

Charles L. Waite, III, Chair
John M. Daley, Vice Chair
Richard A. Dolliver
Madeline S. Mooney
Robert N. Winn, Jr.



MEETING OF THE
OGUNQUIT SELECT BOARD
TUESDAY, APRIL 2, 2019

AGENDA

- 1.0 CALL TO ORDER - 6:00PM
- 2.0 MEETING MINUTES
 - 2.1 Select Board Minutes - February 4, 2019
 - 2.2 Select Board Minutes - March 5, 2019
- 3.0 PUBLIC HEARINGS
 - A. Liquor and Amusement Licenses
 - 3.1 Caffe' Prego - Malt, Spirituous & Vinous Liquor License Renewal
 - 3.2 Caffe' Prego - Amusement License Renewal
 - 3.3 Ogunquit Playhouse - Malt, Spirituous & Vinous Liquor License Renewal
 - 3.4 Ogunquit Playhouse - Amusement License Renewal
 - B. Proposed Ordinance Amendment
 - 3.5 Ogunquit Playhouse Foundation/Proposed Amendment to the Ogunquit Zoning Ordinance to Create a "Route One Southern Corridor General Development District III"
- 4.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS
- None
- 5.0 APPOINTMENTS & RESIGNATIONS - None
- 6.0 UNFINISHED BUSINESS - None
- 7.0 NEW BUSINESS
 - 7.1 Authorize the Fire Department to Purchase the Jaws of Life and Accept Donations from the Ogunquit Fire Company and Steve Weiner
 - 7.2 Naming the Street located off Beach Street - as shown on the attached map
- 8.0 TOWN MANAGER'S REPORT

9.0 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.

10.0 OTHER BUSINESS

10.1 Select Board Reports and Announcements

11.0 ADJOURNMENT

*******Break*******

Select Board Workshop (*Time Permitting*)

1. Select Board Goals and Priorities
 - A. Discussion: Purchasing Policy
2. Discussion: Charter Amendment - re: Article VIII, Section 804, Recall of Elected Officials



LIQUOR
&
AMUSEMENT
LICENSE
PUBLIC
HEARING

OGUNQUIT

Beautiful Place by the Sea

PUBLIC HEARING NOTICE

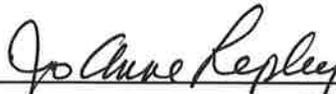
The Ogunquit Board of Selectmen will hold a Public Hearing on Tuesday, April 2, 2019 at 6:00 PM in the Auditorium of the Dunaway Community Center on School Street, Ogunquit, Maine for the following application(s):

MALT, SPIRITUOUS & VINOUS LICENSE (RENEWAL)

Caffe' Prego 44 Shore Road
Ogunquit Playhouse 10 Main Street

AMUSEMENT LICENSE (RENEWAL)

Caffe' Prego 44 Shore Road
Ogunquit Playhouse 10 Main Street


Jo Anne Lepley, Deputy Town Clerk

Posted by: 
Patricia L. Arnaudin, Police Chief

Posted: March 26, 2019
Dunaway Community Center
Ogunquit Transfer Station
WOGT

OGUNQUIT

Beautiful Place by the Sea

3/21/2019
@ 9:00am

OGUNQUIT LIQUOR LICENSE APPLICATION

NEW <input type="checkbox"/> RENEWAL <input checked="" type="checkbox"/>	FOR THE YEAR: <u>2019</u>
CURRENT LICENSE EXPIRATION DATE: <u>5/17/19</u>	

BUSINESS NAME: CAFF'E PREGO LLC
 APPLICANT: DONATO J. TRAMUTO
JEFFREY S. PORTER
 EMAIL: _____
 BUSINESS REG #: 2019-138 ISSUE DATE: 3/8/19 MAP: 006 LOT: 037
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 35 INSIDE, 45 OUTSIDE

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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	03-22-2019
Fire Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3-22-19
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3-22-19

ATTENDANCE AT PUBLIC HEARING IS REQUIRED

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

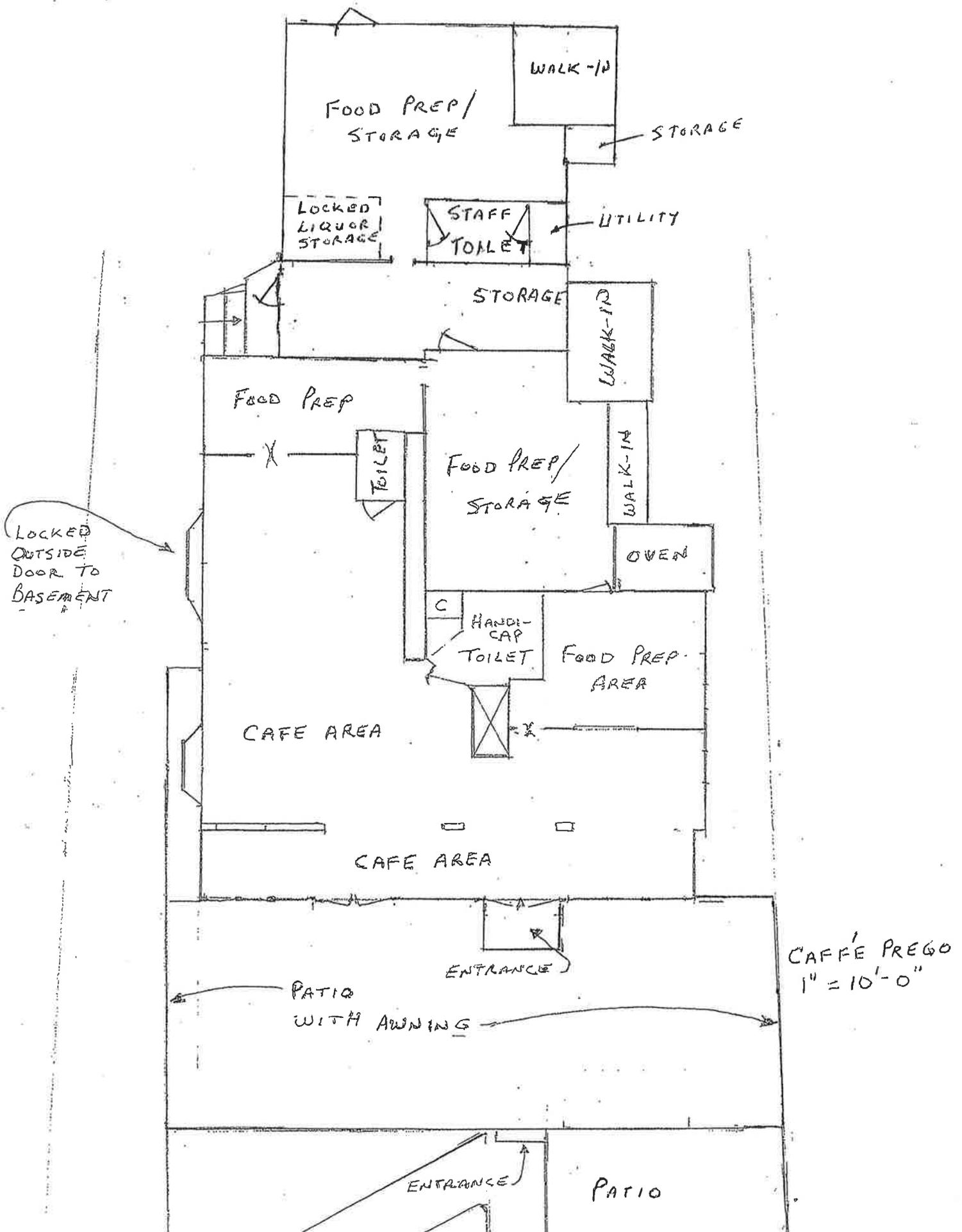
I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense 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.

 APPLICANTS SIGNATURE

FOR OFFICE USE ONLY

Application Fee: <u>\$200</u>	Date Paid: <u>3/8/19</u>	Check/Cash	Check #: <u>16799</u>
Background Check Fee: \$ <u>42.00</u>	(\$21.00 per person listed on application)		
Business Reg. Fee: <u>\$150.00</u>	Paid prior to Liquor Application? YES NO		
TOTAL PAID WITH APPLICATION: \$ <u>392.00</u>		Received by:	
		(Town Clerk's Office)	
DATE POSTED: <u>3/21/19</u>	DATE HEARD: <u>4/7/19</u>	APPROVED:	

PREMISE DIAGRAM



OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR: 2019

BUSINESS NAME: CAFE PREGO LLC

BUSINESS ADDRESS: 44 SHORE ROAD, OGUNQUIT, ME

BUSINESS PHONE # 646-7734 HOME PHONE #

BUSINESS REG # 209-138 ISSUE DATE: 3/8/2019 MAP: 006 LOT: 037

(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF:

NATURE OF BUSINESS: FULL SERVICE RESTAURANT, SERVING BREAKFAST, LUNCH & DINNER

FORM OF ENTERTAINMENT: (Please be specific) JAZZ COMBO

APPLICANT: DONATO J. TRAMUTO
JEFFERY S. PORTER ADDRESS: 385 SHORE RD, OGUNQUIT, ME

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 _____

(Insert date when change was made)

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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	03-22-2019
Fire Chief		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3-29-19
Code Officer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3-22-19

Received by:
(Town Clerk's Office) Fee \$ 100.00 Date Paid 3/8/19

Check / Cash 16799

Filed with Liquor License Application

Date posted: 3/26/19 Date Heard: 4/2/19 Date Approved: _____ Date Denied: _____

OGUNQUIT BOARD OF SELECTMEN

3/25/2019
@ 2:00pm

OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT LIQUOR LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR: _____
 CURRENT LICENSE EXPIRATION DATE: 5/30/19

BUSINESS NAME: 42 Main St Ogunquit Maine 03907
 APPLICANT: Ogunquit Playhouse Foundation - Fran Specht's
 EMAIL: _____
 BUSINESS REG #: 2019-036 ISSUE DATE: _____ MAP: 5 LOT: 43
 OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: _____

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>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	03-29-2019
Fire Chief	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3-26-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3-26-2019

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.

[Signature: Fran Specht's]

APPLICANTS SIGNATURE

FOR OFFICE USE ONLY

Application Fee: \$200 Date Paid: 3/18/19 Check/Cash Check #: 6 7793
 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: \$ 392.00 Received by: *[Signature]*
 (Town Clerk's Office)
 DATE POSTED: 3/26/19 DATE HEARD: 4/2/19 APPROVED: _____ DENIED: _____

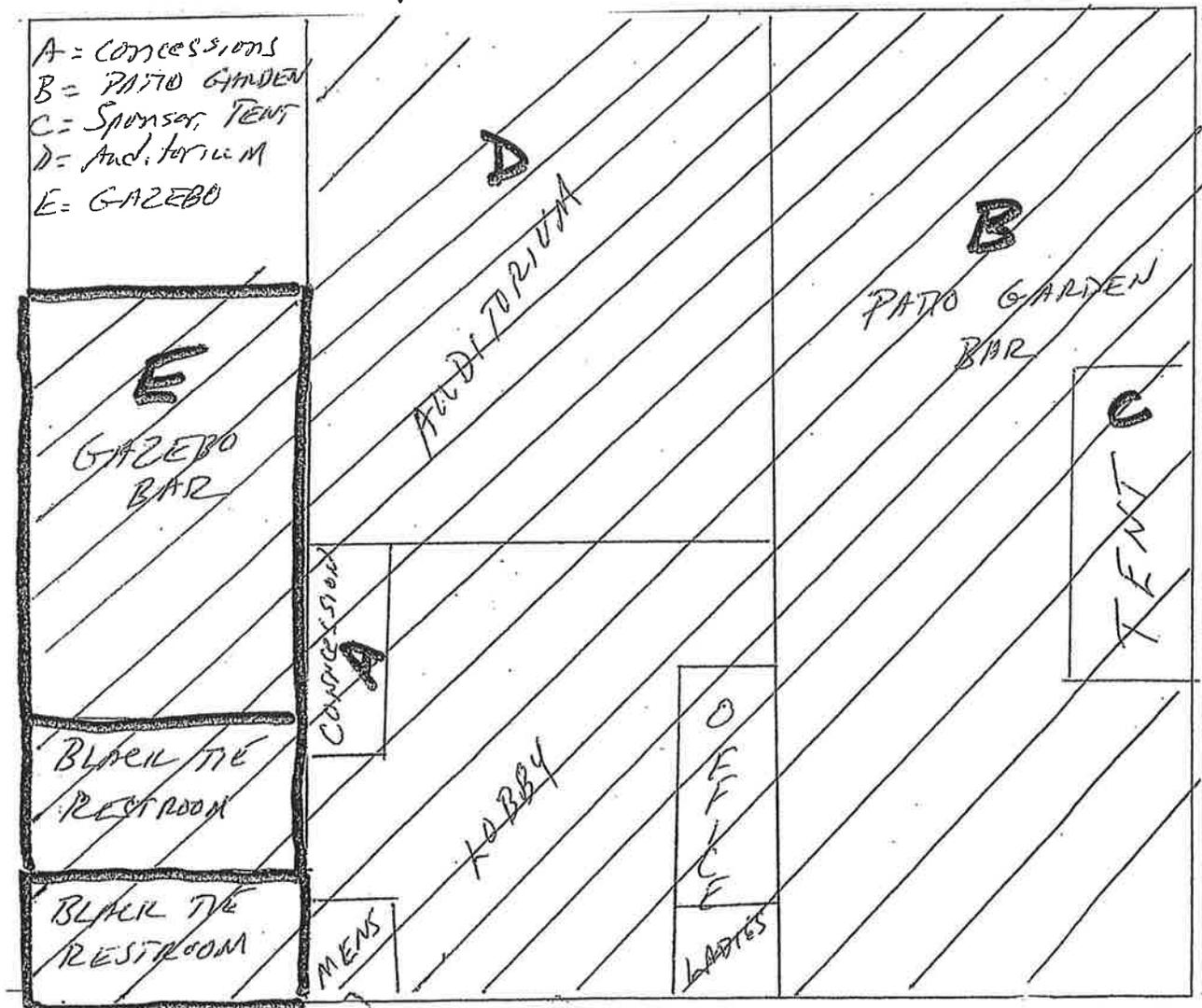
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347 (overnight)
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov



ON PREMISE DIAGRAM
 (Facility Drawing/ Floor Plan)

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 with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.



NOTE: Signs - NO Alchol beyond these Points





OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW [] RENEWAL FOR THE YEAR: 2019

BUSINESS NAME: Ogunquit Playhouse

BUSINESS ADDRESS: Jemain St Ogunquit Maine 03907

BUSINESS PHONE # 207 646-2402 HOME PHONE #

BUSINESS REG # ISSUE DATE: MAP: 5 LOT: 43
(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 688

NATURE OF BUSINESS: Performing Arts Center

FORM OF ENTERTAINMENT: (Please be specific) Live theater performances

APPLICANT: Fran Specter ADDRESS: PO Box 2022 Ogunquit Me 03907

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.

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(Insert date when change was made)

Tran Specht

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

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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

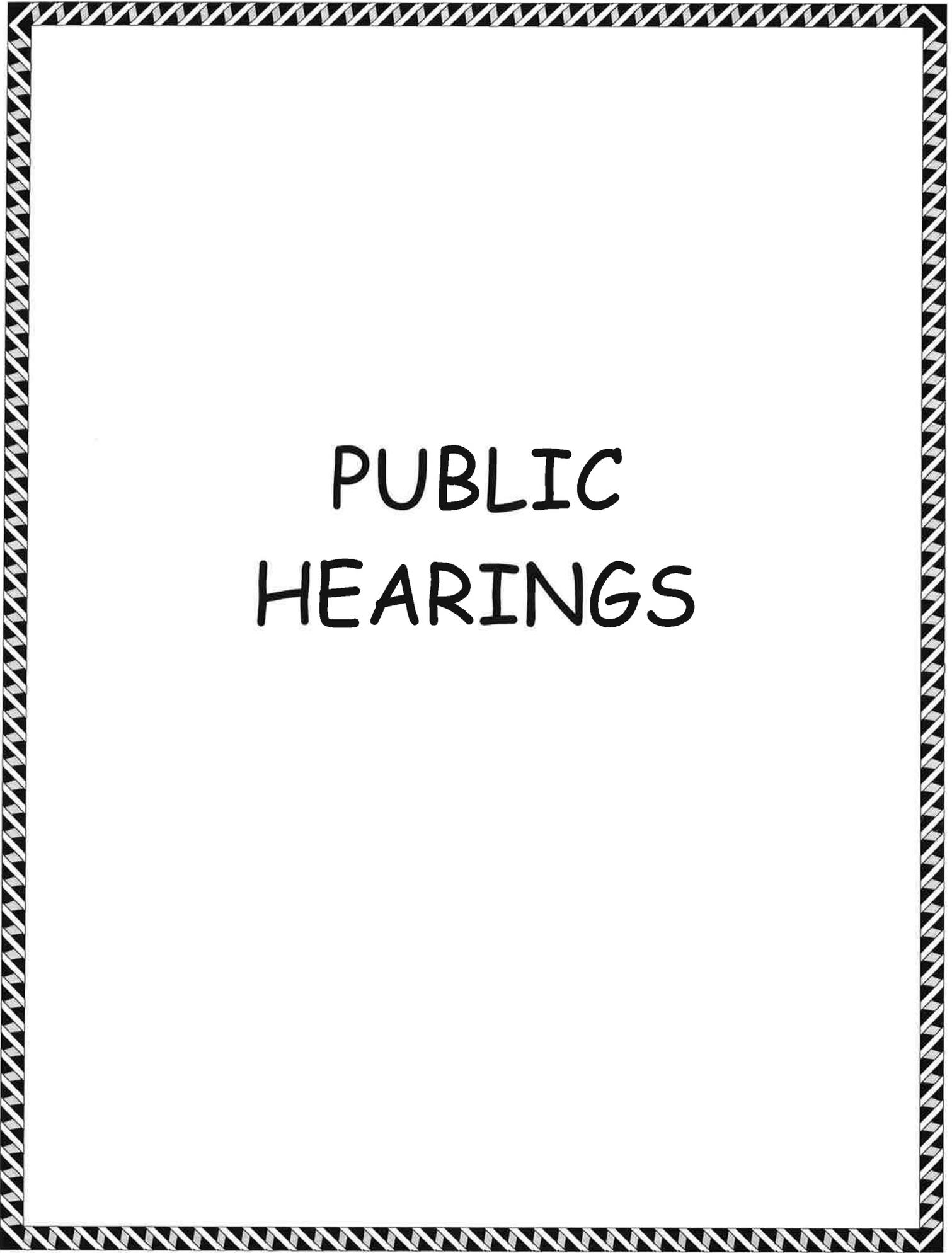
TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	03-29-2019
Fire Chief	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3-26-19
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3-26-2019

Received by: *JH Deputy* (Town Clerk's Office) Fee\$ 100.00 Date Paid 3/18/19

(Check/Cash 67293)
Filed with Liquor License Application

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

OGUNQUIT BOARD OF SELECTMEN



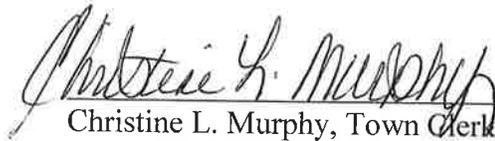
PUBLIC HEARINGS

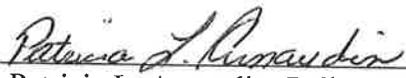


**TOWN OF OGUNQUIT
PUBLIC HEARING**

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, April 2, 2019 at the Dunaway Community Center, 23 School Street, Ogunquit, Maine for public comment and question on the following:

Ogunquit Playhouse Foundation / Proposed Amendment to the Ogunquit Zoning Ordinance to Create a "Route One Southern Corridor General Development District III"


Christine L. Murphy, Town Clerk

Posted by: 
Patricia L. Arnaudin, Police Chief

Posted:	<u>March 20, 2019</u> Dunaway Community Center Ogunquit Post Office Transfer Station WOGT
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Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Note: The symbol of “ * * * *” indicates that there is missing text that will remain unchanged, and 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.*

* * * * *

ARTICLE 1 - GENERAL

* * * * *

1.2 Establishment of Zones (Amended 11/4/08, Effective 4/1/09)

To implement the provisions of this Ordinance, the Town of Ogunquit is hereby divided into the following zoning districts:

* * * * *

The following six districts are considered to be the Shoreland Zones, established pursuant to the Maine Department of Environmental Protection Shoreland Zoning Guidelines:

- J. Shoreland Limited Residential District – SLR
- K. Shoreland Limited Commercial District – SLC
- L. Shoreland General Development 1 – Ogunquit Beach – SG1
- M. Shoreland General Development 2 – Perkins Cove – SG2
- N. Shoreland General Development 3 – Ogunquit Playhouse – SG3
- ~~NO.~~ Stream Protection District -SP
- ~~OP.~~ Resource Protection District - RP

The performance standards of Section 9.15 shall apply to any activities in these six Shoreland Zones. (Amended June 9, 2015).

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

1.3 District Boundary Locations: Zoning Map (Amended 11/4/08, Effective 4/1/09)

* * * * *

D. The Shoreland Zones shall be defined as being the land areas located within 250 feet, horizontal distance, of the

* * * * *

The Shoreland Zones shall be further divided into the following six distinct zones, as follows:

* * * * *

3. Shoreland General Development Districts – Ogunquit Beach, Perkins Cove, and Ogunquit Playhouse. The General Development Districts include the following types of existing, intensively developed areas:

a. Areas of two or more contiguous acres devoted to commercial or intensive recreational activities, or a mix of such activities, including but not limited to the following:

(1) Areas devoted to lodging, restaurant, retail trade, non-profit performing arts theaters, and service activities, or other commercial activities; and

(2) Areas devoted to intensive recreational development and activities, such as, but not limited to trails and public beaches.

b. Areas otherwise discernible as having patterns of intensive commercial or recreational uses.

* * * * *

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

* * * * *

ARTICLE 2 – DEFINITIONS

* * * * *

Accessory Use

A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use; provided that in the SG3 District, an accessory use may also be located a lot that is contiguous to the lot on which the principal use is located. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. (Amended 11/4/08, Effective 4/1/09)

* * * * *

Driveway

A vehicular access-way serving not more than two dwelling units, or leading to the parking area of nonresidential uses on only one lot; provided that in the SG3 District, the vehicular access way may also lead to a nonresidential use located on a contiguous lot. Any vehicular access way that serves more than two dwelling units or leads to the parking areas of nonresidential uses on more than one lot shall comply with the street design standards of Article 10 of the Subdivision Regulations. Within any Shoreland Zones, driveways over five hundred feet (500') in length, or serving more than two dwellings, shall comply with the street design standards of Article 10 of the Subdivision Regulations. (Amended 11/4/08, Effective 4/1/09, Amended 6/10/14, Effective 6/11/14)(Amended and Effective June 14, 2016)

* * * * *

Parking Area

The portion of a lot used to provide space for the parking of motor vehicles for the employees or patrons of non-residential uses or the residents of dwellings located on that lot; provided that in the SG3 District, a “parking area” may also allow space for the parking of motor vehicles by employees or patrons of non-residential uses located on a lot that is contiguous to the lot on which the principal use is located.

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

* * * * *

Non-Profit Performing Arts Theater

A building or land owned by a Maine non-profit, tax-exempt organization having a principal place of business in Ogunquit, the primary use of which is the presentation of theatrical productions featuring professional actors, directors, musicians, and production crew, but which may also present other performing and visual arts as well. The term “non-profit performing arts theater” shall include all subsidiary uses customarily associated with the presentation of theatrical productions, including, but not limited to, on-site fabrication of sets, scenery, props, and costumes; housing of actors, musicians, and crew engaged in theater activities; operation of a fly tower; provision and maintenance of parking areas; educational activities; operation of administrative and business offices related to the operations of the theater; and the service of food and beverages to patrons.

* * * * *

ARTICLE 7—DISTRICT REGULATIONS

7.1 Purpose of Districts (Amended 11/4/08, Effective 4/1/09)

* * * * *

The following six districts are considered to be the Shoreland Zones, established pursuant to the Maine Department of Environmental Protection Shoreland Zoning Guidelines. The purposes and descriptions of the following Shoreland Zones may be found in section 1.3.D of this Ordinance.

* * * * *

N. Shoreland General Development 3 – Ogunquit Playhouse – SG3

NO. Stream Protection District – SP

OP. Resource Protection District – RP

* * * * *

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

TABLE 702.1 – LAND USES PERMITTED IN ZONING DISTRICTS

(Amended 6/12/12; 6/9/15; 6/14/16, ATM)

KEY

District

* * * * *

Shoreland Zones:

SLR	Shoreland Limited Residential District
SLC	Shoreland Limited Commercial District
SG1	Shoreland General Development 1 – Ogunquit Beach
SG2	Shoreland General Development 2 – Perkins Cove
<u>SG3</u>	<u>Shoreland General Development 3 – Ogunquit Playhouse</u>
SP	Stream Protection District
RP	Resource Protection District

* * * * *

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Land Uses	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
OPEN SPACE AND RURAL USES																
Active Recreation	NP	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	C	C
Agriculture*	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Animal husbandry for non-commercial purposes*	NP	C	C	C	NP	NP	NP	NP	A	SPR	NP	NP	NP	<u>NP</u>	NP	NP
Animal husbandry for commercial purposes*	NP	NP	NP	NP	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Aquaculture	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Cemetery	NP	SPR	SPR	SPR	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Clearing or removal of vegetation for activities other than timber harvesting	A	A	A	A	A	A	A	A	A	C	C	C	C	<u>C</u>	C	C
Emergency Operations	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Essential Services - Roadside distribution lines (34.5kV and lower)	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	C	C

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Essential Services – Non-roadside or cross- country distribution lines involving ten poles or less in the shoreland zone	NA	C	C	C	C	<u>SPR</u>	SPR	SPR									
Essential Services – Non-roadside or cross- country distribution lines involving eleven or more poles in the shoreland zone	NA	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR									
Essential Services – Other essential services – not included above	C	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR
Filling and Earthmoving of Less than 10 cubic yards	A	A	A	A	A	A	A	A	A	A	C	C	C	C	<u>C</u>	C	C
Filling and Earthmoving of More than 10 cubic yards	C	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>SPR</u>	SPR	SPR
Fire Prevention Activities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A

Ordinance to Amend the Ogunquit Zoning Ordinance (03/20/2019)

To create the “Shoreland General Development 3 – Ogunquit Playhouse -- SG3 District”

and to amend the Official Zoning Map to include within that District
Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

Forest Management Activities	C	C	C	C	C	C	C	C	C	MFS	MFS	MFS	MFS	<u>MFS</u>	MFS	MFS
Golf Course	NP	NP	SPR	SPR	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Individual private campsite*	NP	C	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mineral exploration*	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mineral extraction, including gravel pits (see definition)*	NP	NP	SPR	SPR	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Parking lot (See standards in Section 8.10)	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	SPR	NP	<u>NP</u>	NP	SPR ⁷
Passive recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Piers, docks, wharves, bridges & other structures extending over or below high water line or within a wetland, temporary or permanent*	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	<u>NP¹⁴</u>	SPR	SPR

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Service Drops, to allowed uses	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Soil and Water Conservation Practices	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Surveying and Resource Analysis	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
Wildlife Management Practices	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>A</u>	A	A
RESIDENTIAL USES																
Dwelling accessory to business; above ground floor	C	C	C	C	C	C	C	C	C	NP	C	C	C	<u>NP</u>	NP	NP

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Manufactured housing unit	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	<u>NP</u>	NP	NP
Mobile home park*	NP	NP	SPR	SPR	NP	<u>NP</u>	NP	NP								
Multi family dwelling*	NP	SPR	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Single family dwelling, <i>other than manufactured housing unit</i>	C	C	C	C	NP	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP ⁸
Two family dwelling	NP	C	C	C	NP	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP
Clustered or Planned Unit Residential Development*	SUB	<u>NP</u>	SUB	SUB												

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Subdivision, as defined in the Ogunquit Subdivision Regulations	SUB	SUB	SUB													
COMMERCIAL USES																
Amusement center	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Boarding house	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR</u>	NP	NP
Business & professional office	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR¹²</u>	NP	NP
Commercial recreation	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP

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Day care center	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Funeral home	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Greenhouse	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Kennel, veterinary hospital*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	<u>NP</u>	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>SPR¹²</u>	NP	NP
Marina	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	<u>NP</u>	NP	NP
Mechanized recreation	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Nursing home	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP

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Outdoor sales, services & storage areas including gasoline stations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP ¹⁰	<u>NP⁵</u>	NP	NP
Public utility facility, other than Essential Services or Service Drops	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP
Retail establishments not elsewhere listed ¹¹	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR¹²</u>	NP	NP	
Retail storage & sale of fuel for use on watercraft	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	<u>NP</u>	NP	NP	
Service establishments not elsewhere listed, including taxi or livery service dispatching offices ¹	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>SPR¹²</u>	NP	NP	
Slaughterhouse/meat packing facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<u>NP</u>	NP	NP	
Theatres	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	<u>SPR¹³</u>	NP	NP	

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Transient Accommodation Type 1 (TA-1) – Weekly Private Home Rental	A	A	A	A	A	A	A	A	A	A	A	A	A	<u>NP</u>	A	A
Transient Accommodation Type 2 (TA-2) — Bed-and-Breakfast*	NP	SPR	SPR	SPR	<u>NP</u>	NP	NP									
Transient Accommodation Type 3 (TA-3) — Inn*	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Transient Accommodation Type 4 (TA-4) — Motel/Hotel ⁴ *	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR ²	NP	NP	<u>SPR¹²</u>	NP	NP
Type 1 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	<u>NP</u>	NP	NP
Type 2 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	SPR	<u>SPR¹²</u>	NP	NP
Type 3 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	NP	<u>NP</u>	NP	NP

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Type 4 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Type 5 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Type 6 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Wholesale business	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Communications tower*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Antenna*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	SPR	SPR	SPR	SPR ¹²	NP

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GOVERNMENTAL, INSTITUTIONAL USES																
Houses of Worship	NP	NP	SPR	SPR	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	<u>NP</u>	NP	NP
Schools, public & private	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP	<u>SPR¹²</u>	NP	NP
Library	NP	SPR	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR	SPR	<u>NP</u>	NP	NP
Public Building, Structure or Use	SPR	<u>SPR</u>	NP	SPR ⁷												
Museum	SPR	<u>SPR¹²</u>	SPR	NP												
ACCESSORY USES & STRUCTURES, MISC. USES																

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Fence meeting the standards of Section 8.6	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C
Ham Radio tower/antenna*	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	NP	NP
Home occupation*	C	C	C	C	C	C	C	C	C	SPR	C	C	C ³	<u>NP</u>	NP	NP
Recreational Vehicles * ¹¹	NP	NP	NP	NP	<u>NP</u>	NP	NP									
Roads	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	<u>SPR</u>	SPR	SPR ⁹
Roads, Land Management	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	SPR
Tenting	A	A	A	A	NP	A	A	A	A	A	NP	NP	NP	<u>NP</u>	A	NP
Yard Sale, as defined in Town Code	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>NP</u>	C	C

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*These uses have specific performance standards in Article 9

Footnotes:

1 No retail sales or services may be offered or solicited except inside of the buildings in which the retail sales or service establishment are located, except for those exceptions indicated in Footnotes 5 and 10, below. (Amended 6/14/11 ATM)

2 TA-4 is only allowed in those portions of the SLC District, immediately adjacent to the GB2 District.

3 Limited to storage of fishing and lobstering equipment, private tutoring of not more than two persons at any one time, home crafts, pursuit of the arts, activities or occupations which are conducted without customers or clients coming to the premises.

4 Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of Articles 3.5 and 9.8.

5 As an exception, the Ogunquit Playhouse may serve patrons beverages and snack food outdoors on the premises from one hour before, during and one hour after performances.

6 Type 2 and 3 Restaurants shall not be permitted in those portions of the SLC Zone immediately adjacent to the LB Zone.

7 Only permitted with Site Plan Review in RP Beach as indicated on the Official Zoning Map. Not permitted in all other portions of the RP District.

8 Not permitted unless a special exception is granted pursuant to Article 4.6.

9 See special Shoreland standards in Article 9.

10 As an exception, within the Shoreland General Development 2 - Perkins Cove – SG2 District, live lobsters landed in Perkins Cove may be sold from vehicles or boats, owned or operated by holders of Commercial Lobstering Licenses. However, any such sales from vehicles shall only be allowed from those vehicles parked within the “Bait Wharf II” Parking Area, directly adjacent to the Harbor Master’s Office. No signs advertising any such outdoor live lobster sales shall be permitted, and lobster sales shall be limited to live lobsters only, and any form of additional solicitation or promotion of other goods, products or services shall be prohibited (regardless of any other provisions of this Ordinance). (Amended 6/12/12 ATM, by a petitioned article)

11. Storage of recreational vehicles shall be exempt.

12. Permitted in the SG3 District only as an accessory use to a non-profit performing arts theater that constitutes the principal use on the same lot or on a contiguous lot.

13. Within the SG3 District, the term “theater” shall include only a “non-profit performing arts theater” as defined in Article 2 of this Ordinance, and shall exclude any other type of theater.

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14. The existing permanent footbridge over the Josias River connecting Lots 5-43 and 5-33-B as shown on Tax Map 5 shall remain a permitted use subject to Site Plan Review approval from the Planning Board, but only as an accessory use to a non-profit performing arts theater as defined in Article 2 of this Ordinance. No other piers, docks, wharves, bridges & other structures extending over or below the high water line or within a wetland, temporary or permanent, of any kind shall be permitted in the SG3 District.

TABLE 703.1 – DIMENSIONAL REQUIREMENTS OF EACH ZONING DISTRICT

(Amended 11/4/08, Effective 4/1/09)

MINIMUM LOT AREA (sq. ft.)																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	12,500	12,500	30,000	30,000	None	10,000 ¹	20,000	10,000 ¹	N/A	30,000-tidal 40,000-non-tidal	40,000	None ¹	None	<u>30,000</u>	NP	NP
Without public sewer & water	30,000	30,000	60,000	60,000	N/A	N/A	20,000 ³	N/A	200,000 ⁴	30,000-tidal 40,000-non-tidal	N/A	N/A	N/A	<u>N/A</u>	NP	NP
MINIMUM NET RESIDENTIAL AREA PER DWELLING UNIT (sq. ft.)																

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DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	12,500	12,500	30,000	30,000	12,500	12,500	20,000	12,500	N/A	30,000-tidal 40,000-non-tidal	40,000	12,500	NONE	<u>12,500</u>	N/A	N/A
Without public sewer & water	30,000	30,000	60,000	60,000	N/A	N/A	40,000	N/A	60,000	30,000-tidal 40,000-non-tidal	N/A	N/A	N/A	<u>N/A</u>	N/A	N/A
MINIMUM STREET AND SHORE FRONTAGE (feet)																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	75	75	100	100	none ⁶	75	100	75	N/A	150-tidal 200-non-tidal	200	100	NONE	<u>100</u>	N/A	N/A

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Without public sewer & water	100	100	100	100	N/A	N/A	100	N/A	250 ⁴	150-tidal 200-non-tidal	N/A	N/A	N/A	<u>N/A</u>	N/A	N/A
SETBACKS (feet)																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
Front ¹⁵	20	20	30	30	10 ⁷	20	30	20	50 ⁸	Note 2	Note 2	10 ⁷	15	<u>15</u>	N/A	N/A
Side and Rear ¹⁵	15	15	20	20	10 ⁹	10 ¹¹	15 ¹⁰	10 ¹¹	20	Note 2	Note 2	10 ⁹	NONE	<u>NONE</u>	N/A	N/A
From vernal pools (significant or non-significant, see sec. 1.3.F)	75	75	75	75	75	75	75	75	75	75	75	75	75	<u>75</u>	75	75

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From water bodies & wetlands that meet the criteria for inclusion in the Shoreland Zone	75	75	75	75	75	75	75	75	75	75	75	75	50	50	<u>75</u>	75	75
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MAXIMUM BUILDING COVERAGE

DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
With public sewer & water	30%	30%	20%	20%	NONE	30%	30%	30%	N/A	20 ¹³	20 ¹³	20% ¹³	20% ¹³	<u>70%¹⁶</u>	0%	0%
Without public sewer & water	20%	20%	10%	10%	N/A	N/A	30%	N/A	20%	20 ¹³	N/A	N/A	N/A	<u>N/A</u>	0%	0%

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MAXIMUM BUILDING HEIGHT¹⁴																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	<u>SG3</u>	SP	RP
Feet	35	35	35	35	35	35	35	35	35	35	35	35	27	<u>35¹⁷</u>	N/A	N/A
Stories	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	<u>2 ½¹⁷</u>	N/A	N/A

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NOTES TO TABLE 703.1

- 1 For a residential use, the minimum lot area shall be 12,500 square feet.
- 2 Same as nearest adjacent non-shoreland zone.
- 3 For residential use, the minimum lot area shall be 30,000 square feet.
- 4 For residential use, the minimum lot area shall be 60,000 square feet and the minimum street frontage shall be 100 feet.
- 5 As required by the underlying district.
- 6 Residential uses, except accessory dwelling units on the 2nd floor above a commercial use, shall require a minimum street front of 75 feet.
- 7 The minimum front setback for a structure existing on the effective date of this Section shall be ten (10) feet or the existing structure’s front setback, whichever is less. (Amended 4-01-06 ATM)
- 8 The minimum front setback for a structure existing on the effective date of this Section shall be fifty (50) feet or the existing structure’s front setback. (Amended 4-01-06 ATM)
- 9 The side and rear setbacks for a structure abutting a residential use shall be fifteen (15) feet. The minimum side and rear yards for a structure existing on the effective date of this Section shall be the setback indicated above or the existing structure’s setback, whichever is less. (Amended 4-01-06 ATM)
- 10 The side and rear setbacks for a structure abutting a residential use shall be twenty-five (25) feet. The minimum side and rear yards for a structure existing on the effective date of this Section shall be the setback indicated above or the existing structure’s setback, whichever is less. (Amended 4-01-06 ATM)
- 11 The side and rear setbacks for a structure abutting a residential use shall be fifteen (15) feet.
- 12 There shall be a natural buffer of seventy-five (75) feet maintained between the Ogunquit River and any structure and tilling.
- 13 In the Shoreland Zones, the total area of all buildings, structures, parking lots and any other non-vegetated surfaces shall be included in the computation of maximum building coverage, and shall not exceed the indicated percentage of the lot area, or portion of the lot area thereof, located in the Shoreland Zone. See definition of *Building Coverage* in Article 2.
- 14 Except in the SG3 District, No no structure shall contain more than two and one half (2 ½) stories or the indicated height. See note 17 below.
- 15 Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of Articles 3.5 and 9.8. (Amended 6/12/12, ATM)

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Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

16. In the SG3 District, if proposed new development on a lot would cause the total building coverage on that lot, including those portions of that lot that were legally occupied by buildings, structures, parking lots and any other non-vegetated surfaces on the effective date of this footnote 16, to exceed 40%, all new development that would increase the building coverage on that lot above 40% shall conform, to the extent practicable, with the Low Impact Development Practices set forth in Volume III, Chapter 10 of the “Maine Stormwater Best Practices Manual” published by the Maine Department of Environmental Protection. The applicant shall have the burden of demonstrating that conformity to any Low Impact Development Practice is not practicable. For the purposes of this footnote 16, the term “practicable” shall have the definition set forth in Chapter 310, §(3)(R) of the Maine DEP Rules: “available and feasible considering cost, existing technology, and logistics based on the overall purpose of the project.” Under no circumstances shall the total building coverage on any lot exceed 70%.
17. In the SG3 District, for that portion of a non-profit performing arts theater, commonly known as a “fly tower,” which encloses apparatus commonly known as a “fly system” employed to lift from, or lower to, the stage area items such as scenery, lighting, and/or other equipment and utilities, the maximum building height shall be 85’ regardless of the number of stories. In addition, for that portion of a non-profit performing arts theater, commonly known as the “back of house,” which is located behind the stage and “fly tower” and is ordinarily inaccessible to members of the public attending performances, the maximum building height shall be 50’ or three stories, whichever is greater.

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse
-- SG3” District

and to amend the Official Zoning Map to include within that District
portions of Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit
Tax Maps

ARTICLE 8 – GENERAL STANDARDS APPLICABLE TO ALL LAND USES

8.6. Fences

- A. Fences shall only be made of natural, stained or painted wood, stone, or metal, wrought iron, or vinyl or other plastics and vinyl-covered or other plastic-covered wood or metal excluding chain link, within the following districts: Limited Business District, Downtown Business District, General Business Districts, SG1, ~~and~~ SG2, and SG3 and those portions of the Shoreland Overlay Districts that overlay said districts.

- E. In the SG1, ~~and~~ SG2, and SG3 Districts, fences shall:
1. not be more than four feet in height; and
 2. not obstruct the view of tidal waters from a public way or other public property.

8.10. Off Street Parking and Loading

- D. Off-Street Parking Standards

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse
-- SG3” District

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Tax Maps

3. Except in the SG3 District, Required off-street parking in all residential and business districts shall be located on the same lot as the principal building or within 100 feet measured along lines of access for business and industry except where it cannot reasonably be provided on the same lot, the Planning Board may authorize residential off-street parking to be located on another lot within 300 feet of the residential uses, as measured along lines of public access. Within the SG3 District, required off-street parking may also be located on a lot that is contiguous with the lot containing the principal use for which that off-street parking is required. Such parking areas shall be held under the same ownership or lease as the uses served and evidence of such control or lease shall be required. Arrangements for parking on leased land shall not be acceptable for meeting the minimum required parking provisions of this Ordinance unless the lessee is specifically given the option of renewing the lease indefinitely. (Amended 11-03-09 STM)

8.12 Signs (Amended 6/8/10, 6/10/14)

B. Awnings

Awnings in the business districts (DB, GB1, GB2, LB, SG1, ~~and~~ SG2, and SG3 and any Shoreland Zone as applicable) may be erected, altered or relocated with issuance of a permit from the Code Enforcement Officer. All awnings accessory to commercial uses shall be rated as fire resistant per Building and Life Safety Codes. Before issuing a permit, the Code Enforcement Officer may submit the application to the Planning Board for review, interpretation and possible approval. The Code Enforcement Officer shall enforce Article 8.12.B and all permits issued thereto.

D. Size Restrictions

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse
-- SG3” District

and to amend the Official Zoning Map to include within that District
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Tax Maps

b. Limited Business District, SG1, SG2, and SG3:

i. If there is only one business on the lot the maximum sign area shall be 12 square feet.

ii. If there is more than one business on the lot and all businesses are accessed from the outside by common entrances and exits and no business is directly accessed from the outside, the maximum sign area shall be 12 square feet.

iii. If there is more than one business on the lot, and one or more businesses are directly accessed from the outside, then there shall be no more than twelve (12) square feet of total signage on the collective sign or freestanding sign post, for all tenants, identifying the building, lot or development. Each business which is directly accessed from the outside may have one (1) additional sign, in close proximity to its entrance, which is no more than 6 square feet of sign area. If no collective sign is located on the parcel then, the maximum sign area shall be divided among all units on the parcel. (Amended 6/10/14 Effective 6/11/14)

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse
-- SG3” District

and to amend the Official Zoning Map to include within that District
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9.15 Shoreland Zone Standards

L. Clearing or Removal of Vegetation for Activities other than Timber Harvesting
(Amended 11/4/08, Effective 4/1/09)

1. In any Resource Protection District the clearing of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.
2. In any portion of the SG3 District that is located within the boundaries of a 100 year floodplain as shown on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map or Flood Hazard Boundary Map, which map or maps have been declared final by FEMA, the clearing of vegetation shall be limited to that which is necessary for the development of uses expressly authorized in the SG3 District. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance. Fields and other cleared openings which have reverted to primarily shrubs, trees or other woody vegetation shall be regulated under the provisions of this section.

The remainder of the SG3 District shall be subject to Article 9.15(L) (3)-(6) below.

23. Except to allow for the development of permitted uses, within a strip of land extending 75 feet, horizontal distance, from any water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

34. At distances greater than 75 feet, horizontal distance, from the normal high water line of any water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any 10 year period, selective cutting of not more than 40 percent of the volume of trees 4

Ordinance to Amend the Ogunquit Zoning Ordinance

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-- SG3” District

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Tax Maps

inches or more in diameter, measured 4 1/2 feet above ground level. Tree
removal in conjunction with the development of permitted uses shall be
included in the 40 percent calculations. For the purposes of these
standards, volume may be considered to be equivalent to basal areas.

45. Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.
56. Fields and other cleared openings which have reverted to primarily shrubs, trees or other woody vegetation shall be regulated under the provisions of this section.

9.17 Ham Radio Tower/Antennae

A. Private Ham radio towers/antennae are permitted in all districts except in the Resource Protection ~~d~~District and the SG3 District, subject to the following height limitations.

Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse
-- SG3” District

and to amend the Official Zoning Map to include within that District
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Tax Maps

ARTICLE 11 – DESIGN REVIEW

11.2. Definitions

District

In this Article, “District” refers to the Downtown Business District, the General Business Districts I and II, the Limited Business District, the Shoreland General Development 1 District, the Shoreland General Development 2 District, the Shoreland General Development 3 District, or the district in which a use, structure or building subject to the requirements of this Article lies.



Ordinance to Amend the Ogunquit Zoning Ordinance

To create the “Shoreland General Development 3 –Ogunquit Playhouse -- SG3” District

and to amend the Official Zoning Map to include within that District portions of Lots 5-42, 5-42-1, 5-43, and 5-44 as shown on the Ogunquit Tax Maps

The Town of Ogunquit Official Zoning Map is hereby amended to show the “Shoreland General Development 3 – Ogunquit Playhouse – SG3 District” occupying portions of present Tax Lots 5-42, 5-42-1, 5-43, and 5-44 as shown in Figure 1 below:

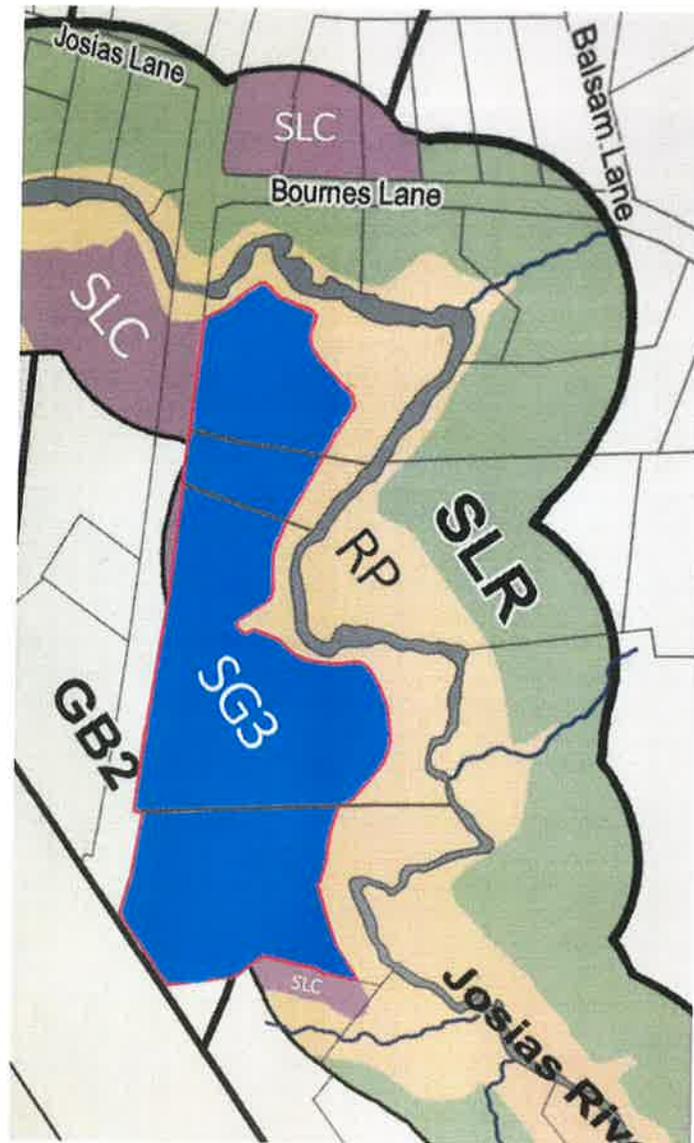


Figure 1



New Business

JAWS OF LIFE

BATTERY POWERED JAWS

- Request to Purchase Amkus Tools
- Total Price is \$22,345.00
- CIP \$13,000.00
- Donation \$5,000.00
- Ogunquit Fire Company \$4,345.00

AMKUS TOOLS

- We currently use a fixed Amkus Cutter & Amkus Spreader tools on Engine 31 These are connected to 100 ft hoses.
- We recommend staying with Amkus Brand & use the same supplier Fire Tech.
- Amkus Rescue Systems Gets UL Cert
- For Battery-Powered Tool Family

FIREHOUSE

HOME | RESCUE | VEHICLE EXTRICATION | AMKUS GETS UL CERTIFICATION FOR BATTERY-POWERED TOOL FAMILY

AMKUS Gets UL Certification for Battery-Powered Tool Family

The cutter, spreaders, combination tool and RAM passed an NFPA-designed series of difficult tests centering on safety and endurance.

AMKUS, INC. MARCH 5, 2019



Valparaiso, IN – AMKUS Rescue Systems has received UL certification of compliance to NFPA 1936, 2015 edition for its ION 2.0 battery-powered rescue tool family.

The cutter, spreaders, combination tool and RAM passed an NFPA-designed series of difficult tests centering on safety and endurance that prove that the tools can live up to the challenging demands that a rescue worker will need. While the NFPA standard allows manufacturers to use test results completed

on equivalent models of hydraulic line tools for portions of the battery tool compliance testing, AMKUS is unique in that 100% of the required NFPA tests were completed using the ION tools. This means that every component of the ION tools, including the electric motor, electronic circuitry and the hydraulic pump, has been validated based on completing the full array of tests required of NFPA 1936, even the most demanding durability tests.

The ION tools all utilize the DEWALT FLEXVOLT battery platform. The 60-volt battery operates ION 2.0 tools and will power both 60-volt and 20-volt DEWALT tools. It is the only battery that automatically changes voltages when you change tools, so you can share batteries between ION tools and other tools like saws and drills.

ION 2.0 tools carry on the AMKUS tradition of rugged tools that are both balanced and backed by outstanding service and support. New ION 2.0 tools can be found in AMKUS' FDIC International booth #3503. In addition, tool demonstrations will be presented at the FDIC Real Time Demo area on April 11 and 12. Contact your local AMKUS dealer for a local demonstration or for more information.

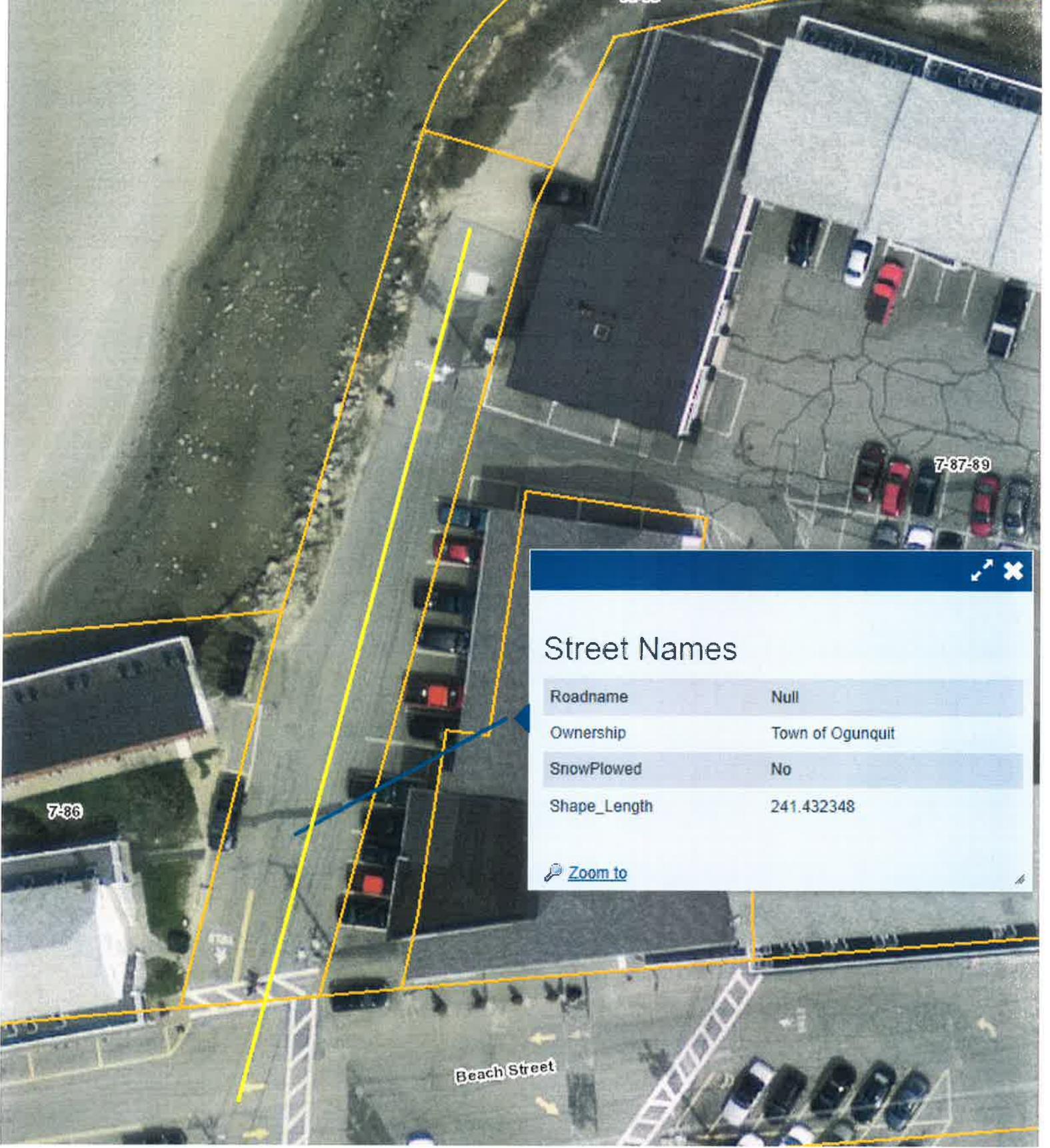
For more information about Amkus Rescue Systems go to <https://www.amkus.com/>

Join the conversation!

This site requires you to **login** or **register** to post a comment.

No comments have been added yet. Want to start the conversation?





Street Names

Roadname	Null
Ownership	Town of Ogunquit
SnowPlowed	No
Shape_Length	241.432348

 [Zoom to](#)

10-53

7-87-89

7-86

Beach Street



WORKSHOP

TOWN OF OGUNQUIT, MAINE

PURCHASING POLICY

ARTICLE I GENERAL INFORMATION

- 1.1 The Board of Selectmen of the Town of Ogunquit hereby adopts the following policy as the rules by which purchases by all Town Departments and Town Officials shall be made.
- 1.2 This policy is adopted pursuant to the authorization as set forth in Sections 307.7 (N) and 402.7 of the Town Charter, whereby the Board of Selectmen declares such a policy to be essential in the exercise of its fiduciary responsibilities for the benefit of the taxpayers, ratepayers, recipients of community services, vendors and others who may have an occasion to conduct business with the Town.
- 1.3 Notwithstanding any additional state laws that may also be applicable, specific reference is made to Section 909 (Personal Financial Interest) of the Town Charter and any future Town conflict of interest doctrines, which shall be incorporated herein as part of this policy.
- 1.4 This policy shall supersede and replace any and all previously adopted policies pertaining to municipal purchases that may have been in effect prior to the effective date of this policy as noted below.
- 1.5 In the event that any portion of this policy is found to be in violation of federal or state law or inconsistent with any provision applicable thereto, the remainder of this policy shall remain in full force and effect.
- 1.6 The Town shall not discriminate in its selection of vendors on the basis of race, gender, political affiliation, sexual orientation, family relations, friendship or business affiliation.
- 1.7 Employees shall not make any purchases from a vendor in which that employee has an ownership interest, except when specifically authorized by the Town Manager or Board of Selectmen.
- 1.8 The Town shall seek to obtain the best quality products at the lowest possible price in the most convenient manner under all circumstances. However, local vendors should be supported to the greatest extent possible without sacrificing quality or price.

ARTICLE II PURCHASE ORDERS

- 2.1 Department Heads or other authorized Town Officials shall use Purchase Orders to document all expenditures prior to the procurement of any items or services for which Town funds are being used in which the total amount to be paid to a vendor is one

thousand dollars (\$1,000.00) or more. Except as otherwise noted herein, (see Article III.6), all such Purchase Orders shall require the approval of the Town Manager prior to the sales transaction taking place. Copies of completed P.O. forms shall be submitted to the vendor and Town Treasurer as soon as practical.

- 2.2 Purchases of a repetitive or on-going nature may be encompassed in a single document issued once per fiscal year.

ARTICLE III BID PROCEDURES

- 3.1 Purchases that are less than one thousand dollars (\$1,000.00) shall be handled at the discretion of the Department Head in the most judicious manner possible as otherwise set forth herein.
- 3.2 Purchase Order requests that are at least one thousand dollars (\$1,000.00) but less than three thousand dollars (\$3,000.00) shall require documentation that at least three price quotes have been obtained (written, oral, phone and/or catalog methods are acceptable). Such documentation shall be forwarded to the Town Manager's Office as an attachment to the Purchase Order being submitted for approval.
- 3.3 Purchases that are at least three thousand dollars (\$3,000.00) but less than ten thousand dollars (\$10,000.00) must be made using a competitive bid solicitation process. Department Heads may prepare a draft set of bid specifications for the Town Manager or make a request for such a draft prior to the procurement of any item(s) or services in this price range. The Town Manager shall promptly thereafter, provided budgeted funds are available, finalize the competitive bid documents and solicit responses by advertising and/or direct mailings. Negotiations with bidders and the awarding of a contract shall be at the discretion of the Town Manager in accordance with the provisions of this policy as otherwise set forth herein. Upon acceptance of a bid, vendor notification shall include a Purchase Order, unless otherwise exempt under this Policy, with copies provided to the Treasurer and Department Head.
- 3.4 Purchases in the amount of ten thousand dollars (\$10,000.00) or more must be made using a sealed bid solicitation process. Department Heads may prepare a draft set of bid specifications for the Town Manager or make a request for such a draft prior to spending \$10,000.00 or more. The Town Manager shall promptly thereafter prepare a final draft of the sealed bid specifications for submission to the Board of Selectmen. Upon approval of the bid specifications by the Board of Selectmen, the Town Manager shall solicit sealed bids by advertising and/or direct mailings. The bid documents shall include a contract agreement and all other such terms and conditions that are acceptable to the Selectmen for the item(s) or services to be performed, using the guidelines set forth in Article IV. Acceptance of sealed bids and awarding of a contract shall be at the sole discretion of the Board of Selectmen. Upon acceptance of a bid, vendor notification shall include a Purchase Order, unless otherwise exempt under this Policy with copies provided to the Treasurer and Department Head. In the event that no bids or only one bid is received

during a sealed bid solicitation process, the Board of Selectmen shall decide how to proceed using its sole discretion.

- 3.5 Department Heads, the Town Manager and Board of Selectmen, as may be appropriate based on the dollar amount thresholds as set forth above, may forego the formal bid processes described herein when “piggybacking” onto a competitive bid process utilized by any federal, state, county, regional agency or other political unit that is made available to municipal governments.
- 3.6 In the event of an emergency during which immediate threats to life and property exist, a Department Head or the Town Manager is authorized to make such expenditures as may be absolutely necessary without going through the competitive or sealed bid processes set forth herein, provided, however, such action must be made in good faith (to avoid personal liability) and require after-the-fact ratification by the Board of Selectmen, (in cases where budgeted funds are available), or Town Meeting, (in cases where budgeted funds are not available) or as otherwise required by law.

ARTICLE IV BID GUIDELINES

- 4.1 All bid specifications, shall include the following statement: “The Town of Ogunquit reserves the right to reject any or all bids and to award a bid to the lowest responsive, responsible bidder as may be determined solely by the Town.”
- 4.2 Sealed bid openings shall be open to the public at a prescribed time and place. Faxed bids and late bids are not acceptable as part of the sealed bid solicitation process.
- 4.3 Non-sealed bids may be opened at the convenience of the Town Manager and may be subject to additional negotiations, project scope revisions, specification amendments, etc., at any time prior to a bid being accepted.
- 4.4 All bids received and contract documents shall be considered public records unless otherwise provided by law.
- 4.5 When evaluating the lowest responsive, responsible bid, the Town may also take into account product availability, date of delivery, budgeted funds, product quality, vendor location, past service of vendor, life cycle costs, shipping costs and other pertinent factors.

ARTICLE V. EQUIPMENT, VEHICLES, MATERIALS & SUPPLIES

- 5.1 The purchase of vehicles and heavy equipment shall be strictly limited based on the availability of budgeted funds in accordance with applicable Town Meeting votes and as otherwise set forth herein.

- 5.2 Whenever the purchase of materials and supplies requires a bid process, the award of a contract shall be based primarily on unit price.

ARTICLE VI. CONTRACTS FOR LABOR SERVICES

- 6.1 It shall be the responsibility of the Department Head to obtain a completed W-9 Form to be filed with the Treasurer's Office as part of a Purchase Order request for the procurement of services with a value of six hundred dollars (\$600.00) or more per calendar year. In addition, nothing herein shall relieve a Department Head of this responsibility for purchases that do not require a Purchase Order.
- 6.2 All projects that require an expenditure of ten thousand dollars (\$10,000.00) or more shall require such bonds and/or cash sureties and/or retainage as may be recommended by the Town Manager and approved by the Board of Selectmen, to the extent permitted by law.
- 6.3 Except for written manufacturer's exclusions allowed by law, all contracted services for construction or installation of equipment, parts and materials shall be warranted to the Town for at least one year from date of installation or substantial completion, whichever comes last, to include replacement and/or repairs at no cost to the Town.
- 6.4 The Town shall require all contractors, subcontractors and persons other than Town Officials who perform labor services for the Town with a calendar year value of five thousand dollars (\$5,000.00) or more to maintain insurance coverage and list the Town as an additional insured in accordance with the following minimum amounts, but in no event in an amount less than that required by the Maine Tort Claims Act, 14 M.R.S.A. § 8101, as may be amended:
- (a) General liability: \$1,000,000.00
 - (b) Property damage: \$500,000.00
 - (c) Personal injury: \$500,000.00
 - (d) Automotive liability: \$500,000.00
 - (e) Worker's compensation: statutory requirements.

Prior to the start of any work, the Town must be furnished with an insurance certificate as proof that coverage are in place. Certificates shall be placed on file with the Treasurer's Office. NOTE: Nothing in this Article shall be deemed to prohibit the Town Manager or Board of Selectmen from requiring coverage amounts at a higher level, or imposing additional types of coverage up to the value of the entire project as may be in the best interest of the Town.

- 6.5 All contractors, subcontractors and persons other than Town employees who perform services for the Town shall be required to defend, indemnify and hold harmless the Town of Ogunquit, its officers, agents and employees, for any and all damages, claims and

liabilities which may arise as a result of work to be performed. Written bid specifications and contractual agreements shall include such language as otherwise set forth herein.

ARTICLE VII CONTRACTS FOR PROFESSIONAL SERVICES

- 7.1 Whenever the Town desires to engage the services of an engineer, architect, computer technician or some other consultant, including legal services except as otherwise provided in Article IX, the competitive bid process may be undertaken using the procedures set forth in 18-554 CMR Chapter 1 as a general guideline in lieu of the specific bidding requirements set forth herein.
- 7.2 In addition to the provisions of Article VI which shall be made applicable to contracts for professional services, professional services contractors shall also be required to provide proof of insurance coverage for such professional services and/or product liability in an amount equal to the total cost of the project, subject to whatever reasonable limitations may be approved by the Town Manager or Board of Selectmen as may be applicable.

ARTICLE VIII LEASE PURCHASES

- 8.1 The purchase or lease of any equipment, vehicles or materials which require periodic payments over a course of one year or more shall be subject to all applicable provisions of this Policy in accordance with the dollar values set forth herein based on the total dollar value of the item(s).
- 8.2 All lease purchase agreements shall contain a non-appropriation clause whereby the Town shall not be obligated under the terms of the lease if the necessary funds are not appropriated at a future Town Meeting.

ARTICLE IX LEGAL SERVICES

- 9.1 The Board of Selectmen is the only agent of the Town with the authority to select legal representation, solicit legal opinions, contract for legal services, initiate judicial or quasi-judicial proceedings, defend against a legal action or otherwise obligate resources for legal purposes on behalf of the Town, except as otherwise prescribed by law.
- 9.2 The Board of Selectmen shall have the ultimate authority for deciding whether any other Town official, elected or appointed, shall be allowed to seek a legal opinion at the expense of the Town. The Board may also decide, within its sole discretion, as to whether an agent of the Town shall be allowed to engage the Town Attorney or some other attorney at Town expense. These decisions shall be based upon a majority vote related to the payment of legal service invoices.
- 9.3 Notwithstanding the other provisions of this Article, it shall be permissible for the Town Manager, Police Chief, Code Enforcement Officer, Town Clerk and duly authorized Chairmen of Town Boards to contact the Town Attorney in the judicious exercise of the

responsibilities of the position for which they have been delegated, provided: (a) the nature of the contact is for advisory purposes related to official Town business only; (b) the reasons for contact are not a subterfuge for any Town official to circumvent the provisions of this policy; (c) the Town Manager shall be notified of the nature for requesting legal services in advance whenever possible, or in the event of an immediate need for said legal services, the Town Manager shall be informed of the correspondence as soon thereafter as possible; and (d) all correspondence to and from the Town Attorney shall be in writing whenever possible with courtesy copies forwarded to the Town Manager and Board of Selectmen.

- 9.4 Except as otherwise provided by law, written and oral communications between the Board of Selectmen or authorized Town Officials and the Town Attorney shall be considered confidential but may be released to the public upon a vote of the Board of Selectmen.

ARTICLE X EXEMPTIONS & WAIVERS

- 10.1 It is understood that pre-approved Purchase Orders and multiple price quote requirements may not be practical when it comes to repairs to Town-owned vehicles and specialized equipment. Under these circumstances, preference may be given to dealers approved by a manufacturer or sole source vendors with a satisfactory history of fair pricing and work quality in lieu of the specific bidding requirements set forth herein, upon authorization of the Town Manager.
- 10.2 It is recognized that alternative methods of product delivery (such as design-build, construction management, etc.) may be desired for certain projects when recommended by the Town Manager and authorized by the Board of Selectmen after notice and public hearing. Such alternative methods, including, but not limited to those set forth in 5 M.R.S.A. § 1743, may be used when reasonably determined by the Board of Selectmen to be in the best interests of the Town.
- 10.3 The provisions of this Policy shall not apply to monthly utility bills, wage and salary payments for Town employees, nor shall it apply to employee benefits; provided, however, the disbursement of accumulated leave benefits at the time of employment separation and the selection of benefit vendors shall require the approval of the Town Manager, except in the case of payments to the Town Manager in which case the payments shall require the approval of the Board of Selectmen. Also, once an initial Purchase Order has been submitted for a specific project, it is not necessary for additional Purchase Orders to be submitted with each invoice on a project as work progresses.

ARTICLE XI USE OF TOWN CREDIT CARD

- 11.1 In the event that the Town obtains a credit card to enable purchases to be charged, such credit card shall be issued in the name of the Town to be kept in the custody of the

Treasurer and may be available for use by Department Heads or authorized employees. The purchase/charge limit shall not exceed five thousand dollars (\$5,000.00).

- 11.2 The Town credit card may be used for official Town purposes only. No personal use or purchases of a personal nature shall be allowed.
- 11.3 Credit card users shall sign-out and sign-in the card whenever it is removed from the custody of the Treasurer's Office.
- 11.4 When a charge is made using the Town credit card, the employee shall furnish the Treasurer's Office with a signed receipt and/or purchase record within two business days of the transaction. All other purchasing procedures as set forth in this Policy shall also apply.

ARTICLE XII ADMINISTRATION

- 12.1 All purchases shall be limited to those items and services which have been budgeted in advance, to the greatest extent possible. All purchases, which do not meet this criterion, must be essential to fulfilling the mission of the Town agency or department.
- 12.2 No employee shall make any purchase without first obtaining approval of the Department Head, except in the case of an emergency (imminent personal or property damages).
- 12.3 In so much as possible, all bulk purchases for office supplies and commonly used materials shall be acquired through the Town Manager's Office in an attempt to coordinate departmental acquisitions in a manner that is most advantageous to the Town.
- 12.4 Upon the award of a solicited bid or proposal, it shall be the policy of the Town to acknowledge in writing the Town's appreciation for each bid or proposal received along with a summary of the results.
- 12.5 Violations of this policy may result in an employee being subject to disciplinary action, including discharge.
- 12.6 The expenditure of unanticipated grant funds or surplus revenues or special revenue funds for unbudgeted purchases or as a means of supplementing the operating budget shall require Town Meeting authorization unless otherwise allowed by law or made in accordance with such authority as may be delegated by a Town Meeting vote.
- 12.7 Capital budget appropriations shall not be overspent under any circumstances unless specifically pre-authorized by the Board of Selectmen.
- 12.8 It is understandable that on occasion individual line items within an operating budget may be overspent to purchase items (a) in the event of an emergency, (b) that were not budgeted but of value to the Department, or (c) that have increased in price. Although

Department Heads and the Town Manager have a great deal of discretion along these lines, the bottom line of an operating budget cannot be overspent unless specifically pre-authorized by the Board of Selectmen.

- 12.9 The amendment of any Purchase Order or contract “after-the-fact” shall require the approval of the Town Manager, provided, however, that the “new” total value shall be subject to all applicable terms as set forth in this policy, unless otherwise approved by the Board of Selectmen.
- 12.10 The Town shall take advantage of discount payment terms when offered by vendors for timely payments to the greatest extent possible.

ARTICLE XIII WARRANTS

- 13.1 The Treasurer’s Office shall prepare a weekly warrant consisting of (1) a summary of all financial disbursements for that period, including payroll, (2) Purchase Orders when applicable, (3) Invoices when applicable with acknowledgements by Department Heads, and (4) payroll vouchers and timesheets. The warrant shall be reviewed and approved by the Town Manager and a majority of the members of the Board of Selectmen prior to any payments being released.
- 13.2 It is expressly understood that the Town Manager may remove items from the warrant for any reason, thereby withholding payment until such time as either the Town Manager or Board of Selectmen deems disbursement is warranted.
- 13.3 In the event that any member of the Board of Selectmen objects to an item on the warrant, he/she may contact the Town Manager for additional explanations as may be necessary. If still not satisfied and prior to the approval of a majority, that member of the Board of Selectmen may request the invoice be placed on a Selectmen’s agenda for a decision by the Board prior to any financial disbursement being made.
- 13.4 The Treasurer’s Office, may, upon authorization of the Town Manager, prepare a special warrant for immediate payment under extraordinary circumstances, provided, however, that any payment equal to or greater than three thousand dollars (\$3,000.00) shall require approval of a majority of the members of the Board of Selectmen.

IN WITNESS WHEREOF, this Purchasing Policy as originally approved and adopted by Board of Selectmen for the Town of Ogunquit on August 20, 2002, on this, is hereby amended as set forth herein, on this the ____ day of _____, 20 ____; to be effective immediately hereafter. ATTEST: Board of Selectmen:

Jonathan O. Speers, Chair

Charles L. Waite, III

Philip G. Clark, Vice-Chair

Henry L. Hokans

Roger W. Brown

UNDER SEAL OF THE TOWN, received, filed and recorded on this ____ day of _____, 2003; ATTEST:

Office of the Town Clerk

***** FOR DISCUSSION PURPOSES AT OGUNQUIT SELECT BOARD MEETING April 2, 2019 *****

Possible Charter Change Possible Charter Change: only change is the underlined section in the first paragraph taken verbatim from Maine Statute, Title 30-A, Section 2505.9.

Ogunquit Charter: Section 804 RECALL OF ELECTED OFFICIALS

Any elected official may be ~~recalled and removed from office by the registered voters of the Town as herein provided.~~ the subject of a recall petition under this section only if the official has been convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

804.1 Petition for Recall

Title 30-A: MUNICIPALITIES AND COUNTIES
Part 2: MUNICIPALITIES
Subpart 3: MUNICIPAL AFFAIRS
Chapter 121: MEETINGS AND ELECTIONS
Subchapter 1: GENERAL PROVISIONS

§2505. Recall of Municipal Officials

Except as otherwise provided by the municipality's ordinances or charter, an elected official of a municipality may be recalled from office pursuant to this section. For purposes of this section, "official" has the same meaning as section 2604, subsection 2. [2011, c. 324, §1 (NEW).]

1. Petition for recall. On the written petition pursuant to subsection 5 of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election, an election must be held to determine the recall of an elected official of that municipality.

[2011, c. 324, §1 (NEW) .]

2. Notice of intention. In order to initiate a recall election under subsection 1, the initiator of the petition shall file a notice of intention of recall with the municipal clerk of the municipality. A notice of intention of recall under this subsection must include the name, address and contact information of the person filing the notice and the name and position of the official subject to recall under this section. Only a person registered to vote in the municipality may file a notice of intention of recall under this subsection.

[2011, c. 324, §1 (NEW) .]

3. Petition forms. Within 3 business days of receipt of a notice of intention of recall under subsection 2, the municipal clerk shall prepare petition forms for the collection of signatures under subsection 4 and send notice to the initiator of the petition under subsection 2 that the petition forms are available. The municipality may charge the initiator of the petition a reasonable fee for preparing and providing the petition forms under this subsection. A petition form under this subsection must include:

A. At the top of the form, the name and position of the official subject to recall, the name and contact information of the initiator of the petition and the date by which the signatures must be submitted to the municipal clerk under subsection 4; [2011, c. 324, §1 (NEW).]

B. Spaces for each voter's signature, actual street address and printed name; and [2011, c. 324, §1 (NEW).]

C. Space at the bottom of the form for the name, address and signature of the person circulating the petition form. [2011, c. 324, §1 (NEW).] [2011, c. 324, §1 (NEW) .]

4. Collection and submission of signatures. A petition form under subsection 3 may be circulated or signed only by a registered voter of the municipality. A circulator of a petition form shall fill in the information required under subsection 3, paragraph C and sign the form prior to submission of the form to the municipal clerk. The initiator of the petition under subsection 2 shall collect the petition forms from all circulators and submit the signed petition forms to the municipal clerk within 14 days of receipt of notice from the clerk that the petition forms are available under subsection 3. A municipal clerk may not accept a petition form submitted more than 14 days after sending notice of availability to the initiator under subsection 3, and any voter signatures on that form are invalid.

[2011, c. 324, §1 (NEW) .]

5. Petition certification and notification. Within 7 business days of receiving petition forms under subsection 4, the municipal clerk shall determine whether the petition forms meet the criteria under subsection 4 and certify the validity of any signatures on the petition forms. If the municipal clerk finds that the number of valid signatures submitted under subsection 4 meets or exceeds the requirements under subsection 1, the clerk shall certify the petition and immediately send notification of the certification to the municipal officers, the initiator of the petition and the official subject to the recall. If the municipal clerk finds the number of valid signatures submitted under subsection 4 does not meet the requirements for a petition under subsection 1, the municipal clerk shall file the petition and the petition forms in the clerk's office and notify the initiator of the petition.

[2011, c. 324, §1 (NEW) .]

6. Scheduling recall election. Within 10 business days of certification of the petition under subsection 5, the municipal officers shall schedule a recall election to determine whether the official subject to the recall petition should be recalled. The election must be held no less than 45 days nor more than 75 days after certification of the petition under subsection 5 unless a regular municipal election is scheduled to be held within 90 days of the certification of the petition under subsection 5, in which case the recall election must be held on the date of the regular municipal election. If the municipal officers fail to schedule a recall election within 10 days of certification of the recall petition under subsection 5, the municipal clerk shall schedule the recall election pursuant to the date requirements of this subsection. [2011, c. 324, §1 (NEW) .]

7. Ballots for recall election. If the official subject to the recall does not resign from office within 10 business days of certification of the recall petition under subsection 5, the ballots for the recall election under subsection 6 must be printed. A ballot for a recall election under this section must read:
"Do you authorize the recall of (name of official) from the position of (name of office)?

() Yes () No"

[2011, c. 324, §1 (NEW) .]

8. Results of recall election. Within 2 business days of a recall election under subsection 6, the municipal clerk shall certify and record the election results and notify the municipal officers of those results. If a majority of voters vote to remove the official, the recall takes effect on the date the election results are recorded pursuant to this subsection.

[2011, c. 324, §1 (NEW) .]

9. Limitation of recall. An elected official may be the subject of a recall petition under this section only if the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is the municipality.

[2011, c. 324, §1 (NEW) .]

SECTION HISTORY

2011, c. 324, §1 (NEW) .