

WARRANT FOR A SPECIAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT

TO: Michael W. Pardue, 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 Tuesday, the tenth day of June, 1997, A.D. at seven o'clock in the evening to vote on Articles 1 through 6.

ARTICLE 1: To elect a Moderator to preside over said Meeting.

ARTICLE 2: Shall the Town appropriate a sum not to exceed Three Hundred Thousand Dollars (\$300,000) to fund the costs of public improvements and equipment approved by the voters under Articles 39 through 45 inclusive of the April, 1997 Annual Town Meeting, and to fund said appropriation, authorize the Treasurer and Chairman of the Board of Selectmen 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 \$300,000 and the discretion to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, 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.

EXPLANATION AND RECOMMENDATION:

The purpose of this Article is to confirm and ratify the method of funding the costs of public improvements and equipment purchases previously approved by the voters at the April 7, 1997 Annual Town Meeting. The Board of Selectmen recommends approval of this Article.

FINANCIAL STATEMENT

1. Total Town Indebtedness

A. Bonds outstanding and unpaid:	\$ 727,349
B. Bonds authorized and unissued:	\$ -0-
C. Bonds to be issued, if this Article is approved:	\$ 300,000
TOTAL:	\$1,027,349

2. Costs:

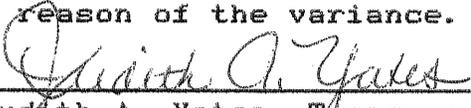
At an estimated maximum interest rate of 4.75% the estimated costs of this bond issue will be:

Maturity Date of November, 2001

Principal:	\$ 300,000
Interest:	\$ 34,913
Total Debt Service:	<u>\$ 334,913</u>

3. Validity:

The validity of the bonds and of the voters' ratification of bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.


Judith A. Yates, Treasurer

ARTICLE 3: Shall the Town vote to authorize the Municipal Officers to establish a Special Revenue Fund to accept donations for the purpose of developing playgrounds within the Ogunquit community?

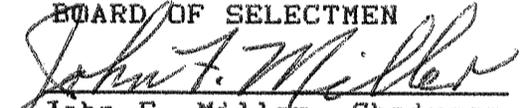
ARTICLE 4: Shall the Town vote to authorize the Municipal Officers to accept monies generated from Police Auctions of lost and confiscated goods with said monies to be deposited into the Police Department Drug and Interdiction Account for the purpose of drug enforcement?

ARTICLE 5: Shall the Town vote to adopt the proposed 1994 National Fire Protection Association (NFPA) 101 Life Safety Code? See Exhibit A. A copy of the proposed Code has been posted and made available in the Office of the Code Enforcement Officer for inspection, use and examination by the public.

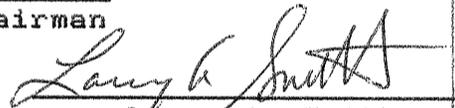
ARTICLE 6: Shall the Town vote to adopt the following amendments to Title VII of the Ogunquit Municipal Code known as the Animal Control Ordinance and made a part of this Warrant. See Exhibit B. A copy of the proposed Ordinance amendments has been posted and made available in the Town Clerk's Office for inspection, use and examination by the public.

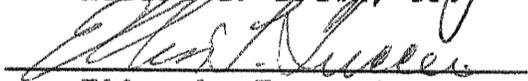
Given under our hands this twenty-ninth day of May, 1997, A.D. in Ogunquit, Maine.

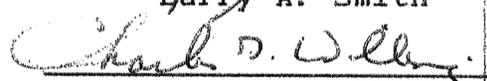
TOWN OF OGUNQUIT
BOARD OF SELECTMEN


John F. Miller, Chairman


Robert G. Brown, Jr.


Larry A. Smith


Ellen L. Tucceri


Charles G. Willing

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

ss.

Pursuant to Warrant to be 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 thirtieth day of May, 1997, 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.


Michael W. Pardue, Chief of Police

A TRUE COPY
ATTEST:

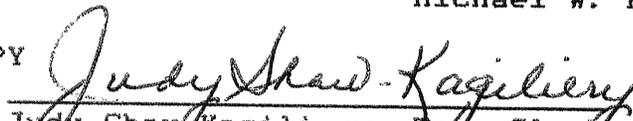

Judy Shaw-Kagiliery, Town Clerk

EXHIBIT A

PROPOSED

**ORDINANCE FOR ADOPTION OF THE 1994
NFPA LIFE SAFETY 101 CODE**

An Ordinance to provide for the Town of Ogunquit rules and regulations to improve safety of the public by promoting the control of fire hazards; regulating the installation, use and maintenance of equipment; the use of structures, premises and open areas; providing for the abatement of fire hazards; and setting forth standards for compliance to achieve these objectives.

SECTION 1

It shall be unlawful for any person to violate this Ordinance, to permit or maintain such violation, to refuse to obey any provision thereof, or to fail or refuse to comply with any such provision or regulation except as variation may be allowed by action of the authority having jurisdiction in writing. Proof of such unlawful act or failure to act shall be deemed prima facie evidence that such act is that of the owner. Prosecution or lack thereof of either the owner or the occupant shall not be deemed to relieve the other.

SECTION 2

The provision shall apply equally to both public and private property. It shall apply to all new structures and their occupancies, including buildings, structures, equipment, etc., and, except as otherwise specified within its own terms, to existing structures and their occupancies, including buildings, structures, equipment, etc., that constitute a clear and present hazard to life or to property.

SECTION 3

The standard for this Ordinance shall be the standards set forth in the 1994 NFPA 101 Life Safety Code and said Code shall be part of this Ordinance as though set out herein.

SECTION 4

Any person, firm or corporation being the owner of, or having control or use of any building or premise, who violates any provision of this Ordinance, on conviction thereof, shall be fined pursuant to 30-A, M.R.S.A., §4452. All fines collected hereunder shall inure to the Town.

SECTION 5

The Code Enforcement Office shall keep one (1) copy of the 1994 NFPA 101 Life Safety Code on file and accessible to the public during regular business hours.

SECTION 6

Copies of the 1994 NFPA 101 Life Safety Code are available from the National Fire Protection Association, Inc., Quincy, Massachusetts.

EXHIBIT B

PROPOSED ANIMAL CONTROL ORDINANCE
ANENDMENTS

The following question will be submitted to the voters at the June 10, 1997 Special Town Meeting:

Shall the Town vote to adopt the following amendments to Title VII of the Ogunquit Municipal Code known as the Animal Control Ordinance?

NOTE: BOLD type shall indicate the proposed change.

104 Definitions

- 104.1 "At large" means off the premises of the owner and not under the control of any person whose personal presence and attention would reasonably control the conduct of the animal.
- 104.1 At large: Off the premises of the owner, unless controlled by a leash, cord, chain, or unless within a vehicle, or under restraint in an open vehicle being driven or parked in any public area. This definition shall apply from May 15 to October 1 and from October 1 to May 15 on the Marginal Way. (4/8/91 ATM).
- 104.3 "Pet" means a dog, cat or other domesticated animal commonly kept in a household, but does not include tamed animals that are ordinarily considered wild animals.
- 104.3 Pet: Any mammalian animal larger than a domestic cat;
- 104.4 "Animal" means every living, sentient creature not a human being.
- 104.4 Animal: Any of the other classes of animal life including birds and reptiles.

203 Animal Offal

Except for property belonging to the owner, the owner of any pet or animal shall remove from private or public property any animal offal which that pet or animal excretes. The penalty for a violation of this section shall be \$100 for each occurrence.

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Except for property belonging to the owner, the owner of any pet or animal shall remove from private or public property any animal offal which that pet or animal excretes.

Prohibitions in Specific Areas

These restrictions are the same as those found in Title IV, Public Resources and Conservation.

206.1 Ogunquit Beach

- 206.1.1 Dogs are permitted on the riverside of the Ogunquit Beach area from the Footbridge north to the Moody Beach line while under control of the owner from May 1 to the Tuesday after Columbus Day weekend.

Dogs are permitted on the riverside of the Ogunquit Beach area from the Moody Beach line to the Beach Street Bridge while under control of the owner from the Tuesday after Columbus Day weekend to May 1.

Dogs are permitted on the oceanside north of the Footbridge to the Moody Beach line while under control of the owner and; on a leash only, under the control of the owner from the Beach Street Bridge around to the Norseman and north to the Footbridge on the oceanside from the Tuesday after Columbus Day weekend to May 1.

- 206.1.1 Dogs are permitted within the Ogunquit Beach area from October 1 to May 15. Dogs are not permitted within the Ogunquit Beach area from May 15 to October 1.

- 206.1.2 Dogs must be on a leash to and from open areas.

- 206.1.2 No person shall lead or ride a horse or pony within the Ogunquit Beach Area from May 15 to October 1.*

- 206.1.3 No person shall lead or ride a horse or pony within the Ogunquit Beach area from May 1 to the Tuesday after Columbus Day weekend.

* The original Section 206.1.2 has been renumbered to 206.1.3 to allow insertion of new 206.1.2.

206.2 Marginal Way

- 206.2.1 Dogs are not permitted on the Marginal Way.

- 206.2.1 Dogs are permitted on the Marginal Way from October 1 to May 15, if on a leash, cord or chain. (4/8/91 ATM). Dogs are not permitted on the Marginal Way from May 15 to October 1.

Addition of New Sections to Ordinance

206.3 Perkins Cove

206.3.1 Dogs shall not be allowed off a leash in the Perkins Cove area except on private property with the consent of the owner.

206.4 Shore Road (Perkins Cove to Route One)

206.4.1 Dogs shall not be allowed off a leash except on private property, with the consent of the owner, on Shore Road from Perkins Cove to Route One.

206.5 Downtown Ogunquit (Downtown Business District)

206.5.1 Dogs shall not be allowed off a leash in the Downtown Business District except on private property with the consent of the owner.

301.2 Delete this Section

301.2 The licensing requirement of this section shall not apply to any dog licensed by the Town of Wells in 1980 prior to the enactment of this Ordinance.

301.2 The licensing requirement of this section shall not apply to any dog belonging to a non-resident visitor or seasonal resident, but the owner shall comply with all other provisions of this Ordinance.*

301.3 The licensing requirement of this section shall not apply to any dog belonging to a non-resident visitor or seasonal resident, but the owner shall comply with all other provisions of this Ordinance.

*Section 301.3 will be renumbered to 301.2 to allow for the above deletion.

405 Disposition of An Animal Biting a Person

405.2 Whenever a pet or animal bites a person, the animal control officer shall order the owner to have the pet or animal examined by a licensed veterinarian, confined on the owner's premises for a period of two (2) weeks ten (10) days, and examined again. The animal control officer shall impound the pet or animal, if the owner is unwilling or unable to do so. The owner shall pay the expense of examination and impoundment unless financially unable to do pay.

405.3 If at the end of two (2) weeks, ten (10) days, a veterinarian is convinced that the pet or animal is free from rabies, the pet or animal shall be released from confinement, or from the pound, after payment of fees, as the case may be. If the pet or animal dies within the confined period, its head shall be sent to the appropriate state agency for examination for rabies.