 3 (14326), and Pop 7 (13206). The search results are displayed as a list of numbered items, each with a title and a brief excerpt. Item 1 is "90504.13 - Animals" from Imperial County, California. Item 2 is "14.28.350 - Animals" from Libby, Montana. Item 3 is "23.08.020 - Animals" from Huron, South Dakota. Item 4 is "90503.13 - Animals" from Imperial County, California. A callout box points to the search results area, highlighting the "25 per page" and "Sort by" options.

Code Update Summary

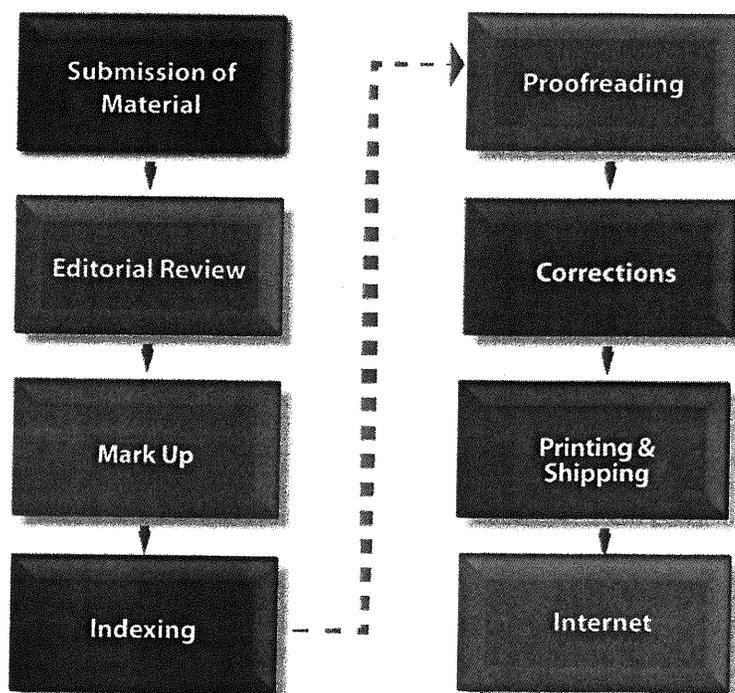
Your supplement editorial team will include the Municode attorney who conducted the recodification project, and who will be available to answer any questions the legal editor may have to ensure that the new legislation conforms to the existing provisions of your code. **Please see page 21 to review the Town's anticipated participation in the supplementation process, as well as what is expected of the Town during the recodification and website hosting phases of this project.**

During the supplement process, all legislation received is confirmed immediately, organized, reviewed, codified and posted online. Printed copies will be provided according to the Town's specifications. **We pride ourselves on a supplement turnaround time of 35-40 days for print and 15 business days for full electronic updates. With our OrdBank solution, new legislation can be posted online in PDF format within 24 to 48 hours of our receipt of your material.** The supplement process is outlined below.

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. The Town will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If the Town elects to utilize our OrdBank service (advance legislation service), the legislation will be posted online within 48 hours as a PDF under "Adopted Legislation not yet Codified" at this time.

2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your code; where the ordinance should be placed; whether the ordinance conflicts with your existing code content; what material should be removed from your existing code; whether history notes will be added; what tables will be updated and whether the Table of Contents in the front of the code and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you in order to ensure that the ordinances are correct and consistent with the existing code.

Municode Supplementation Process



3. Indexing – When the editorial process has been completed, your supplement will be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.
4. Proofreading – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hierarchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the

VIII. Code Update Services

editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.

5. Posting the supplement online (MunicodeNEXT) – After your supplement has been completed, your online code will be updated within 1 to 2 days and any electronic products requested will be provided. The Town will receive notification that the website has been updated via email. If the Town selects our CodeBank Compare + eNotify service, citizens will be notified each time the online code is updated. When your code is updated on MunicodeNEXT, the mobile sites are updated simultaneously and all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.
6. Printing and Shipping – We will print, cut, 3 hole-punch, insert divider tabs and ship your supplement to you quarterly unless otherwise instructed by the Town. You are able to change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; *Checklist:* We will furnish a checklist of up-to-date pages with each supplement.

Town's Participation in Scope of Work

The Town's level of participation in all phases of this project is outlined below:

Recodification and Republication

- Provide all ordinances and code material, preferably in WORD format;
- Provide images, graphics and tabular matter, preferably in original format;
- Be available to answer any questions from the Municode Attorney conducting the project;
- Review the Legal Memorandum and attend the conference prepared to discuss its findings;
- Work with the Municode Attorney to resolve the findings of the Legal Memorandum;
- Work with Municode to determine the desired formatting and style of the new code;
- Return the draft code to Municode with any revisions noted;
- Adopt the newly codified code.

Supplementation

- Send any uncodified legislation to Municode for supplementation on the schedule of your choice;
- Be available for editorial consultation, should any questions arise upon receipt of new legislation;
- If proofs are elected, return supplement proofs to Municode within 30 days;
- Use the Instruction Sheet and Checklist of up-to-date pages to update your printed copies of the code.

Website Hosting

- Post the link we provide for your online code on the Town website;
- Choose your online services from the many enhanced features available for your code;
- Send any uncodified legislation to Municode for online posting in between scheduled supplements, if desired.

Customer Service & Support

At Municode, we pride ourselves on providing the highest level of personalized training, website support and customer service possible and will always be here to answer your questions and to immediately provide any support requested.

There will be no onsite installation, implementation or specialized training necessary to easily access, understand and utilize all the tools available on MunicodeNEXT. Our website has been designed for extreme ease of use for code administrators and public viewers alike. Our online hosting platform is simple to navigate and includes a direct link to our supportive IT Department, as well as a toll-free number for more personalized support. We offer video tutorials and individual webinars to assist your staff in becoming familiar with the advanced searching capabilities and powerful tools available online, and are also happy to assist with onsite training, if elected.

When the recodification project is complete and your newly adopted code is ready to be posted online, we will set up a link to explore the online code and all its features with the Town, before going "live" online with the recodified code. You will find that your online code is simple to use and that our online tools provide incredible search capabilities. Customer support will, of course, be provided at all times.

X. Additional Information Requested

Please find our response to *Items A-C* below:

A. Identify how the website will be maintained.

Municode NEXT was developed and is scrupulously maintained by our internal staff of 17 web application developers and system administrators. Our most recent overall system upgrade was completed in May of 2017. We have added the Google Translate feature since that time, and plan to add Synonym Search before the end of 2017. We are constantly striving to remain at the forefront of technological developments in our field, as evidenced by the awards and recognition we have earned in the process (see summary below).

B. Identify guarantees against downtime, specify restoration within 8 hours.

We guarantee an annual uptime of at least 99.5%, although we exceed this level each year. We utilize dual servers in different geographic locations to further guarantee the reliability and accessibility of our code hosting platform. We have never experienced an outage of 8 hours and barring a natural disaster over which we have no control, we can guarantee that we never will.

C. What is the minimum contract term required? If greater than 1 (one) year, do you adjust pricing based upon annual renewals of merchant pricing?

The minimum contract for the recodification project will be one year, or until the recodification project is completed, which is anticipated to be between 12 to 15 months from the cutoff date established for the submission of material and ordinances. Our standard recodification contracts include a 3-year term to allow for supplementation and website hosting services to commence upon completion of the recodification project, with automatic annual renewals for ongoing maintenance and website hosting services, provided that either party may cancel the Agreement with 30 days written notice. Prices are firm throughout the initial term of any contract issued. Agreements for annual supplement and website hosting services are subject to a minimum term of one year.

Should we be fortunate to be awarded this RFP for recodification services, we can provide a sample Professional Services Agreement for the Town's review, or can execute any contract documents of the Town's choice.

Recognition & Awards

We are proud of the awards and recognition that we have received and continue to strive for excellence in the delivery of the services we provide to our clients.

2016 Charles S. Rhyne Lifetime Achievement in Municipal Law Award. Lawton Langford, our C.E.O., was recently honored by the International Municipal Lawyers Association (IMLA) as the recipient of the coveted Charles S. Rhyne Award for his years of service to the profession of municipal law. The award is not intended to be bestowed on a regular basis, but rather is intended to be a recognition bestowed only occasionally and then only upon a truly uncommon individual. Mr. Langford is the only non-municipal attorney to have ever received this prestigious award.

Government Technology Magazine/Microsoft Partner. Our IT Department's commitment to excellence resulted in our being cited by Government Technology magazine (for the last two consecutive years!) as one of the top 100 companies that innovate, transform, and improve the way local governments do business, the only code publishing company to ever receive this recognition. The average age of companies recognized as technological leaders is only **12 years old** – we have been in business for **over 66 years**, and



appreciate this testament to our commitment to technological advancement. Additionally, having been recognized for many years as a Microsoft Silver Partner for our proprietary website applications, we have recently been upgraded to a Microsoft Gold Partner.



X. Additional Information Requested

CIO Magazine/Laserfiche Gold Partner. Established in 2001, our document and records management division, MCCi, continues to uphold the Municode standard of excellence. In addition to achieving and maintaining the Certified Professional Program (CPP) Gold certification from Laserfiche and being included in the prestigious CIO Review's list of the top 20 government technology solution providers, we have also recently been recognized in the following categories:

- Best Companies to Work for in Florida
- Inc. 5000 Fastest Growing Companies in America
- Florida Companies to Watch winner
- Laserfiche™ President's Awards **since 2008**
- Laserfiche™ Top Public Sector VAR **since 2005**



The recognition that means the most to us comes directly from our customers, as shown on the customer satisfaction surveys included as **Attachment C**. We are also honored by the confidence and trust placed in us by the International Institute of Municipal Clerks and the International Municipal Lawyers Association, both of whom chose Municode as the most reliable and efficient company to maintain and administer their online ListServ databases. Often, the most rewarding feedback from our clients arrives unsolicited, as shown in Clearwater, Florida's e-mail regarding our latest website upgrade:

"I was having a fantastic day at work here at the City of Clearwater and didn't think my day could get much better. Well, then I accessed our Community Development Code through Municode as I have done daily for the last five years. Good golly, Miss Molly, have you guys knocked it out of the park with the update!!!! So much faster, easier on the eyes and overall just a pleasure to work with. Thank you so much and please pass on my regards to those responsible. I spend hours each week on the Municode site and the changes are noticeable, pertinent and fantastic!"
- **Matt Jackson, Senior Planner, Planning & Development Department, Clearwater, FL**

Town of Ogunquit, Maine
23 School Street, PO Box 875, Ogunquit, Maine 03907
 (207)646-5139 Fax (207)646-5920

REQUEST FOR PROPOSALS
“Codification Services”

PRICE QUOTATION SHEET

The codifier shall indicate below the firm not-to-exceed prices for the Codification project and any optional products and services described in Sections III, IV, V, and VI. The price for the codification project shall reflect the total cost to the Town of Ogunquit for the project as described.

Base Price:	<u>\$ 15,950*</u>
Receipt of materials	
Editorial Analysis	
Manuscript	
Editing	
Stylizing	
Word processing	
Proofreading	
Draft	
Comprehensive Index	
5 Code Volumes	
Shipping and Handling	
Internet On-line Code: Cost of Annual Fee	<u>\$ free first year, than \$495</u>

Options:	
1. Teleconference or Web Conference	<u>\$ no charge up to 5 hours**</u>
2. Legislation appended to online Code	<u>\$ 25 per ordinance</u>
3. Code on Disc in PDF format	<u>\$ 100</u>
4. Code on Disc in MS Word format	<u>\$ 100</u>
5. Additional copies of Code Book in Binders	<u>\$ 150</u>
6. Reprints of Chapters or Portions of Code	<u>\$ 0.075 per impression</u>
7. Distribution of Codes/Supplements to Non-Municipal Clients	<u>\$ 195/100 per year</u>
8. Onsite Training	<u>\$ 500 per day plus expenses ***</u>
9. Seal imprint	<u>\$ 275</u>

*\$15,950 based on 700 pages. Pages in excess of 700 will be billed at \$24 per page with a not-to-exceed total cost of \$18,134.

** \$150 per hour thereafter.

***We are confident that onsite training will not be necessary, as described in proposal response.

Price Quotation Sheets
Executive Summary

Recodification, Supplementation and MunicodeNEXT 3.0

*Logic: Give your municipality a fresh start. Engage our full-time attorneys to examine, organize and recodify your ordinances and resolutions in order to produce a legally sound, error free code that conforms to the laws of the state of Maine. Quickly and efficiently transition your newly adopted code to the most advanced suite of web/mobile services available in the nation: **MunicodeNEXT 3.0.***

- ⌚ Initial recodification; based on a 700-page code\$15,950
- ⌚ Supplementation, single column format **\$19 per page**
- ⌚ Online hosting and support, annually\$495

Pricing = Apples to Apples:

We realize that different companies call services by different names. Here are some important considerations to keep in mind when comparing proposals:

- ⌚ A full-time, Municode attorney will legally review the code, not just a code editor or a contract attorney;
- ⌚ The codification base cost of **\$15,950** is based on a **700 page, single column 10-point code**;
- ⌚ Supplement charges – **single column per page rate of \$19**;
- ⌚ The **online code is only \$495 annually** for our standard service;
- ⌚ If you want to further enhance the transparency of your online code, you can upgrade to the MyMunicode bundle for **only \$1,195 annually**;
- ⌚ Municode **does not** charge an extra fee for posting supplements online or printing your supplement pages, as these services are included in your supplement per page rate.

Price Quotation Sheets
Recodification Quotation Sheet

Recodification Cost, includes	\$15,950
☞ 700 single column, 10 point pages	
☞ Receipt, review and organization of materials including the Municipal Code, Zoning Ordinance, Floodplain Management Ordinance and Town Charter	
☞ Legal analysis & research by a full-time, Municode attorney	
☞ Preparation of Legal Memorandum by a Municode attorney	
☞ Conference with attorney (make selections below)	
☞ Implementation of approved legal findings	
☞ Updating state law references	
☞ Editorial preparation and proofreading	
☞ Page formatting (make selections below)	
☞ Indexing	
☞ Creation of tables ¹	
☞ Graphics ² & tabular matter	
☞ Post Conference Memorandum/Final proofreading and corrections	
☞ Adopting ordinance prepared by a Municode attorney	
☞ 5 copies of the republished code, with stamped ³ 3-post binders and tabs	

Conference Selection:

- On-site conference, each **Attorney time, travel, lodging and per diem**
 Teleconference or web-based conference, 5-hour session **No charge⁴**

Format Elections (Please check or circle desired elections below)

Font: Times New Roman - Will be used as the font unless otherwise indicated.

Other choices include: Helvetica, **Avant-Garde Demi**, Courier, Palatino, Helvetica Narrow, Century Gothic, Gill Sans and Arial MT

- | | | | | |
|-------------------------------|--|------------------------------------|---------------------------------------|-----------------------------------|
| Font Size: | <input type="checkbox"/> 10 point | <input type="checkbox"/> 11 point | <input type="checkbox"/> 12 Point | |
| Binder Color: | <input type="checkbox"/> Semi-Bright Black | <input type="checkbox"/> Dark Blue | <input type="checkbox"/> Hunter Green | <input type="checkbox"/> Burgundy |
| Binder Stamping Color: | <input type="checkbox"/> Gold | <input type="checkbox"/> Silver | <input type="checkbox"/> White | |

Items not included in base cost

☞ Pages <u>over</u> 700, single column pages per page (not to exceed 91 pages)	\$24
☞ Seal imprint for binders	\$250⁵
☞ Freight	Actual
☞ State sales tax	If applicable
☞ Post your code on MunicodeNEXT	See selections on page 19

Payments for codification project - Base cost split into four payments – Your project can be budgeted over two fiscal years

☞ Execution of Agreement	\$5,580
☞ Submission of the Legal Memorandum	\$3,990
☞ Submission of Draft Code	\$3,990
☞ Delivery	Balance

¹ The following tables will be created and are included in the base cost: supplement history table, code comparative table, state law reference table and ordinance history table. An additional hourly charge applies for creation, modification, addition or updating of any table other than those enumerated in this footnote such as a Fee Schedule.

² Includes printing all copies. Additional fees will apply if graphics are printed in color.

³ Binder stamping only includes Town name. The Town seal or logo can be added for an additional \$250.

⁴ For the initial 5-hour session. \$150 per hour thereafter.

⁵ The City seal is not included with the stamped binders; it is an additional cost.

Supplement Service Base Page Rate Quotation Sheet

Supplement Service Base Page Rate

Page Format	Base Page Rate
Single Column	\$19 per page

Base page rate above includes:

- (C) Acknowledgement of material
- (C) Data conversion, as necessary
- (C) Editorial work
- (C) Proofreading
- (C) Updating the index
- (C) Schedule as selected by you⁶
- (C) Updating electronic versions⁷ and online code
- (C) 5 copies of each supplement

Base page rate above excludes:

- | | |
|---|------------------------------|
| (C) Freight | Actual |
| (C) Blank pages | No Charge |
| (C) State sales tax | If applicable |
| (C) Graphics ⁸ & tabular matter, per graphic | \$10 |
| (C) MyMunicode or online code | Selections on page 19 |
| (C) Annual Administrative Support fee | \$225 |

Electronic media options for Code of Ordinances (sent via download)⁹

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Folio Bound Views | \$295 initially then \$100 per update |
| <input type="checkbox"/> WORD (DOCX) | \$100 |
| <input type="checkbox"/> Adobe PDF of the code | \$100 |
| <input type="checkbox"/> Adobe PDF of each supplement | \$100 |

Payment for Supplements and Additional Services will be invoiced upon completion of project (s):

Municode does not charge an additional fee to print your supplement pages or post your supplements online. This is all included in your per page supplement rate.

⁶ Schedule for supplements can be weekly, bi-weekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic updates can occur more frequently than printed supplements.

⁷ We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.

⁸ Includes printing of all copies. Additional fees will apply if graphics are printed in color.

⁹ "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as HTML, PDF, XML, Folio or Word, via one of the afore-mentioned mediums.

Online Services Quotation Sheet

Please check the appropriate box(es) to indicate your selection. To learn more about our online services, you can participate in one of our free webinars [here](#) or view a pre-recorded version of the webinar [here](#). Please click on the link to the applicable product for a description of our standard and premium online features.

A la carte pricing:

In lieu of purchasing the budget friendly MyMunicode bundles option at the bottom of this page, online services can be purchased a la carte at the following rates:

- | | |
|--|--------------|
| <input type="checkbox"/> <u>Online Code = MunicodeNEXT</u> (annually) | \$495 |
| <input type="checkbox"/> <u>CodeBank</u> (annually) | \$150 |
| <input type="checkbox"/> <u>CodeBank Compare + eNotify</u> ¹⁰ (annually) | \$250 |
| <input type="checkbox"/> <u>MuniPRO</u> Service (annually) | \$295 |
| <input type="checkbox"/> <u>Custom Banner</u> (one-time fee) | \$250 |

MuniDocs – only select one option below for MuniDocs:

- | | |
|--|---------------|
| <input type="checkbox"/> <u>MuniDocs</u> (up to 25 documents per year updated quarterly) | \$350 |
| <input type="checkbox"/> <u>MuniDocs</u> (up to 100 documents per year updated quarterly) | \$750 |
| <input type="checkbox"/> Additional documents, each, with either option | \$7.50 |

A la carte options for ordinances pending codification

Option 1) OrdBank

- | | |
|--|--------------|
| <input type="checkbox"/> Per ordinance fee | \$25 |
| <input type="checkbox"/> Flat annual fee (recommended if MyMunicode is not selected) | \$315 |

Option 2) OrdBank + OrdLink

- | | |
|--|--------------|
| <input type="checkbox"/> Per ordinance fee | \$50 |
| <input type="checkbox"/> Flat annual fee (recommended if MyMunicode is not selected) | \$415 |

Historical OrdBank linking can be provided prior to 2017 at \$35 per ordinance received.

- Number of Ordinances _____ x \$35 per ordinance.

MyMunicode Value Pricing (\$1,460 value!)

In lieu of a la carte pricing, we recommend the budget friendly and feature rich MyMunicode bundle to keep your code as current, transparent and as easily researchable as possible.

- MyMunicode**¹¹ includes: **\$1,195**¹²

MunicodeNEXT (Online Code), OrdBank, CodeBank, CodeBank Compare + eNotify¹³, **MuniPRO**, and **Custom Banner**

¹⁰ Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

¹¹ Municode does not charge a per page rate for updating the online code (internet). Your per page supplement rate for the codification of new legislation is not affected by selecting our budget friendly and feature enriched MyMunicode bundle package.

¹² Total value if each item were to be purchased a la carte would be approximately \$1,505 per year with participation in our OrdBank service.

¹³ Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

Signature Page

This proposal and all prices quoted herein shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Town of Ogunquit, Maine.

Term of Agreement. If the following proposed term of the contract is acceptable to the Town, this Agreement for the recodification of the Town of Ogunquit's ordinances shall begin upon execution of the contract and shall continue for a period of 3 (three) years. Thereafter, supplementation and website hosting services shall be automatically renewed from year to year, with the condition that either party may cancel or change this agreement with thirty (30) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

Municode Officer: _____



H. E. "Rick" Grant

Title: Executive Vice President

Date: August 31, 2017

Accepted by:

TOWN OF OGUNQUIT, MAINE

By: _____

Title: _____

Date: _____

REVOCABLE LICENSE AGREEMENT

AGREEMENT made this ____ day of _____, 2017, by and between the **TOWN OF OGUNQUIT**, a municipal corporation existing under the laws of the State of Maine, located in the County of York and the State of Maine (hereinafter the “Town”) and **DUNELAWN OWNERS’ ASSOCIATION**, of Ogunquit, County of York and State of Maine (hereinafter the “Licensee);

WITNESSETH

WHEREAS, the Licensee is the owner of property located on Hoyt’s Lane, Ogunquit, Maine, as more particularly described in a deed to Dunelawn Associates dated October 10, 1984 and recorded in the York County Registry of Deeds in Book 3393, Page 96, as confirmed by deed dated July 10, 1985 and recorded in the York County Registry of Deeds in Book 3589, Page 31; also as delineated on Town Tax Map 7 as Lot 79 (hereinafter the “Property”); and

WHEREAS, the Property abuts Hoyt’s Lane, a Town way; and

WHEREAS, the Licensee has caused to be constructed a stone retaining wall on the Property; and

WHEREAS, a portion of the stone wall encroaches into the Hoyt’s Lane right-of-way; and

WHEREAS, the parties have agreed that the encroachment was unintentional; and

WHEREAS, the cost of removal of the portion of the stone wall that encroaches into Hoyt’s Lane would result in the undermining of all or a significant portion of the remainder of the stone wall, as well as potentially resulting in damage to the Licensee’s abutting property; and

WHEREAS, the cost to remove the encroachment would be substantial; and

WHEREAS, the Licensee has agreed to be liable for damage, as set forth herein; and

WHEREAS, subject to the Licensee's undertaking of certain obligations and responsibilities, the Town has agreed to allow the replacement structural wall and fence to remain in place for so long as the terms of this License Agreement are met;

NOW, THEREFORE, in consideration of One Dollar and other consideration, receipt of which is hereby acknowledged, and the mutual promises hereinafter set forth, the parties hereto agree as follows:

1. **License area.** The area of the license shall be that area of Hoyt's Lane as shown on a survey entitled "Standard Boundary Survey of Land and Partial Site Plan, U.S. Route 1, Hoyts Lane and River Street, Ogunquit, Maine, Owned by Dunelawn Condominium Association," dated May 12, 2017, a copy of which is on file in the Town's Code Enforcement Office.

2. **Licensee responsible for damage to vehicles; hold harmless.** The Licensee shall be liable for any and all damage resulting to any vehicle properly using Hoyt's Lane, where such damage results solely from the location of the stone wall in the street right-of-way and/or the Licensee's negligent maintenance of the structural wall and fence within the right-of-way, and the Licensee agrees to defend and hold the Town, its officers, agents and employees harmless from all claims for such damage.

3. **Licensee responsible for damage to Town vehicles.** The Licensee shall reimburse the Town for any damage that occurs to any Town vehicle that is damaged during snow plowing or snow removal operations as a result of the location of the stone wall within the street right-of-way.

4. **Responsibility for required permitting and maintenance of replacement structural wall and fence.** The Licensee shall be solely responsible for acquiring all permits required for the construction and maintenance of the replacement structural wall and fence,

including but not limited to a road opening permit, and shall comply with all applicable Town ordinances, including but not limited to the Streets, Sidewalks and Other Public Places Ordinance. The Licensee shall be solely responsible for the construction and maintenance of the structural wall and fence, including the portion located within the street right-of-way. The Licensee shall maintain reflective markings to make the structural wall and fence visible to persons utilizing the street. The Licensee shall consult with the Town's Public Works Supervisor to determine the appropriate type of markings and their location.

5. Responsibility for repairs to stone wall; hold harmless. In the event that any vehicle properly using Hoyt's Lane damages the portion of the structural wall and fence located in the street right-of-way, the Licensee agrees to be solely responsible for all repairs or costs of repairs to said portion of the stone wall. The Licensee agrees to defend and hold harmless the Town, its officers, agents and employees from any claims arising from such damage by any vehicle, including those operated by the Town.

6. No ownership interest in right-of-way created. The parties hereby agree, for themselves, their heirs, successors and assigns, that the location of the portion of the replacement structural wall and fence is authorized solely by this Agreement and that the Licensee, her heirs and assigns will not acquire any rights to the street right-of-way through the provisions of 23 M.R.S.A. § 2952 or otherwise under Maine law. Nothing in this Agreement shall be construed as permission for the Licensee to extend or relocate within the street right-of-way any portion of the stone wall except as expressly provided for herein.

7. Term of license. Unless otherwise terminated pursuant to Section 7 or Section 8 of this Agreement, this License shall be renewed annually without further action by the Board of Selectmen or the Licensee, its successors or assigns.

8. **Automatic termination of agreement.** This Agreement shall terminate immediately and without notice if the Licensee permanently removes any portion of the structural wall and fence located within the street right-of-way, and no replacement structural wall and fence or other structure shall be placed within the right-of-way after such automatic termination. In the event that a portion of the structural wall and fence is removed, this Agreement will only automatically terminate as to the portion that is removed but not otherwise.

9. **Termination after notice.** The Town may terminate this Agreement upon two weeks written notice to the Licensee in the event that any of the following occurs:

a. The Licensee fails to maintain the portion of the structural wall and fence located in the street right-of-way in reasonable repair, as determined by the Town's Public Works Supervisor; and after notice and an opportunity to repair within a period of time established by the Public Works Supervisor;

b. The Licensee fails to acquire all required permits before undertaking work in the street right-of-way; or

c. The Town's Public Works Supervisor determines that the portion of the structural wall and fence located in the street right-of-way is causing damage to the street that cannot be resolved by a repair of or modification to the structural wall and fence.

Upon termination, there shall be no further rights under this Agreement.

10. **Removal of stone wall upon termination.** Immediately upon termination of this Agreement, the Licensee shall remove the stone wall from the street right-of-way and shall restore the right-of-way to a passable condition, as determined by the Town's Public Works Supervisor.

11. **Binding on Successors and Assigns.** This Agreement shall be binding on the parties' successors and assigns.

12. **Effective Date.** The terms of this Agreement shall become effective upon its signature by both parties.

IN WITNESS WHEREOF, the Town of Ogunquit, through its Board of Selectmen, thereunto duly authorized, and Dunelawn Owners' Association have caused this instrument to be signed as of the date first set forth above.

WITNESS:

TOWN OF OGUNQUIT

By: _____

Charles Waite III

Robert Winn, Jr.

John Daley

Rick Dolliver

Madeline Mooney
Its Board of Selectmen

STATE OF MAINE
York, ss.

_____, 2017

Then personally appeared the above-named _____, a member of the Board of Selectmen of the Town of Ogunquit, and acknowledged the foregoing Revocable License Agreement to be his/her free act and deed in his/her said capacity and the free act and deed of said Town.

Before me,

Notary Public/Attorney-at-Law

Print Name: _____

WITNESS:

_____,
Dunelawn Condominium
Owners' Association

Printed Name

STATE OF MAINE

York, ss.

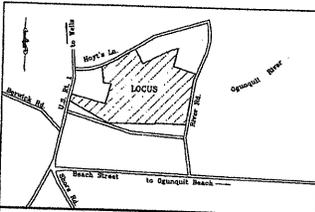
_____, 2017

Then personally appeared the above-named _____, in his/her capacity as _____ of the Dunelawn Owners' Association and acknowledged the foregoing Revocable License Agreement to be his/her free act and deed in his/her said capacity and the free act and deed of the Dunelawn Owners' Association.

Before me,

Notary Public/Attorney-at-Law

Print Name: _____



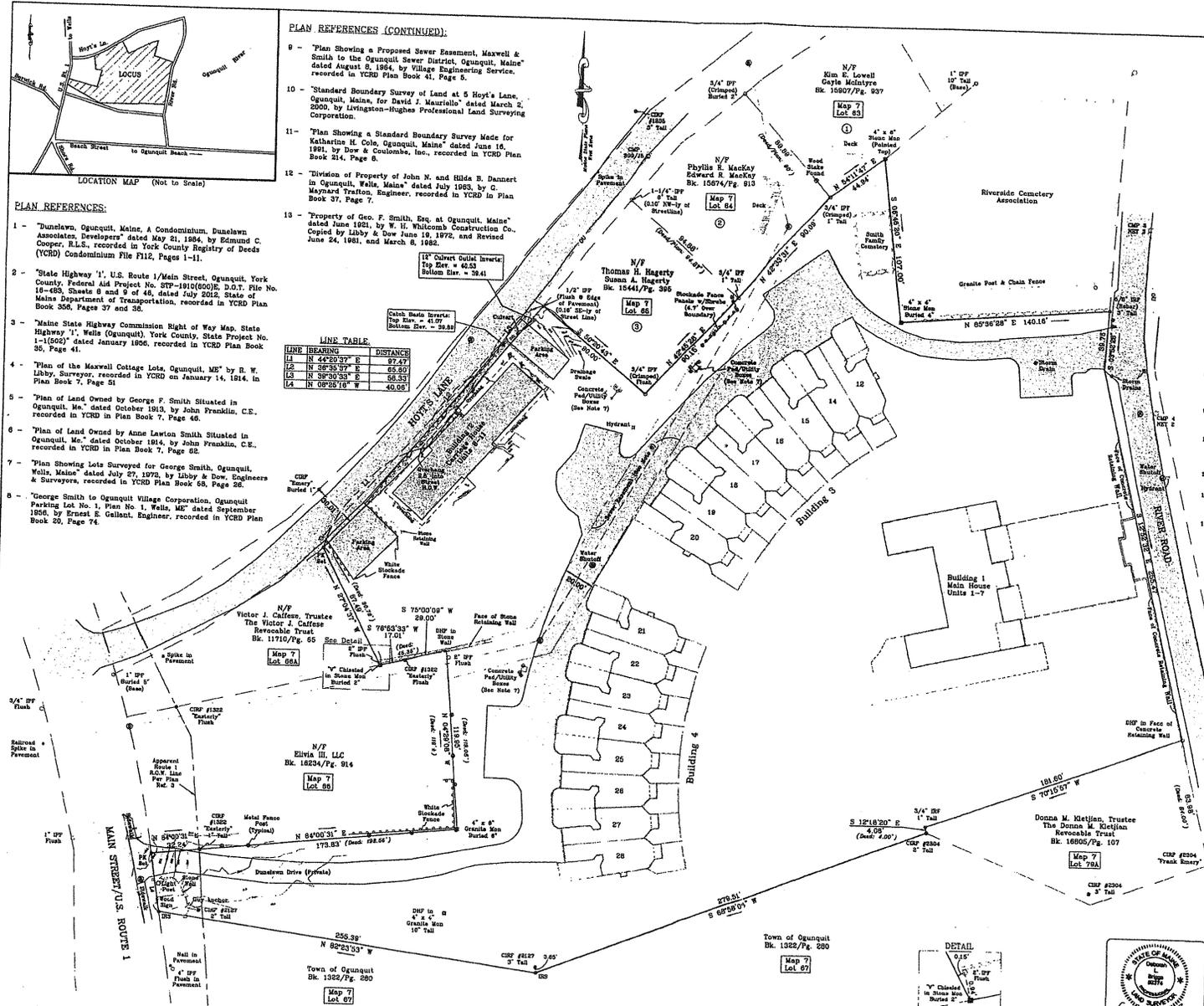
- PLAN REFERENCES:**
- "Dunelawn, Ogunquit, Maine, A Condominium, Dunelawn Associates, Developers" dated May 21, 1984, by Edmund C. Cooper, L.L.S., recorded in York County Registry of Deeds (YCRD) Condominium File #112, Pages 1-11.
 - "State Highway 1", U.S. Route 1/Main Street, Ogunquit, York County, Federal Aid Project No. STP-191(600)E, D.O.T. File No. 19-455, Sheets 8 and 9 of 44, dated July 2012, State of Maine Department of Transportation, recorded in YCRD Plan Book 356, Pages 37 and 38.
 - "Maine State Highway Commission Right of Way Map, State Highway 1", Wells (Ogunquit), York County, State Project No. 1-1(602) dated January 1966, recorded in YCRD Plan Book 35, Page 41.
 - "Plan of the Maxwell College Lots, Ogunquit, ME" by R. W. Libby, Surveyor, recorded in YCRD on January 14, 1914, in Plan Book 7, Page 51.
 - "Plan of Land Owned by George F. Smith Situated in Ogunquit, Me." dated October 1913, by John Franklin, C.E., recorded in YCRD in Plan Book 7, Page 46.
 - "Plan of Land Owned by Anne Lawson Smith Situated in Ogunquit, Me." dated October 1914, by John Franklin, C.E., recorded in YCRD in Plan Book 7, Page 52.
 - "Plan Showing Lots Surveyed for George Smith, Ogunquit, Wells, Maine" dated July 27, 1972, by Libby & Dow, Engineers & Surveyors, recorded in YCRD Plan Book 68, Page 26.
 - "George Smith to Ogunquit Village Corporation, Ogunquit Parking Lot No. 1, Plan No. 1, Wells, ME" dated September 1956, by Ernest E. Gallant, Engineer, recorded in YCRD Plan Book 20, Page 74.

PLAN REFERENCES (CONTINUED):

- "Plan Showing a Proposed Sewer Easement, Maxwell & Smith to the Ogunquit Sewer District, Ogunquit, Maine" dated August 2, 1964, by Village Engineering Service, recorded in YCRD Plan Book 41, Page 5.
- "Standard Boundary Survey of Land at 5 Hoyt's Lane, Ogunquit, Maine, for David J. Mauriello" dated March 2, 2000, by Livingston-Hughes Professional Land Surveying Corporation.
- "Plan Showing a Standard Boundary Survey Made for Katherine H. Cole, Ogunquit, Maine" dated June 16, 1981, by Dow & Coulombs, Inc., recorded in YCRD Plan Book 214, Page 6.
- "Division of Property of John N. and Hilda B. Dannert in Ogunquit, Maine" dated July 1982, by G. Maynard Trafton, Engineer, recorded in YCRD in Plan Book 37, Page 7.
- "Property of Geo. F. Smith, Esq. at Ogunquit, Maine" dated June 1921, by W. H. Whitcomb Construction Co., Copied by Libby & Dow June 19, 1972, and Revised June 24, 1981, and March 6, 1982.

LINE TABLE

LINE	BEARING	DISTANCE
12	N 42°23'37" E	87.47
13	N 38°30'33" E	65.93
14	N 08°28'19" W	40.05



LOCUS DEED REFERENCES:

Deed Book 3296, Page 60; Corrective Deed Book 3296, Page 31
 Declaration: Book 3393, Page 11 (and amendments thereto)
 Owner of Record: Dunelawn Condominium Association

NOTES:

- The locus parcel is identified on the Town of Ogunquit Tax Assessor's Map 7 as Lot 78 and is located partially in the General Business District 1 (GB1), partially in the Residential District (RD), and partially in the Shoredland Residential District (SR).
- The surveyed premises contains 107,698 Sq. Ft. (4.52 Acres).
- The boundary of the locus parcel along River Road is the apparent right-of-way line based on the location of the existing concrete retaining wall, Plan Ref. 13, and the record width of 2 rods (33 feet) as described in layout recorded on Page 498 of the Town Clerk's Records.
- The boundary of the locus parcel along Hoyt's Lane is the apparent right-of-way line based on Plan Ref. 4 and 7 and monumentation found. The Town of Ogunquit road records indicate Hoyt's Lane on a town road, but no said records.
- The boundary of the locus parcel along U.S. Route 1/Main Street is based on Plan Ref. 3 and monumentation found.
- The locus parcel is subject to an easement 20 feet wide as described in deed from George F. Smith to the Ogunquit Sewer District, dated October 31, 1964, recorded in Book 1928, Page 200, and as shown on Plan Ref. 5.
- The locus parcel is subject to utility easements for underground electric, cable, and telephone service lines and gas, and for existing water lines, hydrant, stand-off valves, meters, and any other related equipment for said utilities. See Easement to Central Maine Power Co. and New England Telephone & Telegraph Co. dated November 6, 1964, recorded in Book 3433, Page 32.
- The portion of the locus parcel enclosed by stone wall and occupied and used as a cemetery is subject to rights of the family of George F. & Anne Lawson Smith, and any other deceased persons interested therein, for access, maintenance, and occupation of said family cemetery.
- Buildings 1, 2, and 4 were not located or field measured by Lower Village Survey Co., LLC, and are shown hereon as digitized images taken from Plan Ref. 1 in approximate locations for reference only.
- Measurements shown are based on a GPS RTK solution obtained for a control point set on Beach Street and are not tied to a local elevation benchmark using an elevation transferred by GPS RTK methods.
- The location of nearby property lines are shown as dashed lines. These lines are intended to show the approximate relationship to the locus parcel only.
- Prior to any construction activities the location of setback lines shown should be verified by the local code enforcement officer to determine compliance with all applicable building requirements.
- This plan has been prepared according to the Standards of Practice adopted by the Maine Board of Licensure for Professional Land Surveyors with the following exceptions:
 - No written report prepared.
 - No new deed descriptions prepared.
 - Monuments not set at minor angle points along roads.

LEGEND

- CRF • Capped Iron Rod Found
 - IES • 5/8" Rebar w/Survey Cap #2374 To Be Set
 - PK • Masonry Nail Set in Pavement
 - IPF • Iron Pipe Found
 - IEF • Iron Rod Found
 - GMN • Granite Monument Found
 - DHF • Drill Hole Found
 - SM • Sewer Manhole
 - MS • Metal Sign
 - PL • Property Line
 - APR • Abutter Approx. Property Line
 - STW • Stonewall
 - OU • Overhead Utilities
 - UF • Utility Pole
 - N/P • Not on Property
 - DK/Pg. • Dead Book & Page
 - Lot No. Per Plan Ref. 7
- GRAPHIC SCALE 1" = 30'
-

LOWER VILLAGE SURVEY CO.
 13 Western Avenue Kennebunk Maine
 Mailing Address: P.O. Box 883, Kennebunkport, ME 04046
 Phone: 207-261-2645 • Fax: 207-261-2646 • www.lowervillagesurvey.com

STANDARD BOUNDARY SURVEY OF LAND AND PARTIAL SITE PLAN
 U.S. ROUTE 1, HOYT'S LANE AND RIVER STREET
 OGUNQUIT, MAINE
 OPEN BY
DUNELAWN CONDOMINIUM ASSOCIATION
 c/o RAE Property Management, 107 York Street, Kennebunk, ME 04043

DATE MAY 18, 2021 DRAWN BY L-L/SLG FILE #13-111 SURVEYOR'S FIELD OR C&S-03
 LAND SURVEYORS • FORESTERS • WETLAND DELINEATORS





MUNICIPAL OFFICES
23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875
(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
E-mail: townofogt@maine.rr.com

August 29, 2017

To the Town of Ogunquit Select Board,

re: Proposed amendments to the Ogunquit Zoning Ordinance.

On August 28, 2017 the Ogunquit Planning Board unanimously voted to submit the enclosed two proposed Zoning Ordinance Amendments to you along with a request that said amendments be presented to the voters at the November 7, 2017 Town Meeting.

1. An Ordinance to Amend Ogunquit Zoning Ordinance Article 7 Section 7.2.G Land Use Controls – Retail Marijuana Prohibition.
2. An Ordinance to Amend Title X - The Ogunquit Zoning Ordinance in order to address a number of minor changes to the entire Zoning Ordinance in relation to replacement of Section 9.15 Shoreland Zoning Standards.

These proposed amendments were discussed by the Planning Board on:

* August 28, 2017 Public Hearing which was open for public input.
(Notice of the Public Hearing was posted at four locations in Ogunquit – Town Hall, U.S. Post Office, Town of Ogunquit Website, and WOGT on August 15, 2017, as well as in the Portland Press Herald on August 7, 2017 and again on August 21, 2017).

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be included on the warrant for the November 7, 2017 Town Meeting.

Respectfully,

A handwritten signature in black ink that reads "Steve Wilkos".

Steve Wilkos
Planning Board Chair

enclosures: two

pc: Town Manager (w/ enclosures)
Christine Murphy, Ogunquit Town Clerk (w/ enclosures)

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:

Shall an ordinance entitled “An Ordinance to Amend Title X, Article 7, Section 7.2.G, Land Use Controls – Retail Marijuana Prohibition” be enacted?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 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.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 5, 2017

A True Copy,

Attest: _____
Christine L. Murphy, 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:

Shall an Ordinance entitled "Shoreland Zoning Ordinance" be enacted as Title XVIII of the Ogunquit Municipal Code?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 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.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 5, 2017

A True Copy,

Attest: _____
Christine L. Murphy, 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:

Shall an Ordinance entitled “2017 Amendments to the Town of Ogunquit Zoning Ordinance to Repeal Shoreland Zoning Provisions” be enacted?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 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.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 5, 2017

A True Copy,

Attest: _____
Christine L. Murphy, 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:

Shall an ordinance entitled “An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 2, Wheeled Goods” be enacted?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 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.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 5, 2017

A True Copy,

Attest: _____
Christine L. Murphy, 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:

Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 3, Pedestrian Ordinance**” be enacted?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 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.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 5, 2017

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

TOWN OF OGUNQUIT
Request for Proposal
Legal Services

The Town of Ogunquit is seeking proposals from qualified legal firms to serve as Town Attorney on a contractual basis under appointment by the Board of Selectmen. The Attorney and/or firm selected by the Town will serve as legal counsel to the Select Board, the Town Manager, all town departments and various town boards, committees, agencies, and commissions, when approved by the Town Manager.

The Town Attorney will provide legal advice to municipal officials, town employees, boards and commissions (with prior approval from Town Manager), and will represent the Town in court as may be required. The successful firm will be licensed to practice law in the State of Maine and will demonstrate substantial experience in all areas of municipal law including land use, labor and personnel relations, finance, taxation, civil and criminal litigation, real estate, risk management and environment. The services provided will also include: preparation and review of contracts, deeds, leases, ordinances, etc., provide opinions for the Town on a variety of subjects, and provide training for elected officials, staff and committees about municipal legal issues. The attorney may be asked to attend Select Board or other meetings and hearings as needed and will be expected to provide legal assistance in a prompt and efficient manner.

The Town of Ogunquit's selection will be based on its evaluation of the written proposal, the attorney and/or firm's qualifications and experience, client references, the areas of legal services that the firm/attorney can provide, and the overall fee structure. The contract term will be for a period up to 3 years.

Proposals are due at the Town Manager's Office, 23 School Street, PO Box 875, Ogunquit, ME., no later than _____ 2017.

TOWN OF OGUNQUIT
Request for Proposals
Engineering Services

The Town of Ogunquit is seeking proposals from qualified engineering firms to serve as Town Engineer on a contractual basis under appointment by the Board of Selectmen. The individual or firm selected by the Town will assist the Town with general civil site engineering, surveying, design, structural, environmental site assessment, cost estimating, and construction management services. Tasks will include but not be limited to site planning and development, street, sidewalk, parking lots; water, sewer, and storm drains.

The Town of Ogunquit's selection will be based on its evaluation of the written proposal, the engineer's/qualifications and experience, client references, the areas of engineering services that the firm can provide, and the overall fee structure. The contract term will be for a period up to 3 years.

Proposals are due at the Town Manager's Office, 23 School Street, PO Box 875, Ogunquit, ME., no later than _____ 2017.