

WARRANT FOR ANNUAL MEETING

of the

TOWN OF OGUNQUIT

To WILLIAM P. HANCOCK, JR., Chief of Police in the Town of Ogunquit, County of York and State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby requested to notify and warn the Inhabitants of the Town of Ogunquit, qualified by law to vote in Town affairs, to meet in the Dunaway Community Center in said Town on Saturday, the third day of March, 1984 A.D. at nine o'clock in the morning, until one o'clock in the afternoon, then and there to act on Articles 1 and 2; and to notify and warn said voters to meet in the same place in said Town on the same day at one-thirty o'clock in the afternoon, then and there to act on Articles 3 through 67 :

ARTICLE 1: To elect a Moderator to preside at said meeting.

ARTICLE 2: To elect the following officers for the terms so noted or until such time as a successor is elected and qualified:

- A. Two (2) Selectmen, terms ending Annual Meeting, 1986;
- B. One (1) Trustee to the Wells-Ogunquit Community School District School Committee;
- C. Two (2) members to the Budget Committee, for a term of two (2) years.

ARTICLE 3: Shall the Town vote to amend its Comprehensive Plan in accordance with Exhibit A attached hereto?

ARTICLE 4: Shall the Town vote to enact an ordinance entitled "Public Sewer Usage Limitations". A copy is attached as Exhibit B.

ARTICLE 5: Shall an ordinance entitled "Public Water Usage Limitations" be enacted? A copy is attached as Exhibit C.

ARTICLE 6: Shall the Town vote to amend those parts of Chapter I, Sections I, II, and XIV and Chapter II, Section IID of the Zoning Ordinance relating to the definition of "Restaurant" and to Off-Street Parking Standards as set forth in Exhibit D attached?

ARTICLE 7: Shall the Town vote to amend those parts of Chapter I, Sections VI through XIII of the Zoning Ordinance relating to Space Standards as set forth in Exhibit E attached?

ARTICLE 8: Shall the Town vote to amend those parts of Chapter I, Section IV though V relating to administration in the Board of Appeals as set forth in Exhibit F attached?

ARTICLE 9: Shall the Town vote to amend those parts of Chapter I, Sections I, II, X and XI and Chapter II, Section II relating to mapping divisions of districts, non-conformance and the Perkins Cove Residence, General business and Limited Business Districts and Parking and traffic as set forth in Exhibit G attached?

ARTICLE 10: Shall the Town vote to amend those parts of Chapter I, Section I, II, VII through XIII relating to purposes, definitions, typographical errors, special exception, camping and tenting areas, street frontage, limited business uses, mapping, fees, sewer and water as set forth in Exhibit H attached?

ARTICLE 11: Shall the Town vote to amend Chapter IV of Title IX of the Ordinance relating to yard and garage sales as set forth in Exhibit I attached?

ARTICLE 12: Shall an ordinance entitled "1984 Noise Control Ordinance" be enacted? A copy is attached as Exhibit J.

ARTICLE 13: Shall an ordinance entitled "1984 Amusement Ordinance" be enacted? A copy is attached as Exhibit K.

ARTICLE 14: Shall the Town vote to adopt a fiscal year beginning July 1 and ending June 30, with such a change to take effect on July 1, 1985?

NOTE: A "yes" vote will postpone, until next year, implementation of the affirmative vote taken at the 1983 Annual Meeting. A "no" vote will keep the fiscal year at the present January 1 to December 31 format.

ARTICLE 15: Shall the Town vote to raise and appropriate the sum of Twenty-Seven Thousand, Four Hundred Dollars (\$27,400) for General Government operations?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Selectmen	\$ 2,500	\$ 2,500
Secretarial Services	400	1,500
Auditor	3,417	3,500
Annual Report	1,392	1,400
Supplies & Expenses	2,500	2,500
Assessing Service	16,000	16,000
	\$ <u>26,209</u>	\$ <u>27,400</u>

NOTE: \$23,709 appropriated at Annual Town Meeting and \$2,500 appropriated at Special Town Meeting in 1983.

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 16: Shall the Town vote to raise and appropriate the sum of Fifty-Eight Thousand, One Hundred and Sixty-One Dollars (\$58,161) for General Government Administration?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Town Manager	\$ 19,500	\$ 21,267
Manager's Secretary	11,235	11,818
Deputy Tax Collector	8,600	11,576
Tax Collection Costs	2,500	2,000
Operating Expenses	9,500	8,500
Welfare Account	2,500	3,000
	\$ <u>53,835</u>	\$ <u>58,161</u>

NOTE: \$51,835 raised at Annual Town Meeting and \$2,000 raised at Special Town Meeting in 1983.

Estimated Revenues generated by this account includes:

Sale of Copies	200
Excise Taxes	70,000
Late Penalties	15,000
	\$ <u>85,200</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 17: Shall the Town vote to raise and appropriate the sum of Nine Thousand, Four Hundred and Fifty Dollars (\$9,450) for the Planning Board?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Secretarial Services	\$ 3,000	\$ 2,500
Operating Expenses	1,500	1,200
Printing Ordinances	1,000	750
Engineering Fees	5,000	2,500
Planning Consultant	-0-	2,500
Capital Outlay	500	-0-
	\$ <u>11,000</u>	\$ <u>9,450</u>

Estimated Revenue generated to this account:

\$ 200

BUDGET COMMITTEE RECOMMENDS: \$ 6,950 - No Consultant

ARTICLE 18: Shall the Town vote to raise and appropriate the sum of Two Thousand, Eight Hundred Dollars (\$2,800) for the Board of Appeals?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Clerical Assistance	\$ 300	\$ 1,000
Clerical Supplies	300	300
Hearing Costs	<u>1,500</u>	<u>1,500</u>
	\$ <u>2,100</u>	\$ <u>2,800</u>

Estimated Revenue generated by this account:

\$ 1,500

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 19: Shall the Town vote to raise and appropriate the sum of Two Hundred and Fifty Dollars (\$250) for the Budget Committee?

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 20: Shall the Town vote to raise and appropriate the sum of Forty-One Thousand, Three Hundred Dollars (\$41,300) for Legal Fees and Association Dues?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Legal Fees	\$ 50,000	\$ 40,000
Association Dues	<u>1,157</u>	<u>1,300</u>
	\$ <u>51,157</u>	\$ <u>41,300</u>

NOTE: \$20,000 was appropriated for Legal Fees at 1983 Annual Town Meeting, \$30,000 at Special Town Meeting. In addition, \$20,000 was transferred from Surplus accounts at Special Town Meeting.

ARTICLE 21: Shall the Town vote to raise and appropriate the sum of Thirty-One Thousand, Six Hundred and Fifty-Nine Dollars (\$31,659) for the Dunaway Community Center:

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Custodian	\$ 10,203	\$ 10,816
Utilities	12,999	12,990
Building Maintenance	1,800	1,800
General Supplies	1,830	1,800
Pay Telephone	190	253
Capital Outlay	565	4,000
	\$ <u>27,587</u>	\$ <u>31,659</u>

Estimated Revenues generated by this account:

Rental Fees	\$ 2,000
Sewer District Rental	2,000
Pay Telephone	<u>1,000</u>
	\$ <u>5,000</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 22: Shall the Town vote to raise and appropriate the sum of Fifty-Three Thousand, Five Hundred and Fifty Dollars (\$53,550) for Insurance costs?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Liability & Property	\$ 15,540	\$ 15,868
Vehicles	5,978	5,920
Workman's Compensation	18,318	26,870
Errors & Omissions	1,200	1,050
Bonds	200	388
Floater	1,650	1,454
Consultant	-0-	2,000
	\$ <u>42,886</u>	\$ <u>53,550</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 23: Shall the Town vote to raise and appropriate the sum of Twenty-Five Thousand, Six Hundred and Fifty-Six Dollars (\$25,656) for the office of the Clerk/Treasurer?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Clerk/Treasurer	\$ 14,179	\$ 16,536
Town Meeting Expenses	2,000	2,000
Clerical Assistance	-0-	1,000
Animal Control Officer	1,500	1,500
Payroll Services	1,650	1,650
Supplies and Expenses	3,000	3,000
	\$ <u>22,329</u>	\$ <u>25,686</u>

Estimated Revenues generated by this account:

Licensing Fees	\$ 1,800
Liquor/Amusement Fees	4,000
	\$ <u>5,800</u>

BUDGET COMMITTEE RECOMMENDS: \$24,050 (Clerk/Treasurer - \$14,900)

ARTICLE 24: Shall the Town vote to raise and appropriate the sum of Twenty-Six Thousand, Six Hundred and Twenty-Three Dollars (\$26,623) for the Code Enforcement Office?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Code Enforcement Officer	\$ 16,831	\$ 17,251
Clerical Assistance	2,500	5,372
Supplies & Expenses	2,500	3,000
Life Safety & Licensing Expenses	-0-	1,000
	\$ <u>21,831</u>	\$ <u>26,623</u>

Estimated Revenues to be generated by this account:

Building & Plumbing Permit Fees	\$ 15,000
Business Registrations	<u>6,250</u>
	\$ <u>21,250</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 25: Shall the Town vote to raise and appropriate the sum of One Hundred and Fifty-Six Thousand, Four Hundred and Seventy-One Dollars (\$156,471) for the Police Department?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Chief of Police	\$ 20,225	\$ 21,357
Full-Time Officers	69,675	74,360
Summer Officers	25,536	25,536
Overtime Account	5,000	3,500
Telephone	2,000	2,000
Supplies & Expenses	2,200	2,200
Uniforms & Equipment	2,300	2,500
Radio Service	1,000	1,000
Training & Schools	750	750
Business Expenses	500	500
Crusier Operations	9,500	10,000
Beach Patrol	<u>12,768</u>	<u>12,768</u>
	\$ <u>151,454</u>	\$ <u>156,471</u>

Estimated Revenues to be generated from this account:

Parking Fines	\$ <u>23,000</u>
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BUDGET COMMITTEE RECOMMENDS; Yes by Vote 5-0

ARTICLE 26: Shall the Town vote to raise and appropriate the sum of One Thousand, Four Hundred Dollars (\$1,400) for radios for the Police Department?

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 27: Shall the Town vote to raise and appropriate the sum of Eleven Thousand, Three Hundred and Ninety-Two Dollars (\$11,392) for an additional full-time Police Officer?

BUDGET COMMITTEE RECOMMENDS: No by Vote 5-0

ARTICLE 28: Shall the Town vote to appropriate the costs of ticket printing, postage and collection from parking fine receipts and to appropriate all parking fine revenue in excess of Twenty-Three Thousand Dollars (\$23,000) towards the purchase of a new Police crusier with such a purchase to be made only upon approval of the Board of Selectmen?

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 29: Shall the Town vote to raise and appropriate the sum of Twenty-Nine Thousand, Nine Hundred and Forty-Nine Dollars (\$29,949) for the Multi-Jurisdictional Investigative Unit?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Detective Sergeant	\$ 19,495	\$ 20,275
Administrative Assistant	6,850	7,124
Supplies & Expenses	500	650
Clothing Allowance	200	200
Vehicle Expenses	<u>1,700</u>	<u>1,700</u>
	\$ <u>28,745</u>	\$ <u>29,949</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 30: Shall the Town vote to raise and appropriate the sum of Thirty Thousand, Four Hundred and Forty-Seven Dollars (\$30,447) for the Ogunquit fire Department?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Operating Expenses	\$ 24,575	\$ 23,895
Capital Outlay	<u>7,775</u>	<u>6,552</u>
	\$ <u>32,350</u>	\$ <u>30,447</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 31: Shall the Town vote to raise and appropriate the sum of Seven Thousand, Two Hundred and Fifty Dollars (\$7,250) for body work on Engine #5 and for repairs on Fire Engine #3?

BUDGET COMMITTEE RECOMMENDS: Yes by vote 5-0

ARTICLE 32: Shall the Town vote to raise and appropriate the sum of Sixty-Eight Thousand, Four Hundred and Nine Dollars (\$68,409) for the Communications Department?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Dispatchers	\$ 50,863	\$ 56,826
Supplies & expenses	2,707	3,200
Security Alarms	3,913	3,200
Console	-0-	<u>5,183</u>
	\$ <u>57,483</u>	\$ <u>68,409</u>

NOTE: Funds for console were raised in a separate Article in 1983. One (1) more payment will be made in 1985.

Estimated Revenue generated from this account:

Alarm Fees	\$ <u>5,000</u>
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BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 33: Shall the Town vote to raise and appropriate the sum of One Hundred, Thirty-Seven Thousand, Three Hundred and Eighty-Five Dollars (\$137,385) for the Highway Department?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Road Commissioner	\$ 14,458	\$ 17,405
Road Crew	38,175	38,480
Seasonal Labor	5,000	5,700
Beach & Trash Pickup	9,000	9,500
Marginal Way Caretaking	6,000	3,800
Overtime	2,500	1,500
Emergency Equipment/ Personnel	1,500	2,000
Maintenance/Supplies	10,000	10,000
Road & Sidewalk Main.	13,000	13,000
Garage Operations	4,200	4,000
Snow Removal	18,700	18,000
Equipment Operations	<u>14,000</u>	<u>14,000</u>
	\$ <u>136,533</u>	\$ <u>137,385</u>

Estimated Revenue to be generated from this account:

State Road Aid \$ 10,000

BUDGET COMMITTEE RECOMMENDS: \$136,056, with Foreman/Mechanic kept at hourly wage (\$15,076) and \$1,000 added in Overtime account by Vote of 5-0.

ARTICLE 34: Shall the Town vote to authorize the purchase of a Loader for the Highway Department on a lease/purchase method, raise and appropriate Twelve Thousand Dollars (\$12,000) for 1984's payment on the Loader and make such a purchase contingent upon the sale of the existing Loader and Backhoe?

Estimated Revenue from this account:

Sale/Existing Equipment \$ 12,000

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 35: Shall the Town vote to raise and appropriate the sum of Fifty-Five Thousand Dollars (\$55,000) for capital projects and improvements?

Description

Capital Equipment Fund	\$ 10,000
Marginal Way Restoration	10,000
Completion of Berwick Road Overlay	<u>35,000</u>
	\$ <u>55,000</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 36: Shall the Town vote to raise and appropriate the sum of Three Thousand, Five Hundred Dollars (\$3,500) for the installation of a brick sidewalk, new street lights and poles on the west side of Main Street contingent upon the cost sharing participation of the Leavitt Theatre and Canal Bank?

ARTICLE 37: Shall the Town vote to re-appropriate the sum of Twenty-Eight Thousand Dollars (\$28,000) from 1983 Deferred Revenue for repairs to the Marginal Way and for survey costs on Ocean Avenue?

NOTE: These funds were approved at a Special Town Meeting on December 6, 1983 but lapsed on December 31, 1983. Because the work will be done in 1984, the same funds must be re-appropriated.

ARTICLE 38: Shall the Town vote to raise and appropriate the sum of Ninety-Three Thousand, Ninety-Four Dollars (\$93,094) for street lighting, hydrant rental, and traffic signals?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Street Lights	\$ 34,500	\$ 31,000
Hydrant Rental	54,848	61,344
Traffic Signals	750	750
	\$ <u>90,098</u>	\$ <u>93,094</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 39: Shall the Town vote to raise and appropriate the sum of Twenty Thousand, One Hundred and Sixty-Four Dollars (\$20,164) for the Parks and Recreation Department?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Rental</u>
Recreation Director	\$ 12,438	\$ 13,700
Utilities	490	540
Parks Maintenance/Supplies	1,464	1,464
Parks Maintenance/Laborer	1,800	1,710
Operation Supplies	461	450
Automobile Expenses	850	850
Business Expenses	100	150
Ballfield Taxes	345	400
Capital Outlay	-0-	900
	\$ <u>17,948</u>	\$ <u>20,164</u>

BUDGET COMMITTEE RECOMMENDS: \$19,264 with Recreation Director at \$12,800 by 5-0 Vote

ARTICLE 40: Shall the Town vote to raise and appropriate the sum of Six Thousand, Nine Hundred and Eighty-Five Dollars (\$6,985) for Summer Playground and Swimming Programs and Tennis Court operation?

Estimated Revenues from this account:

Summer Program Fees	\$ 5,480
Tennis Court Fees	1,785
	\$ <u>7,265</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 41: Shall the Town vote to raise and appropriate the sum of Twenty-Three Thousand, Six Hundred and Nineteen Dollars (\$23,619) for Perkins Cove?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Harbor Master	\$ 13,800	\$ 10,819
Utilities	2,000	2,000
Supplies	1,000	1,000
Restrooms	1,000	1,000
Icebreaker	1,300	1,300
Mooring Operations	3,000	4,000
Capital Outlay	-0-	3,500
	\$ <u>22,100</u>	\$ <u>23,619</u>

Estimated Revenues to be generated from this account:

Mooring Fees	\$ 20,000
Hauling Fees	1,000
	\$ <u>21,000</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 42: Shall the Town vote to raise and appropriate the sum of Forty-Five Thousand, Four Hundred and Twelve Dollars (\$45,412) for the Lifeguard Services:

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Lifeguard Personnel	\$ 36,829	\$ 41,062
Supplies	1,044	1,000
Equipment	896	750
Uniforms	708	600
Capital Outlay	706	2,000
	\$ <u>40,183</u>	\$ <u>45,412</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 43: Shall the Town vote to raise and appropriate the sum of Fifty-Eight Thousand, One Hundred and Forty-Two Dollars (\$58,142) for Beach Maintenance?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Restroom Attendants	\$ 13,716	\$ 14,497
Parking Lot Attendants	15,720	15,960
Maintenance/Lifeguards	9,000	6,095
Supplies/Operations	9,782	10,000
Jeep Maintenance	-0-	800
Dunes Maintenance	4,500	4,500
Capital Outlay	6,717	6,290
	\$ <u>59,435</u>	\$ <u>58,142</u>

Estimated Revenues to be generated from this account:

Beach parking Fees	\$ 200,000
Lower Lot Parking Fees	30,000
	\$ <u>230,000</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 44: Shall the Town vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000) for paving, curbing, striping, signing, and placing benches at the Ocean Avenue access to the beach?

ARTICLE 45: Shall the Town vote to adopt the following beach parking pass and fee policy to replace Section 404, Title IV Public Resources and Conservation Ordinance, of the Ogunquit Municipal Code as voted at the Annual Town Meeting of March 5, 1983:

- 404.1 That no motel, hotel or rooming house shall have season passes except those located easterly of the Ogunquit River estuary shall be permitted to purchase season passes for rental units (all or none basis) at Fifty Dollars (\$50.00) each;
- 404.2 Year-round residents and taxpayers of the Town of Ogunquit may purchase season passes for two (2) vehicles owned by said resident and/or taxpayer; the first pass at Ten Dollars (\$10.00) and the second pass at Twenty-Five Dollars (\$25.00);
- 404.3 Seasonal and monthly renters within the Town of Ogunquit may purchase a pass for one (1) vehicle owned by said renter at Thirty-Five Dollars (\$35.00);
- 404.4 Year-round residents and taxpayers of the abutting coastal towns of Wells and York may purchase one (1) season pass for one (1) vehicle owned by said resident or taxpayer at Thirty-Five Dollars (\$35.00) which shall be valid at all beach parking lots, except the Main Beach and Lower Lot.

ARTICLE 45: (Continued)

- 404.5 Employees of Ogunquit businesses may purchase one (1) parking pass for use at the Obeds Lane Parking Lot only at Fifteen Dollars (\$15.00) with definition and eligibility criteria established by the Board of Selectmen.
- 404.6 Daily rates at all pay parking lots will be Five Dollars (\$5.00) daily with the exception of the Obeds Lane Lot which will be Three Dollars (\$3.00) daily, with the Board of Selectmen to have the option to charge a reduced rate of up to Three Dollars (\$3.00) from May 26, 1984 to June 22, 1984 and from September 10, 1984 to October 8, 1984 and the Town Manager to have the authority to institute a daily rate of Two Dollars (\$2.00) during inclement weather.
- 404.7 Children's Camp Bus unloading fee to be Twenty-Five Dollars (\$25.00) with the additional requirement that they give a minimum of twenty-four (24) hour notice to the Town Manager or Recreation Director so that, for safety precautions, they can be directed to specific beach access points and access times.

Business Bus unloading fee will be Ten Dollars (\$10.00) per day or Three Hundred Dollars (\$300.00) per season for Ogunquit businesses and Twenty Dollars (\$20.00) per day or Five Hundred Dollars (\$500.00) per season for out-of-town businesses.

ARTICLE 46: Shall the Town vote to raise and appropriate the sum of Ten Thousand, Two Hundred and Fifty Dollars (\$10,250) for the Information Bureau?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Bureau Personnel	\$ 4,500	\$ 4,500
Operation Expenses	2,200	1,750
Rental Fee	3,000	-0-
Advertising	3,000	4,000
	\$ <u>12,700</u>	\$ <u>10,250</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 47: Shall the Town vote to raise and appropriate the sum of One Hundred and Thirty-Five Thousand, Nine Hundred and Sixty-Five Dollars (\$135,965) for current maturities of principal, and interest thereon, of outstanding notes and bond obligations?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Aerial Ladder Truck (1988)	\$ 43,362	\$ 34,400
Obeds Lane/2001	52,170	47,350
Regional Waste Member- ship (1984)	9,800	8,700
Perkins Cove Bridge (1984)	9,402	9,400
Revaluation/1985	19,388	17,000
Dump Truck/1986	8,280	7,050
Jacobs Parking Lot/2003	8,656	12,065
	\$ <u>151,058</u>	\$ <u>135,965</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 48: Shall the Town vote to authorize the borrowing of funds not to exceed Ninety-Five Thousand Dollars (\$95,000) for the development of a parking lot and the construction of an Information Bureau on the Obeds Lane property and to authorize the annual payment of principal and interest on this debt from parking receipts?

Estimated Revenue to be generated from this account:

Obeds Lane Parking Receipts \$ 10,000

ARTICLE 49: Shall the Town vote to raise and appropriate the sum of Six Thousand Dollars (\$6,000) to have a triangular shaped piece of land at the intersection of School Street and U.S. Route One surveyed, cleared, graded and paved as to allow for fire and emergency vehicle access to the North bound lanes of Route One?

NOTE: The Town of Ogunquit has owned and maintained a triangular piece of land at the end of School Street and intersecting Route One since Town Meeting in 1935. The requested funds would pay for improving the Town owned land and state right-of-way for emergency vehicle access.

ARTICLE 50: Shall the Town vote to raise and appropriate the sum of Eighty-eight Thousand Dollars (\$88,000) for Employee Benefits?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Group/Health/Life Disability	43,673	42,000
Pension/Retirement Plan	9,000	11,000
Social Security	<u>34,000</u>	<u>35,000</u>
	\$ <u>86,673</u>	\$ <u>88,000</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 51: Shall the Town vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) representing approximately one-eighth (1/8) of the Town's accrued personnel liabilities to be placed in an interest bearing account/

BUDGET COMMITTEE RECOMMENDS: \$ 1,329 by Vote 5-0

ARTICLE 52: Shall the Town vote to raise and appropriate the sum of Ninety-One Thousand, Three Hundred and Twenty Dollars (\$91,320) for the Transfer Station?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Regional Waste System	\$ 17,082	\$ 17,100
Custom Transfer, Inc.	58,500	66,720
Land Use Fees	<u>7,663</u>	<u>7,500</u>
	\$ <u>83,745</u>	\$ <u>91,320</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 53: Shall the Town vote to raise and appropriate the sum of One Thousand, Three Hundred and Fifty Dollars (\$1,350) for Un-classified accounts?

<u>Description</u>	<u>1983 Appropriation</u>	<u>1984 Request</u>
Memorial Library	\$ 100	\$ 100
Riverside Cemetery	200	200
Locust Grove Cemetery	200	200
Old Burying Ground	200	200
Babe Ruth League	150	150
Wells/Ogunquit Little League	300	300
American Legion	<u>200</u>	<u>200</u>
	\$ <u>1,350</u>	\$ <u>1,350</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 54: Shall the Town vote to raise and appropriate the sum of Seven Thousand, Three Hundred and Sixty-Six Dollars (\$7,366) for Human Services?

<u>Description</u>	1983 <u>Appropriation</u>	1984 <u>Request</u>
Red Cross	\$ 250	\$ 250
So. Maine Senior Citizens	530	600
Meals-On-Wheels	1,600	1,600
Waban Bus	600	600
York County Health Services	2,500	2,500
York County Child Abuse	75	75
Day Care	50	50
Caring Unlimited	50	75
York County Community Action	703	773
York County Counseling Ser.	660	693
York County Home Care	150	150
	\$ <u>7,168</u>	\$ <u>7,366</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 55: Shall the Town vote to raise and appropriate the sum of Forty-Eight Thousand, Six Hundred Dollars (\$48,600) for Tax Anticipation Note interest?

Estimated Revenue to be generated from this account:

Investment of Funds \$ 50,000

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 56: Shall the Town vote to raise and appropriate the sum of Five Hundred Dollars (\$500) for a clam re-seeding or Green Crab Control Program at the clam flats as determined by the Shellfish Conservation Commission?

Estimated Revenue to be generated from this account:

Clam Licenses \$ 500

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 57: Shall the Town vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) for costs of special Police duty to private individuals from fees paid by those individuals?

Estimated Revenue to be generated from this account:

Fees for Police Duty \$ 3,000

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 58: Shall the Town vote to appropriate the sum of Twenty-Four Thousand, Five Hundred and Eighty-Six Dollars (\$24,586) from Federal Reserve Sharing in lieu of taxation for:

Police	\$ 15,000
MJI Unit	5,000
Fire Department	4,586
	\$ <u>24,586</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 59: Shall the Town vote to appropriate the sum of Thirty-One Thousand, Nine Hundred and Ninety-Four Dollars (\$31,994) from State Revenue Sharing in lieu of taxation for:

Highway	\$ 10,000
Communications	10,000
Administration	10,000
Fire Department	1,994
	<u>\$ 31,994</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 60: Shall the Town vote to appropriate the sum of Four Hundred and Ninety Thousand, Seven Hundred and Fifteen Dollars (\$490,715) from Anticipated Revenues as described in the previous Articles to reduce taxation?

Description

Sale of Copies	200
Excise Taxes	70,000
Late Penalties	15,000
Planning Board	200
Appeals Board Hearing Fees	1,500
Dunaway Rental Fees	2,000
Sewer District Rental	2,000
Pay Telephone	1,000
Clerk's Licenses/Fees	1,800
Liquor and Amusement Fees	4,000
Building & Plumbing Permit Fees	15,000
Business Registration	6,250
Parking Fines	23,000
Alarm Fees	5,000
State Road Aid	10,000
Sale of Highway Equipment	12,000
Summer Program Fees	5,480
Tennis Court Fees	1,785
Mooring Fees	20,000
Hauling Fees	1,000
Beach Parking Fees	200,000
Lower Lot Parking Fees	30,000
Obeds Lane Parking Fees	10,000
Investment of Funds	50,000
Clam Licenses	500
Outside Police Duty	3,000
	<u>\$ 490,715</u>

BUDGET COMMITTEE RECOMMENDS: Yes by Vote 5-0

ARTICLE 61: Shall the Town vote to appropriate the sum of Eighty Thousand Dollars (\$80,000) from Undesignated 1983 Surplus to reduce Taxiation?

ARTICLE 62: Shall the Town vote to fix the date that taxes are due and payable as the Date of Commitment; and that interest at the rate of fifteen percent (15%) per annum be charged thereon forty-five (45) days after the Date of Commitment. If not paid within forty-five (45) days, the interest is to be paid from the Date of Commitment.

ARTICLE 63: Shall the Town vote to authorize the Board of Selectmen to borrow monies in anticipation of taxes as may be required to operate the services of the Town?

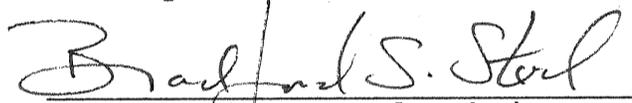
ARTICLE 64: Shall the Town vote to authorize the Board of Selectmen to apply for and receive any an all grants or intergovernmental funds that may be available and in the best interest of the Town?

ARTICLE 65: Shall the Town vote to authorize the Board of Selectmen to sell and convey tax acquired property as they deem necessary or in the best interest of the Town; however, a delinquent taxpayer shall be given a thirty (30) day grace period after the lien's maturation date or the date of acceptance of this Article in which to redeem his/her property upon payment of all taxes, interest, penalties and costs? The Selectmen and the Treasurer are hereby authorized to execute and deliver quit claim deeds without covenant and the furtherance of the same. Property not redeemed as provided above shall be sold only at public sale to be conducted in a manner to be determined by the Selectmen. In any event, however, the Selectmen may execute and deliver quit claim deeds at their discretion for the purpose of removing from public record tax liens which have not been discharged through inadvertence.

ARTICLE 66: Shall the Town vote to authorize the Board of Appeals to hear and decide upon any or all administrative appeals of decisions made by local boards or officials in accordance with the Statutes regulating such hearings and decisions?

ARTICLE 67: To transact any other business that may properly come before this meeting.

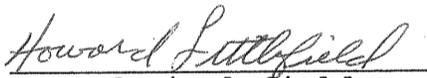
The Board of Selectmen hereby give notice that the polls shall be open for voting purposes at nine o'clock in the morning or as soon as possible thereafter of the date of said meeting and that the polls will not be closed earlier than one o'clock in the afternoon of said day. The Business Meeting will be held at one-thirty in the afternoon of said day. Given under our hands this seventeenth day of February, 1984 A.D.

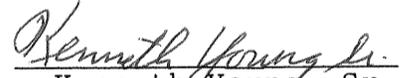

Bradford S. Sterl, Chairman

William P. Hancock III

John Miller

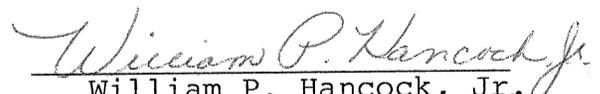
TOWN OF OGUNQUIT
BOARD OF SELECTMEN


Howard Littlefield

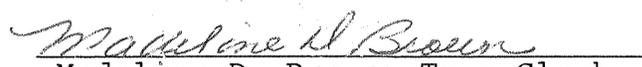

Kenneth Young, Sr.

In the Town of Ogunquit, County of York and State of Maine, as:

Pursuant to warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the seventeenth day of February, 1984, A.D. a copy of the within Warrant at the Dunaway Community Center, Ogunquit Post Office, and Village Food Market, those being three public and conspicuous places in said town.


William P. Hancock, Jr.
Chief of Police
Town of Ogunquit

A TRUE COPY
ATTEST:


Madeline D. Brown, Town Clerk
Town of Ogunquit

Shall The Town Vote To Amend The
Town's Comprehensive Plan As Set
Forth In Exhibit A Attached Hereto

AMENDMENT TO TOWN OF OGUNQUIT
COMPREHENSIVE PLAN

The Ogunquit Sewer District system has a limited capacity. While it does have some excess capacity, that capacity could be quickly used up unless a system for allocating that capacity among new users is developed. It is in the interest of the public's health, safety and welfare to both provide for continued treatment of sewage for Ogunquit's existing residents but also to accommodate future population and housing growth. It is essential to plan for such growth in Ogunquit at a rate which would be compatible with the expected life/capacity of the sewer treatment plant, thus avoiding an unreasonable burden on the services and the costs associated with the construction of a new additional treatment plant. In order to avoid a situation in which the rapid completion of a major commercial construction project could outstrip the plant's capacity and to ensure fairness in the allocation of that capacity among all people who may make a demand on it, it is essential that an allocation system be developed and implemented.

TITLE II SAFETY AND WELFARE

Chapter 6 Public Sewer Usage Limitations

6.A.1 Title , Purposes and Authority

6.A.1.a Title. This Chapter may be referred to as the "Public Sewer Usage Limitation Ordinance".

6.A.1.b Purpose. The Ogunquit Sewer System is inadequate to meet the current and anticipated needs of the Town for the disposal of domestic and commercial sewage. The peak capacity of pump number 1 of 1.2 million gallons per day is met or exceeded by the demand in the summer; springtime flows push the system beyond its limits causing overflow conditions; groundwater is infiltrating the system; sump pumps add significant amounts of water to the system. While the Sewer District is taking steps to cure some of these problems and to increase the system's capacity, these steps cannot all be accomplished immediately and further study by the District is necessary to identify all problems and solutions. Accordingly it is the intent of this Ordinance that new or additional sewage be discharged into the system in moderate amounts to permit some growth but to insure that any excess capacity which develops is portioned out fairly and over a period of time until the District has taken all steps necessary to cure the system's problems and significantly increase its capacity.

6.A.1.c Authority. This Ordinance is enacted pursuant to the authority delegated to the Town by M.R.S.A. Const. Art. VIII, Pt. 2, §1, 30 M.R.S.A. §1917 and 30 M.R.S.A. §2151.

6.A.2. Definitions.

Commercial Facility - Commercial Facility means anything which is not a Residential Facility.

Development - Development means the placement, erection, construction, reconstruction, replacement, repair or enlargement of any structure and any land use.

Residential Facility - Residential Facility means a residential dwelling unit primarily used or intended to be used to house a single family or single group of persons on a seasonal or year-round basis such as a single family home.

Shall an ordinance entitled "Public
Sewer Usage Limitations" be enacted?
A copy is attached as Exhibit B.

6.A.3 Permits Required - No board, agency, officer, official or employee of the Town Hall shall issue any permit, license or approval for any development which would result in the discharge of additional sewage into the Ogunquit Sewer District System unless the applicant holds a valid Sewer User Permit (s) for such development issued by the Code Enforcement Officer.

6.A.3.a Annual Limitation on Number of Permits. The Code Enforcement Officer may issue no more than that number of Sewer User Permits each calendar year which will have the cumulative effect of discharging 7,500 gallons of additional sewage per day from **commercial** facilities and 6,000 gallons per day from residential facilities into the Ogunquit Sewer District System. In determining the amount of sewage likely to be discharged from a development, the Code Enforcement Officer shall be guided by the criteria for Subsurface Wastewater Disposal established by the State of Maine Department of Human Services, Department of Health Engineering.

6.A.4 Limitation of Number of Permits per Entity. No person, firm, corporation or other legal entity, or their affiliates, shall be entitled, in any one year to permits for commercial facilities generating more than 2,500 gallons of sewage per day or for domestic facilities generating more than 900 gallons of sewage per day. For the purposes of this paragraph, affiliates are those entities in which the applicant has a direct financial interest.

6.A.5 Administration. Applications shall be on such forms and shall provide such information as the Code Enforcement Officer shall deem necessary to insure compliance with this Ordinance.

Applications shall be accompanied by a fee of One Hundred Dollars (\$100) for every 450 gallons or portion thereof for which the permit is sought. This fee shall be refunded if the permit is not granted.

Applications shall be processed on a first-come, first-served basis. Applications for permits which are not granted shall not be carried over to

the next year but they may be resubmitted. If at any time there are simultaneous applications for more permits than there are permits available, the order of processing shall be determined by lottery.

Any sewage gallonage capacity for which permits have not been issued and any such gallonage capacity for which permits have been issued but which permits expire, shall be carried over to the next calendar year and added to the gallonage capacity available in that year.

- 6.A.6 Expiration of Permits. Permits issued hereunder shall expire if construction of the development for which each permit is issued has not commenced within six (6) months of the permit being issued or if the development is not substantially completed within one (1) year of the permit being issued, except that the Board of Appeals may extend the life of such permits if the holder is able to demonstrate that he has been delayed in his development by natural conditions beyond his control or that he has been diligently pursuing other licenses required for the development but has not yet received approval through no fault of his own.
- 6.A.7 Non Transferability. Permits issued hereunder may not be transferred to other development projects on other real estate but shall run with the real estate which is the subject of the proposed development for which the permit is issued.
- 6.A.8 Expiration of ordinance. The requirements of this Ordinance shall expire on December 31, 1987 unless the voters, after review of adequacy of the Ogunquit Sewer District System, decide to extend this Ordinance to a date certain.
- 6.A.9 Applicability. The requirements of this Ordinance shall apply to all applications for permits for development which have not received substantive review by the board or official responsible for issuing such permits.

Shall an Ordinance entitled "Public
Water Usage Limitations" be enacted.
A copy is attached as Exhibit C.

TITLE II SAFETY AND WELFARE

Chapter 5 Public Water Usage Limitations

5.A.1 Title, Purposes and Authority

5.A.1.a Title. This Chapter may be referred to as the "Public Water Usage Limitation Ordinance".

5.A.1.b Purposes. One of the conclusions of the Ogunquit Comprehensive Plan Review Committee in 1983 was that Ogunquit's public water supply and system, provided by the Kennebunk, Kennebunkport and Wells Water District, were inadequate and in need of improvement. One of the more significant facts giving rise to this conclusion is the fact that there is a real and present danger that at least one area of Town, which has inadequately sized water mains, insufficient fire hydrants and numerous dead-ended mains which should be cross connected, is without adequate public water to permit effective fire control. This fact is buttressed by the results of past and recent "fire flow tests". It is the purpose of this ordinance to prohibit further development in that area of Town, which would have the effect of further weakening the current inadequate water flow, until the Water District completes its currently planned improvements to that area, anticipated to be in 1985, unless a developer is able to show that he will have access to an adequate source and flow of water to protect existing structures as well as the new development against the dangers of fire.

5.A.1.c Authority. This ordinance is enacted pursuant to the authority delegated to the Town by M.R.S.A. Const. Art. VIII, Pt. 2, §1, 30 M.R.S.A. §1917 and 30 M.R.S.A. §2151.

5.A.2 Definitions.

"Development" - Development shall mean any construction requiring or proposing use or increased use of the public water supply and system of the Kennebunk, Kennebunkport and Wells Water District.

"Problem Area" - Problem Area as used herein means that area of Town shown on the Town's Zoning Map as lying southerly of Isreal Head Road and being

all that land located in the Zoning Districts known as OFRD, RPD, PCLBD, PCRD, LBD and those lands located in the RD and GBD Districts lying southerly of the Josias River.

5.A.3

Prohibition. No board, agency, officer, official or employee of the Town shall issue any permit, license or approval for any "Development" in the "Problem Area" unless the applicant demonstrates to the satisfaction of the Ogunquit Code Enforcement Officer after he has consulted with the Ogunquit Fire Chief, that the Development will have available to it, for protection against fire, a sufficient flow of water as determined by the N.F.P.A. booklet on Water Systems and Supplies. Any such permit, license or approval issued in violation hereof shall be void.

5.A.4

Appeals. Any person aggrieved by the decision of the Code Enforcement Officer hereunder may, within 30 days thereafter, appeal such decision to the Ogunquit Board of Appeals which may reverse such decision only upon a finding that the decision was arbitrary, capricious or not supported by the facts presented to it.

Shall the Town vote to amend those parts of Chapter I, Sections I, III and XIV and Chapter II, Section II D of the Zoning Ordinance relating to the definition of "Restaurant" and to Off-Street Parking Standards as set forth in Exhibit D attached.

EXHIBIT

ORDINANCE REFERENCE

AMENDMENT

p. 46	Chapter I Section XIV A. 7th Line	After "...no structures" <u>Insert</u> : "or parking spaces" will be ...
p. 2	Chapter I Section I D. 4)	<u>Delete</u> last sentence: "Parking may be ..."
p. 14	Chapter I Section III after "Public Utility"	<u>Add</u> : " <u>Restaurant</u> " = "An establishment where meals are prepared and served to the public for consumption on the premises, entirely within a completely enclosed building; and where no food or beverages are served directly to occupants of motor vehicles or directly to pedestrian traffic from an exterior service opening or counter, or any combination of the foregoing; and where customers are not permitted or encouraged by the design of the physical facilities, by advertising, or by the servicing or packaging procedures to take out food or beverages for consumption outside the enclosed building. A "restaurant" shall include cafeterias, coffee shops, diners, and snack bars."
p. 61	Chapter II Section II D. 2)	<u>Delete</u> opening Paragraph and replace with: "2) a. No use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged unless there is provided for such extension, construction or enlargement, off-street automobile parking space in accordance with the following schedule of parking requirements. An area of two hundred (200) square feet (10' x 20') appropriate for the parking of an automobile, exclusive of maneuvering space, shall be considered as one off-street parking space. Larger dimensioned spaces may be required to suit particular uses. All spaces shall be accessible from lanes of adequate size and location

ORDINANCE REFERENCE

EXHIBIT

AMENDMENT

Chapter II Section II D. 2 Cont'd)

No required parking space shall, for the purposes of this Ordinance, serve more than one use. No off-street parking facility shall have more than two (2) points of access on the same street, and no entrance or exit shall exceed twenty-six (26) feet in width. Parking areas with more than two (2) parking spaces shall be so arranged that vehicles can be turned around within such areas and are prevented from backing into the street. Required parking areas shall be subject to setback requirements."

Insert:

"b. Minimum Off-Street Parking Requirements"

Make the following changes in categories:

"Motels, hotels,
tourist homes..."

Page 62

Delete the present requirement and Change to read:

"1 parking space for each sleeping room plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

"Theatres, auditoria,
churches..."

Page 62

Delete the present requirement and Change to read:

"1 parking space for every 3 seats or for every 50 square feet, or major fraction thereof, of assemblage space if no fixed seats, plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

"Restaurants"

Page 63

Delete the present requirement and Change to read:

"1 parking space for every 3 seats plus 1 space for each 2 employees, and adequate spaces for delivery vehicles."

EXHIBIT _____

ORDINANCE REFERENCE

AMENDMENT

p. 64

Chapter II Section II D. 4)
1st Line

Delete the word "six" and change to "two"

3rd Line

After "apply" Delete: ":" and Add: "and be
presented to the Planning Board for review;"

Chapter II Section II D.4)a)

Delete the last sentence

Shall the Town vote to amend those parts of Chapter I, Sections VI through XIII of the Zoning Ordinance relating to Space Standards as set forth in Exhibit E attached.

EXHIBIT

p. 30	Chapter I Section VI	E.2)	Under "SPACE STANDARDS" <u>Add:</u>	
p. 32	Chapter I Section VII	E.2)	Minimum area of land <u>open to the sky</u> and	
p. 34	Chapter I Section VIII	E.2)	not including land used for parking or	
p. 36	Chapter I Section IX	E.2)	building or swimming pools or awnings or	
p. 40	Chapter I Section XI	E.2)	structures	40%
p. 42	Chapter I Section XII	E.3)	Minimum amount of said land open to the sky	
p. 45	Chapter I Section XIII	E.7)	massed in one location and not used pri- marily as a buffer strip	50%
			Maximum area of land that may be used to support required parking	30%
p. 40	Chapter I Section XI	E.2)	Under "SPACE STANDARDS" <u>Add:</u>	
p. 42	Chapter I Section XII	E.3)	Minimum land area required for a hotel, motel, "time-share" and/or apartment	
p. 45	Chapter I Section XIII	E.7)	building 40,000 sq. ft. Minimum land area required per hotel unit, motel unit, "time-share" unit and/or single apartment 2,000 sq. ft.	
p. 40	Chapter I Section XI	E.2	Under "SPACE STANDARDS" <u>Add:</u> Maximum building coverage	30%
			<u>Change existing standard by inserting after</u> "between": "principal", to read "Minimum distances between principal buildings..."	
p: 42	Chapter I Section XII	E.3	Under "SPACE STANDARDS" <u>Change:</u> "Maximum building coverage" <u>from 40% to 30%</u>	
			<u>Add:</u> Minimum distances between principal build- ings on the same lot = Equivalent to the height of the tallest building	

p. 44 Chapter I Section XIII D. 5)

Delete

p. 45 Chapter I Section XIII E. 3) The following space standards shall apply:

Minimum front, side, and rear yards	15 ft.
Maximum building height	2 stories not to exceed 27 ft. (exclusive of chimneys)
Minimum setback from streams, water- bodies, and wetlands	75 ft.
Maximum building coverage	30%
Minimum distances between principal buildings on the same lot	Equivalent to the height of the tallest building
Minimum land area	7,500 sq. ft.
Minimum street frontage	75 ft.
Minimum area of land open to the sky	40%
Minimum area of open land massed in one location	50%
Maximum area of land that may be used to support required parking	30%
Minimum land area required for a hotel, motel, "time-share" and/or apartment building	40,000 sq. ft.
Minimum land area required per hotel unit, motel unit, "time-share" unit and/or single apartment	2,000 sq. ft.

(In all Zones, the wording should be changed in the STANDARDS Section to
(read:

("Equivalent to the height of the tallest building"

(

(

Changes to be made, as follows:

p. 30	Chapter I Section VI	E.2
p. 32	Chapter I Section VII	E.2
p. 34	Chapter I Section VIII	E.2
p. 36	Chapter I Section IX	E.2
p. 40	Chapter I Section XI	E.2

Shall the Town vote to amend
those parts of Chapter I, Sections
IV through V of the Zoning
Ordinance relating to Administration
and The Board of Appeals as set
forth in Exhibit F attached?

"ENFORCEMENT OFFICER"

Delete entire paragraph and replace with:

- "immediately (within 3 business days)"
- "1) It shall be the duty of the Code Enforcement Officer or other person duly authorized by the Town of Ogunquit to administer and enforce the provisions of this Code.
 - "2) The Code Enforcement Officer shall investigate all instances of possible violations, with or without complaint, and shall take appropriate action if a violation exists.
 - "3) Cease and Desist Order. If the Code Enforcement Officer shall find that any of the provisions of this Code are being violated, he shall/notify by Certified Mail the person(s) responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal activity; or shall take any other action authorized by this Code to insure compliance with or to prevent violation of its provisions.
 - "4) Consulting Services. Where the Code Enforcement Officer cannot determine that a violation exists because of technical complexity or need to use equipment not available to the Town, he may consult with such independent experts or agencies as necessary to determine whether a violation exists. If a violation exists, the Code Enforcement Officer shall notify the violator of such violation, order appropriate corrective action, and require the violator to reimburse the Town for any consulting services. If no violation exists, the Town shall pay for consulting services."

"BUILDING PERMIT"

1st Line

After "shall be" Insert: "demolished," erected,.....

11th Line

After "shall expire." Add new sentence: "Demolition shall be completed expeditiously so as not to endanger the public health, safety, and welfare."

16th Line

After the word "Officer" Change the word "may" to "shall"

Page 19

1st Line

After the word "include" Insert: ", but are not limited to" the adequacy.....

"APPLICATION"

9th Line

After "floor space" Insert: "shall be reviewed by the Planning Board and" shall include

14th Line

After the word "Officer" Insert: "and the Planning Board" to determine

"APPLICATION"

1st Line

After the word "Officer" Insert the word "shall"

"BOARD OF APPEALS"

14th Line: Correct the word "steed" to read "stead"

3rd Line: After "ation made" Insert: "or not made" by the

"POWERS AND DUTIES"

4th Line: After "this Code," Remove the word "and" and Insert the word "to" after "2)"

5th Line: After the word "Code" Change the period to a comma and Insert: "and 3) to permit functional divisions."

"APPEAL PROCEDURE:

Chapter I Section V D. 1) Delete the last sentence starting "Abuttors" (sic)

Chapter I Section V D. 2) Delete entire paragraph and replace with:

"Following the filing of an appeal, the Town Manager shall notify forthwith the Appeals Board, the Code Enforcement Officer, and the Planning Board. The appeal shall then be in order for a public hearing within thirty (30) days of the filing date."

Chapter I Section V D. 3) Delete entire paragraph and replace with:

"The Board shall hold a public hearing prior to making a decision on an appeal. In all appeals the Town Manager shall notify, by Certified Mail, the appellant and the owners of all abutting properties. Abutting properties shall include those directly across a public right of way, including waterways. Notification shall include the nature of the appeal and the time and place of the public hearing. Notice of all appeals shall also be published in a newspaper of general circulation and posted in at least three (3) public places within the Town. All notifications must precede the public hearing by at least seven (7) business days.

Chapter I Section V D. 5) Second Line: After the word "and" Change "may" to "shall"

Chapter I Section V D. 7) Last Sentence: Change the order of the words to read: "Decisions shall be sent to the appellant via Certified Mail."

Chapter I Section V D. 11) Fifth Line: After the word "its" Insert the word "written" decision...

Sixth Line: After the word "decision" Insert ", supported with Findings of Fact and Conclusions," prior to

Shall the Town vote to amend those parts of Chapter I, Sections I, II, X, XI and Chapter II, Section II of the Zoning Ordinance relating to mapping, division of districts, nonconformance and the Perkins Cove Residence, General Business and Limited Business Districts, parking and traffic as set forth in Exhibit G attached?

EXHIBIT

- p 2. Chapter I Section I C. Add: 6) Any measurement of minimum setback distance from any pond, lake, river, or salt water body shall be taken horizontally from a point vertical to the normal high water mark.
- p 3. Chapter I Section I D. 5) Delete entire paragraph
- p 5. Chapter I Section II A. 1) 6th Line After ..."continue," Add and change to read: "but shall not be extended, functionally divided," reconstructed,
- pp 6 & 7. Chapter I Section II C. 3) 2nd Paragraph Delete first and second sentence through "but" and start a new sentence with: "The addition of a deck or porch constitutes" the expansion and Add: "or porch" after the word "deck" later in this sentence
- p 7. Chapter I Section II C. 4) 5th Line: After "enlarge" Add: "the dimensions of the original foundation," the overall floor...
Add a new final sentence to the paragraph: "All plans for reconstruction shall be reviewed and approved by the Planning Board prior to commencing said reconstruction."
- p 7. Chapter I Section II C. 6) 1st Paragraph 1st Line: Change to read: "A building, structure, or business" which is
6th Line: After "vided for" Change rest of sentence to read: "the original buildings, structures, or businesses and such addition, enlargement, or alteration of the original buildings, structures, or businesses, sufficient to satisfy the requirements of this Ordinance."
2nd Paragraph 4th Line: After "for both the" Add and change to read: "original buildings, structures, or businesses and the additions or enlargement of the original buildings, structures, or businesses."

- p 38. Chapter I Section X E. 3)
2nd Line Stop after "apply", add a period, and delete rest of sentence
- p 39. Chapter I Section XI B. 6) Change to read: "A single separate building for no more than two (2) retail businesses or two (2) service establishments" excluding those...
- p 39. " " " D. 2) After ..."areas including" Insert: "commercial garages and" gasoline stations.
- p 41. Chapter I Section XII B. 2) 2nd Line: After "garages" Delete: ", diners and dance halls." and replace with: "and gasoline stations."
- p. 59. Chapter II Section II
A. I)
1st line Delete "General business district land uses" and substitute: "Land uses in all Business Districts" shall be....
- p. 2. Chapter I Section I D. 4) Delete last sentence: "Parking may be...."
- p. 63 Chapter II Section II
D. 2) Change to read: "Drive-in and Take-out Eateries (in existence prior to March 3, 1984:"
"Drive-in restaurants.."

Shall the Town vote to amend those parts of Chapter I, Sections I, II and VII through XIII of the Zoning Ordinance relating to purposes, definitions, typographical errors, special exceptions, camping and tenting areas, street frontage, limited business uses, zoning map, fees, sewer and water as set forth in Exhibit H attached?

EXHIBIT

- p 10. Chapter I Section III
"DEFINITIONS"
Opening Paragraph
1st Line: Delete the word "Standard" and change to read: "Definitions found in a standard Webster's Dictionary"
- p 10. Awning
Delete entire definition and replace with:
"A temporary retractable structure of cloth or metal, with a metal frame, attached to the exterior wall of a building."
- p 11. Top of page, before
"Basement"
Add: "Bakery: = "A place where bread, cake, pastries, etc. are baked for sale."
- p 11. Condominium Residential
1st Line: After ..."owned" Add: "or "time-shared" " apartment ...
3rd Line: After ..."condominium" Add: "or "time-shared" " use...
- p 12. Dwelling Unit
2nd Line: After "...living," Add: "bathing," ...
- p 12. After "Dwelling Unit"
Add: "Efficiency" = "A Dwelling Unit."
- p 12. Half Story
Delete entire definition and change to:
"Shall be construed as meaning one-half (1/2) of the habitable floor area of the floor beneath and under a pitched roof. The ridge line shall be along the center axis of the floors below, and fifty per cent (50%) of the half story shall be located on one side of the ridge line and the remaining fifty per cent (50%) on the other side of the ridge line. The height of any knee wall adjacent to an eave shall not be more than four feet (4') in height."

- p 40. Chapter I Section XI E. 2) After "Minimum street frontage", Delete "none" and substitute "100 ft."
- p 41. Chapter I Section XII C. Change "PERMITTED USES" title to "NON-PERMITTED USES"
- p 43. Chapter I Section XIII C. Change "PROHIBITED USES" title to "NON-PERMITTED USES"
- p 37. Chapter I Section X E. Change "PROHIBITED USES" title to "NON-PERMITTED USES"

p 2. Chapter I Section I C. 5)

Delete and replace with: "When the Resource Protection District encompasses brooks, streams or rivers (as shown on the Zoning Map dated March 1976 and subsequent amendments) it shall be defined as being land within twenty-five feet (25') of the normal high water mark of each side of a brook, stream or river."

Revise the inset of the Zoning Map by eliminating the references to 50'

p 49. Chapter II Section I C. 1)
1st Line

After ... "yard space" Add: "or other nonresidential use" shall be

After last sentence Add: "The Planning Board shall require plantings, shrubs, landscaping and/or fencing and shall regulate the disposition and form of buildings and other improvements to insure that the proposed use will be adequately screened and buffered from contiguous properties."

p 81. Chapter II Section VII E. 1)

Change 1st sentence to read: "A permit fee as established by the Board of Selectmen" shall be paid

page 68, II-IV-A-5)-c) Delete all text and substitute: "Water Supply: The major source of water shall be the public water district system, and adequate provisions shall be made for both domestic use and fire-protection requirements."

II-IV-A-5)-h) Add this statement: "Sewage Disposal: Sewage will be discharged only into the Ogunquit Sewer District system."

page 74, II-V-C-6) Delete the opening phrase: "When reasonably (sic) available," and capitalize the "a" that follows.

II-V-C-7) Add this statement: "A public sewer main of at least eight (8) inches in diameter must exist for the use of buildings, residents and occupants of the street to be accepted."

page 76, II-VI-B-5) Add to the existing statement: "The major source of water shall be a public water district system. The sewerage system will discharge wastes only into the Ogunquit Sewer District system."

page 77, II-VI-C-2) Delete the 2nd and 3rd sentences and substitute: "The major source of water shall be a public water district system. The sewerage system shall discharge wastes only into the Ogunquit Sewer District system."

Shall the Town vote to Amend
Chapter 6 of Title IX of
the Ordinances relating to
Yard or Garage Sales as set
forth in Exhibit I attached?

Page 18 Title IX Chapter 6 "Yard or Garage Sales"

Add: "601.3 Person: Person means any individual,
 partnership, corporation, or other
 legal entity and their agents and
 employees."

602 "Permit Required" Change to read: "A person shall
 not conduct or allow his property
 to be used to conduct" a yard,
 garage,.....

604.1 "Limitations" Change to read: "A person shall not
 conduct or allow his property to
 be used to conduct" more than
 three

Shall an Ordinance entitled "1984
Noise Control Ordinance" be enacted.
A copy is attached as Exhibit J.

TITLE II - HEALTH, SAFETY & WELFARE

Chapter 4 Police Ordinances

Subchapter 4.B 1984 Noise Control Ordinance

4.B.1 Title, Purposes and Authority

4.B.1.a Title. This Subchapter may be referred to as the "1984 Noise Control Ordinance".

4.B.1.b Purposes. The purposes of this ordinance are to supplement existing noise control ordinances, to recognize that the hours of 9:00 p.m. to 7:00 a.m. are the normal and traditional hours for citizens of and visitors to the Town to rest and relax, to insure that noise (other than noise ordinarily caused by human conversation and movement) created during those times by any citizen or visitor does not interfere with or infringe upon the rights of other citizens and visitors to the quiet enjoyment of their lives and property and to otherwise promote and protect the public's health, safety and general welfare.

4.B.1.c Authority. This ordinance is enacted pursuant to the authority delegated to the Town by M.R.S.A. Const. Art. VIII, Pt. 2, §1, 30 M.R.S.A. §1917 and 30 M.R.S.A. §2151.

4.B.2 Noise Prohibition.

Between the hours of 9:00 p.m. and 7:00 a.m., no person shall make or permit any noise from whatever source and however transmitted, which noise can be heard by any other person not consenting thereto and which (a) can be heard on real estate used for residential purposes, not the location of the source, or (b) can be heard inside of buildings not the location of the source, in which people are customarily or actually present.

4.B.3 Presumptions. For the purpose of enforcing this ordinance, boundary lines as shown on the Town's Tax Maps shall be prima facie evidence of those boundaries.

4.B.4 Exceptions.

This ordinance shall not apply to (a) the normal operation of vehicles in the ordinary course of transportation, (b) noise generated by ordinary pedestrian traffic, (c) noise necessary for public health, safety and welfare such as fire and burglar alarms, police, fire and rescue sirens or (d) noise created by human voices, unamplified by electronic or other means, in the course of ordinary conversation.

4.B.5 Enforcement.

The Town's regular and special police officers and Code Enforcement Officer are authorized to enforce the provisions of this ordinance and regulations thereunder.

4.B.6 Criminal and Civil Penalties.

Whoever violates any of the provision of this ordinance shall be punished by imprisonment for up to thirty (30) days or liable for a civil penalty of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000) for each violation in addition to being subject to injunctions issued by a court of law. Civil penalties shall inure to the benefit of the Town. Each day of violation and each occurrence shall constitute a separate and distinct offense. Prosecutions for violation of this ordinance shall not prevent prosecutions or appropriate administrative actions for violations of other ordinances.

4.B.7 Effect On Other Ordinances.

This ordinance shall not effect the provisions of any other ordinance except that the existing "Noise Ordinance" found in Title II, Chapter 4 shall be renamed the "1982 Noise Ordinance" and renumbered as "Subchapter 4.A."

4.B.8 Severability.

The invalidity of any provision of this ordinance shall not invalidate any other provision thereof.

4.B.9 Effective Date.

This ordinance shall become effective on March 3, 1984.

Shall an ordinance entitled "1984
Amusement Ordinance" be enacted?
A copy is attached as Exhibit ~~4~~.

Explanation: This ordinance would be a new Subchapter 3A to Chapter 3 of Title IX of Ogunquit's Ordinances (Business Ordinances). This new Subchapter 3A would (1) replace the provisions of the Amusement Licensing Ordinance, (2) require licenses for and would regulate commercial facilities offering entertainment and (3) would leave intact, but dormant, the provisions of the 1982 Special Amusement Ordinance until such time as there may be a U.S. Supreme Court ruling as to the validity of its provisions relating to amplified music.

Title IX Business Ordinances

Chapter 3 Amusement Ordinances

Subchapter 3A 1984 Amusement Ordinance

3A.1 Title, Purpose and Definitions

3A.1.a Title. This Subchapter shall be known and may be cited as the "1984 Amusement Ordinance".

3A.1.b Findings and Purposes. Commercial facilities offering entertainment tend to attract large numbers of people. Congregations of large numbers of people at such facilities, particularly at facilities licensed to sell liquor, can create problems involving noise, crowding, sanitation, traffic control, law enforcement and other issues relating to the public's health, safety and welfare and the right of citizens of and visitors to the Town to the quiet enjoyment of their lives and property. This Ordinance is required and intended to provide for the regulation of such facilities in all areas affecting the public's health, safety and welfare which are not otherwise adequately provided for.

3A.1.c Authority. This Ordinance is enacted pursuant to the powers granted to the Town by 30 M.R.S.A. §1917, 30 M.R.S.A. §2151 and 28 M.R.S.A. §702.

3A.1.d Definitions. As used in this Ordinance:

Board. Board means the Town of Ogunquit Board of Selectmen.

Bottle Club - Bottle Club means bottle clubs as defined in 28 M.R.S.A. §2.

Commercial Facility - Commercial facility means any place of for-profit business offering or providing or permitting entertainment to its patrons and includes bottle clubs.

Entertainment - Entertainment shall include dancing by or for patrons, any music, video games,

devices, machines and any other amusement, performance, exhibition, diversion or other activity with an entertainment value whether provided 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.

Licensee - Licensee shall include the person to whom a license of any kind hereunder is issued and that person's agents, employees, and servants.

Indoor or Inside - Indoor or inside means within a permanent enclosure of four walls with a roof.

Patron - Patron means any patron or customer of a commercial facility licensed or required to be licensed hereunder and any member of a bottle club.

Person - Person means any individual, partnership, corporation or other legal entity and their agents employees and servants.

Video Games - Video games means those electronic or mechanical devices that the public may operate as a game, entertainment, or amusement, whether or not registering a score, whether or not there is a fee for use and includes pinball machines, and other devices known as such or similar in function.

3A.2

Licensing. No person owning, operating or employed in a commercial facility shall permit or offer any entertainment in such facility unless the owner or operator thereof has first obtained an Amusement License for such facility from the Board.

3A.3 Restrictions and Conditions

3A.3.a License Required. No person shall operate, work in or perform in a commercial facility offering entertainment unless the owner or operator thereof holds a valid Amusement License for such facility issued by the Board.

3A.3.b Noise. No licensee shall violate the provisions of any ordinance regulating noise. No licensee shall cause or permit his employees, agents, servants or performers providing entertainment to violate the provisions of any such ordinance, while they are on the licensed premises or upon the real estate of which the premises are a part. No licensee shall cause or permit his patrons or customers to violate the provisions of any such ordinance while they are in the licensed premises. No licensee shall cause or permit his patrons or customers to violate the provisions of any such ordinance while they are upon the real estate of which the premises are a part, to the extent that he is able to prevent or interrupt such violation by the use of sound screening materials or by the use of supervisors or by other appropriate means.

3A.3.c Hours. No licensee shall offer entertainment except during the following hours:

- i - Licensees not permitting or offering alcoholic beverages for consumption on the premises - 8:00 a.m. to 12:00 midnight and to 1:00 a.m. on January 1.
- ii - Licensees permitting or offering alcoholic beverages for consumption on the premises - 7:00 p.m. to 12:00 midnight and to 1:00 a.m. on January 1 except Class A restaurants as defined in 28 M.R.S.A. §2 may in addition offer entertainment on Sundays between 1:00 p.m. and 4:00 p.m. and daily between 4:00 p.m. and 7:00 p.m.

3A.3.d Number of Patrons. No licensee shall cause or permit the number of patrons at the licensed premises at any one time to exceed the capacity or occupant load as determined by the Ogunquit Fire

Chief pursuant to the National Fire Prevention Association Life/Safety Code, which capacity shall be set forth on the license itself. The occupant load for licensed premises wherein alcoholic beverages are served, including bottle clubs, shall be the occupant load permitted by the Code for dining.

- 3A.3.e Term of License. An Amusement License shall expire on May 31st of the year following its issuance.
- 3A.3.f Supervisors for Video Games. Operators of commercial facilities providing video games shall provide one supervisor for less than 25 devices and two supervisors for 25 or more devices. The operator shall provide an exclusive floor area of 60 square feet for each such device. Operators of commercial facilities providing video games shall not sell or vend or permit the sale, vending or consumption of food or drink on the licensed premises.
- 3.A.3.g Additional Conditions. In granting any Amusement License, the Board shall impose such further reasonable restrictions and conditions as are deemed appropriate in any particular case to best safeguard the public's health, safety and welfare and the right of the citizens to quiet enjoyment of their life and property including but not limited to requiring bonds, requiring licensees to pay for the costs of noise level monitoring equipment, and to provide for and pay for an appropriate number of Town policemen or special employees to be present inside or outside the licensee's premises at designated times to insure compliance with State law and Town ordinances and regulations.
- 3A.4 Application, Costs, Video Device Fees and Bond in Lieu of Other Fees
- 3A.4.a Application. Applications for all Amusement licenses shall be on forms prescribed by the Board and filed with the Town Clerk. Applications shall state the name of the applicant; all aliases; the

applicant's residence address; the name of the business to be conducted; the business address; the precise location of the business; the nature of the business; the precise nature and form of the entertainment; whether the applicant has ever had a license to conduct that business either denied or revoked and, if so, the circumstances of such denial or revocation; whether the applicant, including all partners, directors, corporate officers and stockholders, has ever been convicted of a felony and, if so, the circumstances of such conviction; and the occupant load as established by the Ogunquit Fire Chief. If the applicant is other than an individual, the applicant shall describe its legal structure and, in the case of a partnership, shall state, for each partner, all of the information required for individuals. If the applicant is a corporation, the applicant shall state the name, all aliases, and the residential and business addresses of all directors, officers and stockholders. All applications shall be accompanied by two (2) scale drawings at a scale of one (1) 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. Applicants for entertainment by video games shall present to scale floor plans depicting the location and floor area of these devices and the location of supervisors. The applicant shall also list the machines by function and serial number. Applicants for entertainment which includes patron dancing shall present to scale floor plans depicting the location and size of the dance floor. The application shall not be considered complete nor acted upon until the Board has received written reports from the Code Enforcement Officer, Police Chief and Fire Chief stating that the premises are in compliance with all applicable codes and ordinances of the Town of Ogunquit. The applicant shall also provide any additional information as may be determined to be necessary by the Board in processing and considering the application. All applications shall be signed by the principal proprietor of the business and by the property owner if the premises are not owned by the proprietor.

- 3A.4.b Costs. The applicant shall pay for all costs associated with the public hearing and advertisement thereof, which costs shall be deemed to be Fifty Dollars (\$50).
- 3A.4.c Video Device Fees. The annual fee for entertainment provided by video games shall be One Hundred Dollars (\$100) per device to cover the costs of inspection and enforcement associated with the use of such devices.
- 3A.4.d Bond in Lieu of Other Fees. No license shall be issued hereunder until the prospective licensee posts a bond issued by a bonding company licensed to do business in and having a place of business in the State of Maine and naming the Town as beneficiary. The bond shall be in the amount of Ten Thousand Dollars (\$10,000) or in such greater amount as the Board determines is reasonable, based on the nature, location and extent of any proposed entertainment and its possible affect on the public's health, safety and welfare. The bond shall provide that it is payable to the Town of Ogunquit in the case of any violation of this ordinance for the purpose of indemnifying the Town for its costs of police, fire and other services, and its costs of enforcement made necessary as a result of any such violation. The Board may waive the requirement for a bond for licensees not permitting or offering alcoholic beverages for consumption on premises if it finds that the nature and location of the licensee's operation and the type of entertainment proposed to be offered is unlikely to give rise to enforcement problems and extraordinary use of public services.
- 3A.5 Public Hearing, Decision and Reapplication
- 3A.5.a Public Hearing. The Board shall, prior to granting a license and after giving notice to the public and the applicant, hold a public hearing within 15 days of receipt of an application, at which the testimony of the applicant and that of any interested members of the public shall be taken.

3A.5.b

Decision. The applicant shall be notified in writing of the Board's decision no later than 15 days from the date of the public hearing. A denial shall contain the reasons for disapproving an application.

The Board shall deny a license if it finds that issuance of the license will be detrimental to the public health, safety, or welfare, or that the licensing or operation of the premises would or would be likely to violate a State law or Town ordinance or regulation or that the premises to be licensed are in violation of a State law or Town ordinance or regulation.

3A.5.c

Reapplication

The applicant may not reapply for a license within 30 days after his application has been denied.

3A.6

Inspections

By applying for or accepting a license hereunder, the applicant and licensee thereby authorize any Town official to inspect the premises to be licensed or licensed for entertainment.

Inspection shall be for the purpose of determining compliance with State laws and all Town ordinances and regulations. Inspection may occur at any reasonable time.

It shall be a violation of this ordinance if a licensee refuses or interferes with an inspection.

3A.7

License Suspension or Revocation

After notice to interested parties and public hearing, the Board may suspend or revoke any Amusement license issued by authority of this Ordinance. Ground for such action shall include prior license suspension or revocation, misleading or falsification of information on applications or violation of State law or this or any other Town ordinance or regulation, or that the public

health, safety and welfare have been adversely affected by entertainment offered or permitted by a licensee. In revoking any permit, the Board may prohibit a licensee or its operators or its principals from reapplying for a new license for such term as it deems appropriate and is reasonable under the circumstances.

3A.8

Appeal

Any applicant who has been denied a license or any licensee whose license has been suspended or revoked, may, within 30 days of that denial, suspension or revocation, appeal the decision to the Ogunquit Board of Appeals. The Board of Appeals may grant or reinstate the license if it finds that the licensed activities would not adversely affect the public health, safety and welfare, and that the denial, suspension or revocation was arbitrary and capricious.

3A.9

Other Regulations

The Board is authorized, after public notice and hearing, to establish regulations governing the issuance of Amusement licenses, classes of licenses, the entertainment permitted under each class and other limitations on these activities required to protect the public health, safety and welfare. These regulations may specifically determine the location and size of licensed premises, the facilities that may be required for the permitted activities on those premises, the maximum number of people that may occupy the premises at one time and the hours during which the activities are permitted.

These regulations shall be in addition to and no less stringent than this Ordinance.

3A.10

Enforcement

The Town's regular and special police officers and Code Enforcement Officer are authorized to enforce the provisions of this Ordinance and regulations thereunder.

3A.11 Penalties

Whoever violates any of the provisions of this Ordinance shall be punished by a civil penalty of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000) for each such violation. Civil Penalties shall inure to the benefit of the Town. Each day of violation and each occurrence shall constitute a separate and distinct offense. Prosecutions for violation of this Ordinance shall not prevent prosecutions for violations of other ordinances.

3A.12 Severability

The invalidity of any provision of this Ordinance shall not invalidate any other part.

3A.13 Effective Date

This Ordinance shall become effective immediately.

3A.14 Affect on Other Ordinances

This Ordinance shall repeal and replace the provisions of "Chapter 3 Amusement Licensing Ordinance".

"Chapter 3 Special Amusement Ordinance" shall be renamed "Subchapter 3B 1982 Special Amusement Ordinance" and shall remain as an Ordinance of the Town but its terms shall not be enforced until so voted by the Board.

3A.15 Applicability to Existing Licenses

The provisions of Sections 3A.1-3A.3, and 3A.6-3A.14 hereof, shall apply to all persons currently licensed under Title IX, Chapter 3, Amusement Licensing Ordinance and Title IX, Subchapter 3B, 1982 Special Amusement Ordinance.