

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 said Town affairs, to meet in the Dunaway Community Center in said Town on Saturday, the first day of April, 1989 A.D. at nine o'clock in the morning until four o'clock in the afternoon to vote by secret ballot on Articles 1 and 2; and to notify and warn said voters to meet in the same place in said Town on Monday, the third day of April, 1989 A.D. at seven o'clock in the evening, then and there to act on Articles 3 through 61.

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. **Three (3)** Selectmen: Each for a two (2) year term to commence at the conclusion of the Annual Town Meeting; term ending Annual Town Meeting 1991;
- B. **One (1)** Member to the Wells-Ogunquit Community School District - Three (3) year term to commence on July 1, 1989, ending June 1992;
- C. **One (1)** Member to the Wells-Ogunquit Community School District - One (1) year term to commence on July 1, 1989, ending June 1990;
- D. **Two (2)** Members to the Budget Committee: Each for a two (2) year term to commence at the conclusion of the Annual Town Meeting; term ending Annual Town Meeting 1991.

ARTICLE 3: Shall the Town vote to adopt the following amendment to Section 402.1 of Title IV of the Ogunquit Municipal Code: "To monitor and supervise bathing activity in the vicinity of established lifeguard stations and to designate areas by means of ropes and floats"?

ARTICLE 4: Shall the Town vote to adopt the following new section to Title IV of the Ogunquit Municipal Code: "Section 406. Ogunquit River Restrictions. The maximum speed limit for all watercraft shall be 5 MPH from the Main Beach Bridge to the Ocean"?

ARTICLE 5: 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 April 4, 1988?

404.1 That no motel, hotel or rooming house shall be allowed to purchase daily parking tickets; except those located easterly of the Ogunquit River estuary shall be permitted to purchase daily parking tickets for the Main Beach Parking Lot only on an as-needed basis at a cost of Four Dollars (\$4) per ticket.

404.2 Year-round residents and/or real property taxpayers of the Town of Ogunquit may purchase season passes for two (2) vehicles owned by said resident and/or real property taxpayer or by a member of their household; the first pass at Ten Dollars (\$10) and the second pass at Twenty-Five Dollars (\$25). Household shall include members of the same family who are related by blood or marriage and who share

ARTICLE 5 (Continued)

- 404.2 the same dwelling place. Town employees shall be authorized to place the passes on the vehicle(s).
- 404.3 Seasonal and monthly renters within the Town of Ogunquit may purchase a pass for one (1) vehicle owned by said renter at Fifty Dollars (\$50) upon presentation of verification of their status - which verification must be signed by their landlord or by a representative of the hotel/motel/guesthouse where they are renting. Town employees shall be authorized to place the pass on the vehicle.
- 404.4 Employees of Ogunquit businesses may purchase one (1) parking pass for use at the Obeds Lane Parking Lot only at Twenty-Five Dollars (\$25) with definition and eligibility criteria to be established by the Board of Selectmen. Town employees shall be authorized to place the pass on the vehicle.
- 404.5 Daily rates at all parking lots will be Six Dollars (\$6) daily with the exception of the Obeds Lane Parking Lot which will be Three Dollars (\$3) daily; the Board of Selectmen shall have the option to charge a reduced rate of Three Dollars (\$3) until June 17, 1989 and after September 5, 1989, as weather permits, and the Town Manager shall have the authority to institute a reduced daily rate of Three Dollars (\$3) during inclement weather. The Board of Selectmen is authorized to maintain an hourly charge at the Main Beach Parking Lot in lieu of a flat rate while a mechanized parking lot control system is in operation at the lot.
- 404.6 The operator of any bus which stops in Ogunquit to discharge or pick up passengers for the purpose of using any of the Town's beaches shall be required to pay a Twenty-Five Dollar (\$25) fee for each trip. In addition, it shall be the responsibility of the operator or owner of any such bus to give a minimum twenty-four (24) hours notice to the Town Manager, Police Chief or Recreation Director so that, for safety reasons, they can be directed to specific beach access points at specific access times. Ogunquit businesses which are affected by this Section may purchase a season pass for Five Hundred Dollars (\$500). Out-of-town businesses which are affected by this Section may purchase a season pass for One Thousand Dollars (\$1,000).
- 404.7 Beach parking lot passes and tickets shall be sold annually according to a time schedule established by the Board of Selectmen. Each applicant for a beach parking pass shall bear the responsibility of satisfying the requirements of this Ordinance. Vehicles registered in a company name or leased must be verifiable for assignment to the applicant before a beach pass may be issued to such a vehicle. It is the responsibility of the applicant to provide the verification upon request.

ARTICLE 6: Shall the Town vote to repeal Chapter 9 of Title IX of the Ogunquit Municipal Code entitled "Business Registration" and replace it with the following new Chapter?

Chapter 9 Business Registration

901 Title, Purpose and Definition

901.1 This Chapter shall be known and may be cited as the "1989 Business Registration Ordinance of Ogunquit".

901.2 The Purpose of this Ordinance is to provide for the public health, safety, and welfare by maintaining for public information a comprehensive list of businesses in Ogunquit and to ensure compliance with other municipal ordinances, regulations and life safety codes through annual inspections by the Code Enforcement Department and the Fire Department.

901.3 As used in this Ordinance, words shall retain their usual and customary definitions except as defined herein:

901.3.1 Business - shall include all individuals, partnerships, corporations, and other entities, exclusive of employees of such entities, that provide services or merchandise whether for profit or not, having a place of operations within the municipal boundaries of Ogunquit and meeting one of the following criteria:

All businesses which the State of Maine requires to register for sales tax or as an employer; or

Agricultural and fishing occupations; or

Professions; or

Home occupations.

901.3.2 Municipal Officers - Municipal Officers means the Town of Ogunquit Board of Selectmen.

902 Registration Required.

902.1 No business in Ogunquit shall conduct any enterprise unless the business has registered with the Town of Ogunquit.

902.2 Application

Applications for registration shall be on forms prescribed by the Municipal Officers 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; whether the applicant has ever had a license to conduct business either denied or revoked and, if so, the circumstances of such denial or revocation. 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 names and residential and business addresses of all directors and officers. The applicant shall also state the size of the business in terms required by the Municipal Officers, the age of the business, the maximum number of employees, and other information the Municipal Officers deem generally useful for administrative and planning purposes.

902.3 After a completed application is filed with the Clerk, together with the required non-refundable registration fee, the Clerk shall forward a Notice of Inspection, to the Code Enforcement Officer or Harbor Master and the Fire Chief. An inspection of the business premises shall be conducted by the Code Enforcement Officer and Fire Chief and if these officials find the business and business premises to be in compliance with all municipal ordinances, regulations and life safety codes, they shall issue a Certificate within thirty (30) days of receipt of the application. This certificate shall be displayed conspicuously within the business premises at all times. The certificate, so issued, shall only be evidence of compliance with this Business Registration Ordinance and shall not prevent the Town or others from later asserting non-compliance with other municipal ordinances, regulations or life safety codes.

902.4 A copy of the certificate, signed by either the Code Enforcement Officer or the Harbor Master and by the Fire Chief, shall be returned to the Clerk and filed with the original application as a permanent record of the Town.

902.5 The Harbor Master shall be the Inspection and Enforcement authority under this Section, for all boats and fishing businesses afloat.

902.6 Businesses, which do not provide access to the public, and do not have any employees other than the owners are exempt from the inspection requirements of 902.3, but must register said business with the Clerk.

903 Registration Fee

The registration fee shall be Twenty Five Dollars (\$25), except that businesses which are exempt from inspection under 902.6 shall pay a fee of Fifteen Dollars (\$15). Non-profit civil, religious and municipal organizations shall pay no registration fee. The Municipal Officers are authorized to change this fee commensurate to costs of administration.

903.1 If it is determined by the Code Enforcement Officer or Harbor Master or Fire Chief that the business or business premises does not comply with all municipal ordinances and regulations and life safety codes, then the applicant or business owner shall make all necessary changes, modifications or renovations that the Code Enforcement Officer or Fire Chief or Harbor Master may lawfully require in writing, within a specified time and date determined by the Code Enforcement Officer, Fire Chief or Harbor Master. If the applicant or business owner fails to comply with the lawful requirements of the Code Enforcement Officer or Fire Chief or Harbor Master by the time and date specified by such official, then the business shall be closed to both the public and the business' employees until such compliance. The Code Enforcement Officer or Harbor Master may inspect the business premises at any time after issuance of the Certificate to ensure compliance with this Ordinance. If at any time the premises are not in compliance, the Certificate may be revoked and the business subject to all remedial actions described herein.

903.2 Businesses ordered closed under this Section will be posted as closed by the Code Enforcement Officer or Fire Chief or Harbor Master, and requests for re-inspection shall be treated as a new application.

904 Registration Term

All businesses shall register annually by May 31st. New businesses shall register before the establishment is open to the public and thereafter by May 31st.

905 Business Registration Inspections

905.1 Purpose

Because of the number of businesses in the Town of Ogunquit affected by this Ordinance, an orderly schedule of inspections must be provided.

905.2 Businesses shall be divided into the following groups:

Group 1. All new businesses.

Group 2. All existing lodging houses, guest houses, rental cabins, hotels, motels, or all transient housing.

Group 3. All existing restaurants and retail businesses which sell food or food products.

Group 4. All other businesses not described in Groups 1, 2, 3, including non-profit organizations.

905.3 Time Compliance

The Code Enforcement Officer shall maintain the initial lists, by group, of all businesses. Compliance with this Ordinance shall be completed by the dates set forth below:

Group 1 & 2 - by May 31, 1989

Group 3 - by May 31, 1990

Group 4 - by May 31, 1991

905.4

Appeals

Appeals from the decision of the Code Enforcement Officer or Fire Chief or Harbor Master shall be to the Municipal Officers, and from the Municipal Officers to Superior Court in accordance with Maine Law. The Municipal Officers shall have the following powers and duties:

To hear and decide where it is alleged that there is an error in the order, requirement, decision, or determinations made, or not made, by the Code Enforcement Officer or Fire Chief or Harbor Master in the administration or enforcement of this Ordinance. The action of the Code Enforcement Officer or Fire Chief or Harbor Master may be modified or reversed by the Municipal Officers by majority vote of those present and voting; however, there shall be no appeal to the Municipal Officers from any order or decision of the Code Enforcement Officer/Fire Chief which is required by the Life Safety Code and the State of Maine Plumbing Code.

906

Enforcement

The Clerk shall notify the Code Enforcement Officer, in writing, and by group, after May 31st, but before the end of the last working day in June, each year, of the businesses described in Section 901.3.1 and 905.2 that are not in compliance with this Chapter.

The Code Enforcement Officer or Harbor Master shall issue citations for violations of this Chapter. If after thirty (30) days a business owner does not take action to cure the violation alleged by the citation, the Police Chief is authorized to summon the applicant or the business owner to court. Businesses which have not complied with the provisions of this Ordinance are subject to injunctions as well as monetary penalties.

907

Penalties

The penalty for violation of this Chapter shall be Twenty-Five Dollars (\$25). Each day that a violation occurs or continues shall be considered a separate offense. Fines may be paid directly to the Town or may be recovered through court action. All penalties accrue for the use of the Town.

908

Severability

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

909

Effect on Other Ordinances

This Ordinance shall repeal and replace Chapter 9, "Business Registration Ordinance of Ogunquit", of the Town's ordinances.

910

Effective Date

This Ordinance shall become effective May 31, 1989.

ARTICLE 7: Shall the Town vote to repeal Chapter 3 of Title IX of the Ogunquit Municipal Code entitled "Amusement Ordinance" and replace it with the following new Chapter?

Chapter 3 Amusement Ordinance

301 Title, Purpose and Definition

301.1 Title. This Subchapter shall be known and may be cited as the "1989 Amusement Ordinance".

301.2 Findings and Purposes. 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 in other ordinances.

301.3 Authority. This Ordinance is enacted pursuant to the powers granted to the Town by 30 MRSA Section 1917, 30 MRSA Section 2151 and 28A MRSA Section 1054.

301.4 Definitions. As used in this Ordinance:

Municipal Officers - Municipal Officers means the Town of Ogunquit Board of Selectmen.

Bottle Club - Bottle Club means bottle clubs as defined in Title 28-A MRSA Section 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, that person's agents, employees, and servants.

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.

302 Licensing. No person owning or operating 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 Municipal Officers.

302.1 Special Amusement License. A Special Amusement License is required for all outdoor entertainment events and for any commercial facilities which offer one time entertainment events and which do not have a regular Amusement License. Each event shall require a separate license. The Municipal Officers or their designated agent shall issue each Special Amusement License.

302.1.1 Applications for Special Amusement License.

Applications for a Special Amusement License shall be made on forms prescribed by the Municipal Officers and filed with the Town Clerk. Application shall be made at least one business day prior to the scheduled event. The application shall include the name and address of the sponsor of the event; the name and address of the facility at which the event will be held; the number of guests expected to attend; the type of entertainment to be provided; the starting time of the event; and the duration of the event.

302.1.2 Issuance of Special Amusement License. Upon receipt of a completed Special Amusement License application, the Municipal Officers or their designated agent shall issue a Special Amusement License. A Special Amusement License shall be valid only for the date and time specified therein. The Municipal Officers or their designated agent shall not issue any Special Amusement License more than thirty (30) days in advance of the event.

The Municipal Officers or their designated agent may issue any number of Special Amusement Licenses. The Municipal Officers and their designated agent, shall, however, have the right to refuse to issue more than three (3) Special Amusement Licenses to any single facility and may instead require a regular Amusement License. Recipients of a Special Amusement License shall comply with all other applicable provisions of this and other municipal ordinances; nothing in the Special Amusement License shall be construed to exempt the Licensee from complying with those ordinances.

303 Restrictions and Conditions

303.1 License Required. No commercial facility offering entertainment shall operate unless the owner or operator thereof holds a valid Amusement License for such facility issued by the Municipal Officers.

303.2 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.

303.3 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 1:00 A.M. except to 2:00 A.M. on "New Years".
- ii - Licensees permitting or offering alcoholic beverages for consumption on the premises - 12:00 P.M. to 1:00 A.M. except to 2:00 A.M. on "New Years".

303.4 Number of Patrons. No licensee shall cause or permit the number of patrons at the licensed premises, at any 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.

- 303.5 Term of License. An Amusement License shall expire on May 31st of the year following its issuance.
- 303.6 Supervisors of Video Games. Operators of commercial facilities and/or Amusement Centers as defined in the Ogunquit Zoning Ordinance shall provide one (1) supervisor for between four (4) and ten (10) devices and two (2) supervisors for between eleven (11) and twenty (20) devices with a maximum of twenty (20). The operator shall provide an exclusive floor area of sixty (60) square feet for each such device. Operators of Amusement Centers shall not sell or vend or permit the sale, vending or consumption of food or drink on the licensed premises. A supervisor shall be an employee whose only duties shall be to provide direct supervision in accordance with the provisions of this Section.
- 303.7 Compliance with Other Municipal Ordinances or Regulations and State Law. No license shall be issued if the licensed premises are in violation of any other municipal ordinance or regulation; or state law or regulation.
- 303.8 Additional Conditions. In granting any Amusement License, the Municipal Officers 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; and to require licensees to provide for and/or 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.
- 304 Application and Costs
- 304.1 Application. Applications for Amusement licenses shall be on forms prescribed by the Municipal Officers 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 of a closely held corporation, 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 and officers. All closely held Corporations must also include a list of all the stockholders in the corporation. All applications shall be accompanied by two (2) scale drawings at a scale of one inch (1") to ten feet (10') 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 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 scale floor plans depicting the location and size of the dance floor.
- 304.1.1 Completed Application. Upon filing the application with the Town Clerk, together with the appropriate costs, the Clerk shall forward a Notice of Inspection to the Code Enforcement Officer/Fire Chief. The application shall be considered complete when the Town Clerk receives all information required above, all costs have been paid and the Municipal Officers have 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 Municipal Officers 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.

304.2 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).

305 Public Hearing, Decision and Reapplication

305.1 Public Hearing. The Municipal Officers shall, prior to granting a license and after giving notice to the public and the applicant, hold a public hearing within fifteen (15) days of receipt of a completed application, at which the testimony of the applicant and that of any interested members of the public shall be taken. The Municipal Officers shall render a decision within fifteen (15) days of the closing of the hearing.

305.2 Decision. The applicant shall be notified, in writing, of the Municipal Officers' decision should the application be denied, no later than fifteen (15) days from the date of the decision. A denial shall contain the reasons for disapproving an application.

The Municipal Officers shall deny a license if they find that issuance of the license shall 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.

305.3 Reapplication. The applicant may not reapply for a license within thirty (30) days after the application has been denied.

306 Inspections

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

307 License Suspension or Revocation

After notice to interested parties and public hearing, the Municipal Officers may suspend or revoke any Amusement License issued by authority of this Ordinance. Grounds for such action shall include prior license suspension or revocation, misleading or falsification of information on applications or violations of state law or this or any other Town ordinance or regulation, so that the public health, safety and welfare have been adversely affected by entertainment offered or permitted by a licensee. In revoking any permit, the Municipal Officers may prohibit a licensee or its operators or its principals from reapplying for a new license for such term as they deem appropriate and is reasonable under the circumstances.

308 Appeal

Any applicant who has been denied a license or any licensee whose license has been suspended or revoked, may, within thirty (30) days of that denial, suspension or revocation, appeal that decision. Appeals from the decision of the Code Enforcement Officer shall be to the Municipal Officers and appeals from the decision of the Municipal Officers shall be to the Courts.

Other Regulations

The Municipal Officers are 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 who may occupy those premises at one time, and the hours during which the activities are permitted.

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

310

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. Violators of this Ordinance shall be subject to civil penalties. Violators of the noise provisions of this Ordinance may also be subject to criminal penalties under Title II, Chapter 4.

311

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. Each day of violation and each occurrence shall constitute a separate and distinct offense. Civil penalties shall inure to the benefit of the Town. Prosecutions for violation of this Ordinance shall not prevent prosecutions for violations of other Ordinances.

312

Severability

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

313

Effective Date

This Ordinance shall become effective May 31, 1989.

314

Effect on Other Ordinances

This Ordinance shall repeal and replace the provisions of "Chapter 3A Amusement" and "Subchapter 3B 1982 Special Amusement Ordinance".

315

Applicability to Existing Licenses

The provisions of the Sections of this Ordinance shall apply to all persons currently licensed under Title IX, Chapter 3, Amusement Licensing Ordinance and Title IX, Subchapter 3B, 1982 Special Amusement Ordinance.

ARTICLE 8: Shall the Town vote to amend Chapter I, Section III, Definitions, of the Ogunquit Zoning Ordinance as follows:

Amusement Center. In the ~~General~~ Business Districts as a Special Exception and not combined with any other use, an indoor use consisting of one or more four (4) and not more than twenty (20) electronic and video games, pinball machines or devices or similar functions or description, which are activated by coins, tokens, discs, remote control or any other means for public amusement, patronage, recreation or entertainment, shall be considered an Amusement Center. It shall not include one, two or three such devices as an incidental or accessory use in ~~other~~ the business districts. Other limitations and licensing requirements for amusement centers and incidental use are found in Chapter 3, Amusement Licensing Ordinance, of Title IX, Business Ordinance, Ogunquit Municipal Code.

ARTICLE 9: Shall the Town vote to authorize the Municipal Officers to implement a street numbering program in Ogunquit and to adopt the following procedure(s) for numbering buildings:

The following procedure(s) shall be followed in the assignment of street numbers to the end that street numbers of buildings currently in existence or hereafter constructed may follow a logical and consistent pattern and thus lessen confusion and misunderstanding regarding such numbers.

- (a) Buildings which are in existence, under construction, or permitted prior to April 3, 1989 shall be included in the initial assignment of street numbers.
- (b) Subsequent to the issuance of a permit required by Town ordinance(s), the Code Enforcement Officer shall give written notice to the Assessor of the type of construction planned on the premises described in the application. Such notices shall contain the map and lot designation of the property, location of the proposed construction on the lot, and the number of units of occupancy for residential, commercial or industrial purposes which will exist on such premises after completion of all work described in the application.
- (c) The Assessor shall determine the number which shall designate and identify the unit of occupancy. The Assessor shall, so far as is practicable, issue odd numbers for one side of a street and even numbers for the other side.
- (d) After assignment of number(s), the Assessor shall notify the Code Enforcement Officer and the property owner(s) of the number(s) so assigned. Such notice shall direct the property owner(s) to display the assigned number in a prominent place or near the front of the building so that such can be readily seen from the street. Such notice shall advise the property owner(s) to reference the new number(s) when seeking police, fire or rescue services and to communicate the assigned number(s) to those similarly interested.

ARTICLE 10: Shall the Town vote to carry forward the following balances for use in 1989: Marginal Way Restoration (\$50,000), Historic Winn House (\$3,190.04), Shellfish Conservation Commission (\$2,488.11), Dunaway Center Handicap Ramp (\$3,000), Town Contribution to Brick Sidewalk Project (\$6,585), Perkins Cove Engineering Services (\$50,000), and Salt/Sandpile Building and Building Repair Funds (\$42,409)?

- ARTICLE 11: Shall the Town vote to authorize the Board of Selectmen to accept donations for the purpose of financing improvements to Veterans Park and to authorize the Board of Selectmen to expend such funds for the purpose stated?
- ARTICLE 12: Shall the Town vote to accept the sum of \$4,013 provided by the state legislature under the teacher/administrator block grant and authorize its use along with accrued interest to reduce taxation in 1989?
- ARTICLE 13: Shall the Town vote to accept the sum of \$2,987.18 from the U.S. Department of Justice and authorize the Police Department, at the discretion of its Police Chief, to use that sum for federally mandated local enforcement of the drug laws?
- ARTICLE 14: Shall the Town vote to accept funds provided by the state legislature under the state road aid block grant and authorize the use of those funds to maintain and improve public roads in Ogunquit in 1989?
NOTE: It is anticipated that the Town will receive at least \$15,000.00 in 1989.
- ARTICLE 15: Shall the Town vote to accept funds provided by the state legislature under the state revenue sharing program and authorize the use of those funds to reduce taxation in Ogunquit in 1989?
NOTE: It is anticipated that the Town will receive at least \$38,000.00 in 1989.
- ARTICLE 16: Shall the Town vote to establish a dedicated fund to be called the Ambulance Fund to which interested persons may make donations to be used for the ambulance and ambulance related expenses and from which the Board of Selectmen may expend funds for that purpose with both the principal and interest being part of the fund?
- ARTICLE 17: Shall the Town vote to authorize the sale of the Fire Department Rescue Truck with the funds received to be credited to the Capital Equipment Reserve Account for use for future purchases of vehicles?
- ARTICLE 18: Shall the Town vote to accept funds provided by the state legislature under the snowmobile reimbursement program?
NOTE: It is anticipated that the Town will receive at least \$100 in 1989.
- ARTICLE 19: Shall the Town vote to raise and appropriate the sum of One Thousand Dollars (\$1,000) and authorize its use for surveys in 1989?

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0
- ARTICLE 20: Shall the Town vote to raise and appropriate the sum of Three Thousand Dollars (\$3,000) for the Unemployment Benefits Compensation Account?

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 21: Shall the Town vote to raise and appropriate the sum of Seventeen Thousand Five Hundred and Fifty Dollars (\$17,550) for General Government Operations?

<u>Description</u>	1988 <u>Appropriation</u>	1988 <u>Spent</u>	1989 <u>Request</u>
Selectmen	\$ 5,500	5,500	5,500
Auditor	4,700	4,700	5,500
Annual Report	2,500	2,500	2,550
Secretarial Services	-0-	-0-	-0-
Supplies & Expenses	2,000	1,999	4,000
	\$ <u>14,700</u>	\$ <u>14,699</u>	\$ <u>17,500</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 22: Shall the Town vote to raise and appropriate the sum of One Hundred and Seven Thousand Six Hundred and Seventy-One Dollars (\$107,671) for General Government Administration?

<u>Description</u>	1988 <u>Appropriation</u>	1988 <u>Spent</u>	1989 <u>Request</u>
Town Manager	\$ 39,000	39,000	42,889
Municipal Secretary	17,145	17,142	18,941
Deputy Tax Collector	16,751	16,748	18,941
Summer Intern	2,880	2,150	900
Tax Collection Expenses	5,000	6,209	6,500
Operation Expenses	14,500	14,573	15,000
General Assistance	4,000	2,562	4,000
Capital Outlay	-0-	-0-	500
	\$ <u>99,276</u>	\$ <u>98,384</u>	\$ <u>107,671</u>

ESTIMATED REVENUE generated by this Account:

Excise Tax	\$ 175,000
Late Penalties & Interest	23,000
Miscellaneous Revenue	20,000
	\$ <u>218,000</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 3-2
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 23: Shall the Town vote to raise and appropriate the sum of Twenty-Seven Thousand Three Hundred Dollars (\$27,300) for the Planning Board?

<u>Description</u>	1988 <u>Appropriation</u>	1988 <u>Spent</u>	1989 <u>Request</u>
Secretarial Services	\$ 4,000	1,649	3,000
Operating Expenses	2,000	1,094	2,000
Engineering Consultant	4,000	162	4,000
Zoning Ordinance Consultant	20,000	8,761	14,000
Printing Ordinances	1,000	528	2,000
Capital Outlay	2,700	2,508	2,300
	\$ <u>33,700</u>	\$ <u>14,702</u>	\$ <u>27,300</u>

ESTIMATED REVENUE generated by this Account:

\$ 6,000

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 24: Shall the Town vote to raise and appropriate the sum One Thousand Eight Hundred Dollars (\$1,800) for the Board of Appeals?

<u>Description</u>	1988 <u>Appropriation</u>	1988 <u>Spent</u>	1989 <u>Request</u>
Secretarial Services	\$ 900	606	1,000
Clerical Supplies	800	275	500
Hearing Costs	300	77	300
	\$ <u>2,000</u>	\$ <u>958</u>	\$ <u>1,800</u>

ARTICLE 24: (Continued)

ESTIMATED REVENUE generated by this Account:

Hearing Fees: \$ 900

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 25: Shall the Town vote to raise and appropriate the sum of Fifty-Four Thousand Three Hundred and Eighty Dollars (\$54,380) for Legal Fees and Association Dues?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Legal Fees	\$ 50,000	34,730	40,000
Association Dues	1,717	1,717	1,880
Contingent Liabilities	N/A	N/A	12,500
	\$ <u>51,717</u>	\$ <u>36,447</u>	\$ <u>54,380</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 26: Shall the Town vote to raise and appropriate the sum of Forty Thousand One Hundred and Seventy-Nine Dollars (\$40,179) for the Dunaway Center?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Custodian	\$ 13,604	13,580	14,379
Utilities	15,200	13,405	15,000
Supplies/Maintenance	5,000	6,227	6,000
Pay Telephone	500	445	500
Capital Outlay	3,000	517	4,300
	\$ <u>37,304</u>	\$ <u>34,174</u>	\$ <u>40,179</u>

ESTIMATED REVENUE generated by this Account:

Rental Fees \$ 4,500
 Pay Telephone Revenues 1,500
 \$ 6,000

BOARD OF SELECTMEN RECOMMENDS: \$ 40,179 Yes 5-0

BUDGET COMMITTEE RECOMMENDS: \$ 40,530 Yes 3-0

ARTICLE 27: Shall the Town vote to raise and appropriate the sum of One Hundred Four Thousand One Hundred and Thirty-Eight Dollars (\$104,138) for Insurance Costs?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Property & Liability	\$ 29,999	28,288	28,500
Vehicles	15,000	14,184	15,500
Worker's Compensation	38,500	39,421	45,000
Errors & Omissions	1,500	1,350	1,500
Public Emp./Forgery Bond	850	850	850
Marina Legal Liability	2,962	2,962	2,962
Police Professional	6,500	5,282	8,325
Ambulance Malpractice	1,450	1,289	1,501
	\$ <u>95,762</u>	\$ <u>93,626</u>	\$ <u>104,138</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 28: Shall the Town vote to raise and appropriate the sum of Thirty-Five Thousand Seven Hundred and Ten Dollars (\$35,710) for the Office of Clerk/Treasurer?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Clerk/Treasurer	\$ 21,527	21,527	23,260
Town Meeting Expenses	3,000	2,908	3,500
Animal Control Officer	1,725	1,725	2,000
Payroll Services	3,300	3,300	3,450
Supplies & Expenses	3,000	2,258	3,500
	\$ <u>32,552</u>	\$ <u>31,718</u>	\$ <u>35,710</u>

ARTICLE 28: (Continued)

ESTIMATED REVENUE generated by this Account:

Licensing Fees	\$	600
Liquor/Amusement Fees		<u>4,000</u>
	\$	<u>4,600</u>

BOARD OF SELECTMEN RECOMMENDS: \$35,710 Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: \$34,710 Yes 3-0

ARTICLE 29: Shall the Town vote to raise and appropriate the sum of Forty Thousand One Hundred and Thirty-Seven Dollars (\$40,137) for the Code Enforcement Office?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Code Enforcement Officer	\$ 23,710	23,709	25,900
Supplies & Expenses	3,500	2,500	3,000
Life Safety & Licensing Expenses	1,000	120	3,200
Secretarial Services	<u>7,410</u>	<u>7,407</u>	<u>8,037</u>
	\$ <u>35,620</u>	\$ <u>33,736</u>	\$ <u>40,137</u>

ESTIMATED REVENUE generated by this Account:

Building/Plumbing/Sewer User Fee:	\$	30,000
Business Registration Fees		<u>7,500</u>
	\$	<u>37,500</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 3-2
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 30: Shall the Town vote to raise and appropriate the sum of Forty-Two Thousand Seven Hundred and Seventy-Eight Dollars (\$42,778) for the Assessor's Office?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Assessor	\$ 24,000	24,000	26,341
Supplies & Expenses	7,500	4,737	7,500
Secretarial Services	7,410	7,410	8,037
Capital Outlay	-0-	-0-	900
	\$ <u>38,910</u>	\$ <u>36,147</u>	\$ <u>42,778</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 3-2
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 31: Shall the Town vote to raise and appropriate the sum of Three Hundred Forty-Four Thousand Six Hundred and Seven Dollars (\$344,607) for the Police Department?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Chief of Police	\$ 30,510	30,509	32,962
Detective Lieutenant	26,052	26,052	29,255
Sgt/Full-Time Officers and Police Clerk	128,809	124,318	146,887
Summer Officers	55,146	54,881	55,146
Parking Lot Attendants	37,118	36,625	38,357
Adm. Ass't/MJI	9,050	9,050	8,000
Overtime	4,000	4,962	5,000
Telephone	6,000	5,293	6,000
Supplies/Expenses	6,000	5,798	6,000
Uniforms/Equipment	3,000	3,304	3,300
Radio Service	1,500	1,292	1,500
Training Schools	1,200	1,545	1,200
Cruiser Operations	12,000	10,729	11,000
Capital Outlay	<u>1,200</u>	<u>1,691</u>	<u>-0-</u>
	\$ <u>321,585</u>	\$ <u>316,049</u>	\$ <u>344,607</u>

ESTIMATED REVENUE generated by this Account:

Parking Fines & Court Fees	\$	<u>30,000</u>
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BOARD OF SELECTMEN RECOMMENDS: \$ 344,607 Yes 3-1
 BUDGET COMMITTEE RECOMMENDS: \$ 345,532 Yes 3-0

ARTICLE 32: Shall the Town vote to raise and appropriate the sum of Forty-Six Thousand Eight Hundred and Seventy-Five Dollars (\$46,875) for the Ogunquit Fire Company?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Operation Expenses	\$ 37,350	29,502	117,457
Capital Outlay	9,100	9,055	58,900
			\$ 176,357
Approved at 2/11/89 STM			-129,482
	\$ <u>46,450</u>	\$ <u>38,557</u>	\$ <u>46,875</u>

ESTIMATED REVENUE generated by this Account:

Ambulance Fees \$ 8,500

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 33: Shall the Town vote to raise and appropriate the sum of Ninety Thousand Three Hundred and Sixteen Dollars (\$90,316) for the Communications Department?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Dispatchers	\$ 77,132	76,959	81,805
Supplies & Expenses	6,340	6,237	6,511
Security Alarms	2,000	1,640	2,000
Capital Outlay	250	333	-0-
	\$ <u>85,722</u>	\$ <u>85,169</u>	\$ <u>90,316</u>

ESTIMATED REVENUE generated by this Account:

Alarm Fees \$ 2,500

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 34: Shall the Town vote to raise and appropriate the sum of One Hundred Ninety-One Thousand Three Hundred and Fifteen Dollars (\$191,315) for the Highway Department?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Road Foreman	\$ 24,160	24,162	28,007
Full-Time Personnel	68,188	61,593	74,268
Seasonal Personnel	10,000	8,882	10,410
Beach & Trash Pick-Up	16,220	16,987	18,150
Marginal Way Caretaking	4,320	4,201	4,480
Overtime/Emerg. Equipment	4,000	780	3,000
Supplies/Expenses	8,000	11,159	9,000
Road/Sidewalk Maint.	13,000	10,336	13,000
Garage Operations	7,000	7,653	8,000
Snow Removal	12,000	13,576	12,000
Equipment Operations	13,500	13,648	11,000
	\$ <u>180,388</u>	\$ <u>172,977</u>	\$ <u>191,315</u>

ESTIMATED REVENUE generated by this Account:

State Road Aid Block Grant \$ 15,000

BOARD OF SELECTMEN RECOMMENDS: \$ 191,315 Yes 4-0
BUDGET COMMITTEE RECOMMENDS: \$ 190,315 Yes 4-0

ARTICLE 35: Shall the Town vote to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) for Capital Projects and Improvements?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Capital Equipment	\$ 54,300	52,355	-0-
Marginal Way Restoration	50,000	-0-	Carry Forward
Road Overlay & Repairs	65,500	65,500	60,000
	\$ <u>169,800</u>	\$ <u>117,855</u>	\$ <u>60,000</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 36: Shall the Town vote to raise and appropriate the sum of One Hundred and One Thousand Four Hundred Dollars (\$101,400) for Street Lighting, Hydrant Rental and Traffic Signals?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Street Lights (283)	\$ 39,000	35,452	37,000
Hydrant Rental (71)	61,400	61,344	61,400
Traffic Signals/ Metered Lights	2,600	2,793	3,000
	\$ <u>103,000</u>	\$ <u>99,589</u>	\$ <u>101,400</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 37: Shall the Town vote to raise and appropriate the sum of Thirty-One Thousand Four Hundred and Sixty-Two Dollars (\$31,462) for the Parks and Programs Department?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Recreation Director	\$ 18,355	18,355	20,612
Utilities (Telephone)	200	189	250
Parks Maint./Supplies	1,000	1,582	1,500
Parks Maint./Laborer	4,000	4,035	4,600
Operation Expenses	3,000	1,502	1,500
Automobile Expenses	850	850	850
Business Expenses	200	139	200
Ballfield Taxes	500	522	600
Capital Outlay	1,000	793	1,350
	\$ <u>29,105</u>	\$ <u>27,967</u>	\$ <u>31,462</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-1

ARTICLE 38: Shall the Town vote to raise and appropriate the sum of Eight Thousand Eight Hundred and Sixty-Eight Dollars (\$8,868) for the Summer Programs and Tennis Court Operations?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Summer Programs	\$ 6,000	4,888	5,980
Tennis Court Attendant	2,449	2,409	2,888
	\$ <u>8,449</u>	\$ <u>7,297</u>	\$ <u>8,868</u>

ESTIMATED REVENUE generated by this Account:
Summer Program Fees \$ 1,000

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 39: Shall the Town vote to raise and appropriate the sum of Thirty Thousand Nine Hundred and Twenty-Five Dollars (\$30,925) for Perkins Cove?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Harbormaster	\$ 17,845	17,844	19,625
Utilities	2,500	1,777	2,000
Supplies/Expenses	2,300	2,058	2,300
Icebreaker	1,000	1,085	1,000
Mooring Operations	3,000	2,753	3,000
Capital Outlay	4,400	3,608	3,000
	\$ <u>31,045</u>	\$ <u>29,125</u>	\$ <u>30,925</u>

ESTIMATED REVENUE generated by this Account:
Mooring Fees \$ 33,000
Hauling & Storage Fees 3,000
Perkins Cove Parking Fees 600
\$ 36,600

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 40: Shall the Town vote to raise and appropriate the sum of Seventy-Nine Thousand Five Hundred Twenty-One Dollars (\$79,521) for the Ogunquit Lifeguard Service?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Lifeguard Personnel	\$ 68,650	67,916	73,421
Supplies/Expenses	1,500	1,545	1,500
Equipment/Uniforms	1,600	937	1,600
Beach Vehicle	1,000	210	1,000
Capital Outlay	1,100	1,097	2,000
	\$ <u>73,850</u>	\$ <u>71,705</u>	\$ <u>79,521</u>

BOARD OF SELECTMEN RECOMMENDS: \$ 79,521 Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: \$ 75,505 Yes 4-0

ARTICLE 41: Shall the Town vote to raise Fifty-Six Thousand One Hundred and Forty-Four Dollars (\$56,144) by taxation and transfer the sum of Sixteen Thousand Nine Hundred and Sixty-Nine Dollars (\$16,969) from the Beach Fund Account for a total appropriation of Seventy-Three Thousand One Hundred Thirteen Thousand (\$73,113) for Beach Maintenance?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Restroom Attendants	\$ 19,110	19,933	22,113
Supplies/Expenses	13,000	13,908	15,000
Beach/Dunes Maint.	15,000	10,582	15,000
Capital Outlay	4,500	4,194	21,000
	\$ <u>51,610</u>	\$ <u>48,617</u>	\$ <u>73,113</u>

ESTIMATED REVENUE generated by this Account:

Beach Parking Fees	\$ 320,000
Lower Lot Parking Fees	50,000
	\$ <u>370,000</u>

BOARD OF SELECTMEN RECOMMENDS: \$ 73,113 Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: \$ 62,481 Yes 3-0

ARTICLE 42: Shall the Town vote to raise and appropriate the sum of Twenty Thousand Three Hundred Dollars (\$20,300) for the Information Bureau?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Bureau Personnel	\$ 8,800	9,156	10,000
Operating Expenses	1,500	1,177	4,800
Advertising	5,500	4,960	5,500
	\$ <u>15,800</u>	\$ <u>15,293</u>	\$ <u>20,300</u>

ESTIMATED REVENUE generated by this Account:

Obeds Lot Parking Fees	\$ <u>30,000</u>
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BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 43: Shall the Town vote to raise and appropriate the sum of One Hundred Thousand Four Hundred Three Dollars (\$100,403) for current maturities of principal, and interest thereon, of the Town's existing Debts?

<u>Description</u>	<u>1988</u> <u>Appropriation</u>	<u>1988</u> <u>Spent</u>	<u>1989</u> <u>Request</u>
Obeds Lane (2001)	\$ 40,025	40,022	38,210
Jacobs Parking Lot (2003)	5,815	5,815	5,815
Village Green (1994)	15,485	15,482	14,708
Fire Equipment (1998)	-0-	-0-	41,670
	\$ <u>61,325</u>	\$ <u>61,319</u>	\$ <u>100,403</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
 BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 44: Shall the Town vote to raise and appropriate the sum of Two Hundred and Six Thousand Five Hundred and Thirty Dollars (\$206,530) for Employee Benefits?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Group Health/Life/ Disability	\$ 78,145	56,826	87,840
Pension/Retirement Plan	35,600	34,904	45,850
Social Security	63,355	59,745	72,840
	\$ <u>177,100</u>	\$ <u>151,475</u>	\$ <u>206,530</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0

BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 45: Shall the Town vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for Accrued Liabilities?

<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
		\$ <u>5,000</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 46: Shall the Town vote to raise and appropriate the sum of Two Hundred and Eight Thousand Six Hundred and Twenty-Eight Dollars (\$208,628) for the Transfer Station?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Regional Waste Systems	69,500	56,685	95,000
Custom Transfer, Inc.	81,610	81,600	91,128
Land Use Fees	8,000	7,917	8,500
Brush Dump/Metal Goods Costs	12,000	11,597	14,000
	\$ <u>171,110</u>	\$ <u>157,799</u>	\$ <u>208,628</u>

ESTIMATED REVENUE generated by this Account:

Brush Dump	\$ <u>9,000</u>
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BOARD OF SELECTMEN RECOMMENDS: Yes 4-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 47: Shall the Town vote to raise and appropriate the sum of Four Thousand Nine Hundred Fifty Dollars (\$4,950) for Unclassified Accounts:

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Riverside Cemetary	\$ 200	200	200
Locust Grove Cemetary	200	200	200
Old Burying Ground	200	200	200
Babe Ruth League	150	150	150
Wells-Ogunquit Little League	300	300	300
American Legion	200	200	200
Wells-Ogunquit Historical Society	3,000	3,000	1,500
Board of Assessment Review	100	-0-	-0-
Cable TV Commission	500	14	200
Chamber of Commerce Fireworks	-0-	-0-	2,000
	\$ <u>4,850</u>	\$ <u>4,264</u>	\$ <u>4,950</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0

BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 48: Shall the Town vote to raise and appropriate the sum of Ten Thousand One Hundred and Nine Dollars (\$10,109) for Human Service Programs?

<u>Description</u>	<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
Red Cross	\$ 250	250	250
So. Maine Senior Citizens	900	900	1,000
Meals-On-Wheels	1,175	1,129	1,340
Waban Bus Program	650	650	650
Caring Unlimited	150	150	157
York County Child Abuse	200	200	200
York County Comm. Action	902	902	947
York County Home Services	175	175	200
Hospice of York (Hospital)	250	250	250
So. Maine Visiting Nurses	3,000	3,000	2,500
York County Counseling Services	1,650	1,650	1,650
York County Shelter	300	300	500
York County Parent Awareness	-0-	-0-	80
So. Coastal Family Planning Day One Substance Abuse Center	-0-	-0-	285
	\$ <u>9,602</u>	\$ <u>9,556</u>	\$ <u>10,109</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 4-0

ARTICLE 49: Shall the Town vote to raise and appropriate the sum of One Hundred Twelve Thousand Five Hundred Dollars (\$112,500) for Tax Anticipation Note Interest?

<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
\$ <u>58,113</u>	\$ <u>58,113</u>	\$ <u>112,500</u>

ESTIMATED REVENUE generated by this Account:

Investment of Funds \$ 60,000

BOARD OF SELECTMEN RECOMMENDS: Yes 5-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 50: Shall the Town vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for Costs of Outside Police Duty?

<u>1988 Appropriation</u>	<u>1988 Spent</u>	<u>1989 Request</u>
\$ <u>10,000</u>	\$ <u>2,640</u>	\$ <u>5,000</u>

ESTIMATED REVENUE generated by this Account:

Fees for Police Duty \$ 5,000

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 51: Shall the Town vote to appropriate the sum of One Million Ninety-One Thousand Three Hundred Ninety-Two Dollars (\$1,091,392) from Anticipated Revenues, Undesignated Fund Balance and State Revenue Sharing as described below to reduce taxation in 1989?

<u>Description</u>	<u>Amount</u>
Excise Taxes	\$ 175,000
Late Penalties & Interest	23,000
Miscellaneous Revenue	20,000
Planning Board	6,000
Appeals Board	900
Dunaway Center Rental Fees	4,500
Pay Telephone Revenue	1,500
Clerk's Licensing Fees	600
Liquor/Amusement Fees	4,000
Bldg/Plumbing/Sewer User Permit Fees	30,000
Business Registration Fees	7,500
Parking Fines & Court Fees	30,000
Ambulance Fees	8,500
Alarm Fees	2,500
State Road Aid Block Grant	15,000
Summer Program Fees	1,000
Mooring Fees	33,000
Hauling & Storage Fees	3,000
Perkins Cove Parking Fees	600
Beach Parking Fees	320,000
Lower Lot Parking Fees	50,000
Obeds Lot Parking Fees	30,000
Brush/Demolition Dump Revenue	9,000
Investment of Funds	60,000
Fees for Police Duty	5,000
State Revenue Sharing	38,000
Undesignated Fund Balance	208,779
Education Block Grant	4,013
	\$ <u>1,091,392</u>

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
 BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 52: Shall the following vote be adopted?

VOTED: (1) That a capital equipment project consisting of the purchase of a new computer system and software for various municipal departments' use is hereby approved; and

(2) To fund said capital equipment project a sum not to exceed Seventy-One Thousand Dollars (\$71,000) is hereby appropriated; and

(3) To meet said appropriation, the Treasurer and Chairman of the Board of Selectmen, acting pursuant to the provisions of 30-A M.R.S.A. §5772, are hereby authorized to issue general obligation securities of the Town of Ogunquit (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Seventy-One Thousand Dollars (\$71,000) and the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s) place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

BOARD OF SELECTMEN RECOMMENDS: Y 4-0
 BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 53: Shall the following vote be adopted?

VOTED: (1) That a capital improvement project consisting of the relocation of the municipal salt/sandpile to, and the construction of a road, parking area, and new building on, Town-owned land off Captain Thomas Road is hereby approved; and

(2) To fund said capital improvement project a sum not to exceed One Hundred Eight Thousand Nine Hundred Dollars (\$108,900) is hereby appropriated; and

(3) To meet said appropriation, (1) the Treasurer is hereby authorized to expend the balance of the reserve fund for this project (\$42,409 from Article 10); and (2) the Treasurer and Chairman of the Board of Selectmen, acting pursuant to the provisions of 30-A M.R.S.A. §5772, are hereby authorized to issue general obligation securities of the Town of Ogunquit (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Sixty-Six Thousand Five Hundred Dollars (\$66,500) and the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 54: Shall the following vote be adopted?

VOTED: (1) That a capital improvement project consisting of renovations to the Dunaway Community Center to provide for the relocation of the offices of the Police Department, Dispatchers, Assessor, and Code Enforcement Officer is hereby approved; and

(2) To fund said capital improvement project a sum not to exceed Ninety-Five Thousand Dollars (\$95,000) is hereby appropriated; and

(3) To meet said appropriation, the Treasurer and Chairman of the Board of Selectmen, acting pursuant to the provisions of 30-A M.R.S.A. §5772, are hereby authorized to issue general obligation securities of the Town of Ogunquit (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Ninety-Five Thousand Dollars (\$95,000) and the discretion to fix the date(s), maturity(ies), interest rate (s), denomination(s), place(s) of payment, form and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0
BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 55: Shall the following vote be adopted?

VOTED: (1) That a capital improvement project consisting of the construction of improvements to the bait wharf and bulkhead area at Perkins Cove is hereby approved; and

(2) To fund said capital improvement project a sum not to exceed Ninety Thousand Dollars (\$90,000) is hereby appropriated; and

(3) To meet said appropriation, the Treasurer and Chairman of the Board of Selectmen, acting pursuant to the provisions of 30-A M.R.S.A. §5572, are hereby authorized to issue general obligation securities of the Town of Ogunquit (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed Ninety Thousand Dollars (\$90,000) and the discretion to fix the date(s), maturity(ies), interest rate(s), denomination(s), place(s) of payment, form and other details of said

ARTICLE 55: (Continued)

securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof, is hereby delegated to the Treasurer and Chairman of the Board of Selectmen.

BOARD OF SELECTMEN RECOMMENDS: Yes 4-0

BUDGET COMMITTEE RECOMMENDS: Yes 3-0

ARTICLE 56: Shall the Town vote to fix the date when property taxes shall become due and payable as that date occurring forty-five (45) days after the date of tax commitment; and further that interest at the rate of twelve percent (12%) per annum shall accrue from and after that date on which property taxes shall become delinquent?

ARTICLE 57: Shall the Town vote to set an interest rate of eight percent (8%) as the rate to be paid to taxpayers who pay amounts in excess of amounts finally assessed and authorize any such interest paid or abatements granted to be charged against the annual overlay?

ARTICLE 58: 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 59: Shall the Town vote to authorize the Board of Selectmen to apply for, receive and expend, any and all federal or state grants or intergovernmental funds that may be available to and in the best interest of the Town?

ARTICLE 60: Shall the Town vote to authorize the Board of Selectmen to sell and convey tax acquired property as it deems 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 quitclaim 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 quitclaim deeds at their discretion for the purpose of removing from public record tax liens which have not been discharged through inadvertance?

ARTICLE 61: Shall the Town of Ogunquit vote to accept Bourne Lane as laid out by the Selectmen and described as follows:

SEE EXHIBIT A

and to raise and appropriate the sum of Eight Dollars (\$8) to be paid as damages for the land so taken?

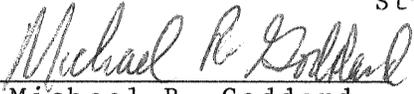
The Board of Selectmen hereby give notice that the polls shall be open for voting purposes at nine o'clock in the morning or as soon as possible thereafter on the date of said meeting and that polls will not be closed earlier than four o'clock in the afternoon of the same day.

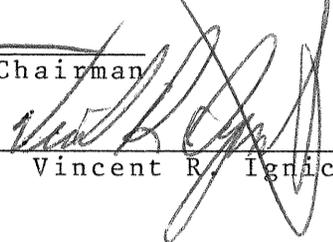
The Registrar of Voters will hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election. A voter who is not enrolled in a political party may not vote in a primary election.

Given under our hands this twenty-third day of March, 1989 A.D. in Ogunquit, Maine.

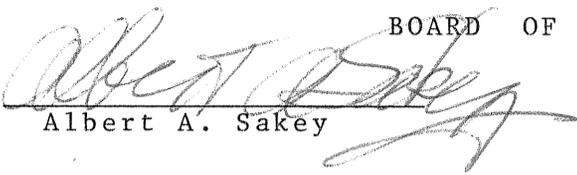

Steven R. Einstein, Chairman

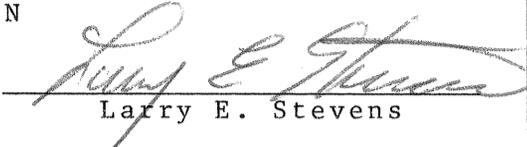

Michael R. Goddard


Vincent R. Ignico

TOWN OF OGUNQUIT

BOARD OF SELECTMEN

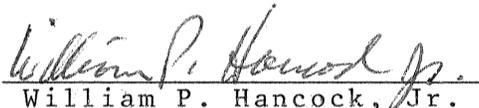

Albert A. Sakey


Larry E. Stevens

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

SS:

Pursuant to warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the twenty-third day of March, 1989 A.D., a copy of the within Warrant at the Dunaway Community Center, Village Food Market and the Ogunquit Post Office, those being three (3) conspicuous and public places in said Town.


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

A TRUE COPY:

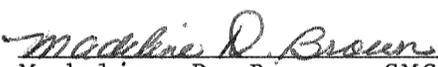
ATTEST: 
Madeline D. Brown, CMC
TOWN OF OGUNQUIT

EXHIBIT A

The Northerly boundary of said Lane is bounded and more particularly described as follows:

BEGINNING at the Westerly sideline of King's Highway at the Southeasterly corner of land described and taken in the Petition of A. Lester Staples to the County Commissioner's Court, granted December 31, 1936 and recorded in the York County Commissioners' Records at Volume 28, Page 89; thence from said point of beginning North 66 degrees 42' 45" West a distance of Thirty-one and Ninety-eight hundredths (31.98) feet to an iron pipe found in the pavement at the Southwesterly corner of said lot described in the aforementioned petition (said course in the Petition was recited as North 66 degrees 5' West); thence running North 66 degrees 42' 45" West by land now or formerly of H. Lester Staples a distance of Thirteen and Thirty-six hundredths (13.36) feet to a point; thence turning and running North 66 degrees 15' West by land now or formerly of Nathan Hillman, Trustee, and partially by the remains of an old stone wall a distance of Three Hundred Thirty-five and Eighty-six hundredths (335.86) feet, to the Easterly sideline of land now or formerly of Long Farm Development; thence Southwesterly and Northwesterly by lots numbered 3, 2, and 1 as depicted on a plan entitled "Land of Emery Hutchins", dated February, 1982, by AWI Engineering, and recorded in the York County Registry of Deeds at Plan Book 126, Page 20 by the following courses and distances; South 30 degrees 9' 15" West a distance of Two and Sixty hundredths (2.60) feet to an iron pipe found driven into the ground; (said Plan shows said course as North 30 degrees 14' 47" East); thence North 66 degrees 03' 30" West by said lots numbered 3, 2 and 1 a distance of Two Hundred Ninety-one and thirty-nine hundredths (291.39) feet, to an iron pipe found driven into the ground (said plan shows courses and distances as South 65 degrees 58' 08" East, 291.54 feet); thence turning and running North 77 degrees 22' 30" West along land now or formerly of Bruce a distance of Thirty-six and Sixty-eight Hundredths (36.68) feet, to an iron pipe found driven into the ground; thence turning and running in a Northwesterly and Southwesterly direction along lots numbered 4, 3, 2, and 1 as depicted on a plan entitled "Littlefield Pasture, a Subdivision of Charles P. and Bruce M. Littlefield in Ogunquit, Maine, to be conveyed to Richard E. Payer", dated September, 1982, by AWI Engineering, and recorded in the York County Registry of Deeds at Plan Book 118, Page 48, by the following courses and distances; North 86 degrees 54' 45" West a distance of One Hundred Seventy-four and Twenty-four hundredths (174.24) feet along said lots numbered 4 and 3 to a point; (said plan shows said course as North 85 degrees 39' 37" East a distance of 174.02 feet); thence turning and running South 87 degrees 20' 15" West along said lots numbered 3, 2, and 1 a distance of Two Hundred and Seventeen and Eighty-nine hundredths (217.89) feet to an iron pipe found driven in the ground at the Southeasterly corner of land now or formerly of Jonathan J. West as by Deed recorded in Book 3504, Page 28 in said Registry (said plan shows said course and distance as North 79 degrees 54' 24" East, a distance of 218.2); thence turning and running South 88 degrees 49' 45" West along said land of West and land now or formerly of Golden Properties, Inc., a distance of Two Hundred Fifty-six and Seventeen hundredths (256.17) feet to a railroad spike found set in the pavement along the Easterly sideline of U.S. Route #1 (said course and distance is depicted on the plan entitled "Plan showing land of George R. West, Jr.," dated August 14, 1962, by Libby & Dow, as South 88 degrees 31' West a distance of Two Hundred Fifty-six and Eighteen hundredths (256.18) feet).

The Southerly boundary line of said Lane is bounded and more particularly described as follows:

BEGINNING on the Westerly sideline of King's Highway at the base of a found broken granite monument set in the ground at the Northeasterly corner of land now or formerly of Lund described in a deed recorded in said Registry at Book 3224, Page 117, and shown on a Plan entitled "Property now or formerly of Richard W. and Margaret E. Littlefield at Ogunquit, Maine", dated December, 1958 by Gene Maynard Trafton; thence from said point of beginning North 67 degrees 11' 30" West along said land now or formerly of Lund a distance of Thirteen and Sixty-two hundredths (13.62) feet, to an iron pipe with a survey cap found driven into the ground; thence turning and running North 66 degrees 2' 00" West along land now or formerly of Lane, said lot depicted on a plan entitled "Survey for John C. Lane, Southerly of Bournes Lane", dated October 25, 1979, by George M. Christenton, recorded at Plan Book 103, Page 26 in said Registry; (see also plan recorded at Plan Book 142, Page 21), a distance of Forty-Nine and Fifty-two hundredths (49.52) feet to an iron pipe found in the ground with a survey cap (said distance on said plan is 49.5 feet); thence turning and running North 66 degrees 02' 45" West along land now or formerly of Lund, said lot depicted on a plan entitled "Plan of Land, Bournes Lane for Kenneth E. and Melinda A. Hay", dated October, 1983 by Anderson Associates, a distance of One Hundred Seventy-four and Thirty-eight hundredths (174.38) feet, more or less, to an iron pipe found in the ground; thence turning and running North 66 degrees 20' West along land now or formerly of Littlefield, said lot depicted on a plan entitled "Land of Margaret Littlefield", October, 1982, by AWI Engineering, a distance of Seventy-nine and Seventy-one hundredths (79.71) feet to an iron pipe and an iron rod found in the ground (said course and distance is depicted on said Plan as North 66 degrees 30' West and 80 feet); thence turning and running North 64 degrees 25' West along a stone wall and land of Gordon Littlefield, said land depicted as lots 1 and 2 on a plan entitled "Plan of Land of Mrs. A. H. Littlefield", dated September 10, 1940, by Libby & Dow, recorded at Plan Book 17, Page 13, in said Registry; (see also plan entitled "Plan Showing a Standard Boundary Survey made for Gordon M. Littlefield", dated May 9, 1988, by Dow & Coulombe, Inc.,) a distance of One Hundred Seventy-two and Four tenths (172.4) feet to an iron pipe found in the ground; thence turning and running North 64 degrees 26' 15" West along land now or formerly of Littlefield and land now or formerly of Jesse G. Nason; said lots as depicted on the aforementioned plan of "Mrs. A. H. Littlefield", recorded at Plan Book 17, Page 13 in said Registry, a distance of One Hundred Six and Thirty-six hundredths (106.36) feet to an iron pipe found in the ground; thence turning and running North 74 degrees 14' 30" West a distance of One Hundred Three and Forty-three hundredths (104.43) feet to an iron pipe found in the ground; thence turning and running North 84 degrees 44' 30" West a distance of Two Hundred Thirteen and Fifty-five hundredths (213.55) feet to a point; thence turning and running South 88 degrees 07' 11" West along lots numbered 4, 5, 6, and 7 on the aforementioned plan of "Mrs. A. H. Littlefield", recorded at Plan Book 17, Page 13 in said Registry, a distance of Four Hundred Thirty-one and Seventy-six hundredths (431.76) feet to a point on the Easterly sideline of U.S. Route #1.

The bearings used in the description referred to "Plan Showing a Proposed Relocation of Bournes Lane in Ogunquit, Maine", dated May 23, 1949 by Libby & Dow.