

**WARRANT
FOR THE
2019 ANNUAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: **PATRICIA L. ARNAUDIN**, Chief of Police of the Town of Ogunquit, in the County of York, State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center, 23 School Street in said Town of Ogunquit on **Tuesday, the eleventh (11) day of June 2019**, A.D. at eight o'clock in the morning (8:00 a.m.) until eight o'clock in the evening (8:00 p.m.) to vote by secret ballot on the following warrant articles; to wit:

- Article 1:** To elect a Moderator to preside at said Meeting. [*Note: This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.*]
- Article 2:** To elect **One (1) Select Board Member** for a three (3) year term to commence at the conclusion of the 2019 Annual Town Meeting; term ending Annual Town Meeting 2022.
- Article 3:** To elect **One (1) Budget Review Committee Member** for a three (3) year term to commence at the conclusion of the 2019 Annual Town Meeting; term ending Annual Town Meeting 2022.
- Article 4:** To elect **One (1) Wells-Ogunquit Community School District Trustee** for a three (3) year term to commence July 1, 2019; term ending June 30, 2022.
- Article 5:** Shall an ordinance entitled “**An Ordinance to Amend the Ogunquit Zoning Ordinance to Create the “Shoreland General Development 3 – Ogunquit Playhouse – SG3 District and to Amend the Official Zoning Map to include within that District Lots 5-42, 5-43 and 5-44 as shown on the Ogunquit Tax Maps”** be enacted? [*Note: Copies of the proposed Ordinance is available in the Town Clerk’s Office.*]
- Article 6:** Shall an ordinance entitled “**Amendment to Ogunquit Zoning Ordinance Restaurant Definitions and Table 702.1.**” be enacted? [*Note: Copies of the proposed ordinance amendment are available in the Town Clerk’s Office.*]

FY 2019-2020 BUDGET ARTICLES

Article 7: Shall the Town vote to raise and appropriate the sum of **\$859,039** for **General Government** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for General Government will default to \$848,066 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 8: Shall the Town vote to raise and appropriate the sum of **\$28,419** for **Ogunquit Heritage Museum** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Ogunquit Heritage Museum will default to \$26,397 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 9: Shall the Town vote to raise and appropriate the sum of **\$1,500** for **Bicycle-Pedestrian Committee** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Bicycle-Pedestrian Committee will default to \$1,500 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 10: Shall the Town vote to raise and appropriate the sum of **\$17,300** for **Parks & Recreation Committee** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Parks & Recreation Committee will default to \$17,300 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 11: Shall the Town vote to raise and appropriate the sum of **\$9,500** for **Ogunquit Performing Arts** for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Ogunquit Performing Arts will default to \$6,500 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 4-1

Article 12: Shall the Town vote to raise and appropriate the sum of **\$373,294** for **Land Use Department** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Land Use Department will default to \$360,973 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 13: Shall the Town vote to raise and appropriate the sum of **\$313,094** for **Visitors Services** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Visitor Services will default to \$302,269 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 14: Shall the Town vote to raise and appropriate the sum of **\$1,839,814** for **Police Department** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Police Department will default to \$1,755,797 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 5-0

Article 15: Shall the Town vote to raise and appropriate the sum of **\$1,481,413** for **Fire-Rescue Department** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Fire-Rescue Department will default to \$1,397,133 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 3-2
Budget Review Committee recommends: Yes 4-1

Article 16: Shall the Town vote to raise and appropriate the sum of **\$245,940** for **Lifeguard Services** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Lifeguard Services will default to \$200,100 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 4-1

Article 17: Shall the Town vote to raise and appropriate the sum of **\$196,815** to provide for **Utilities** (Street Lights, Sewer Fees and Water Hydrants) for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Utilities will default to \$179,900 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 18: Shall the Town vote to raise and appropriate the sum of **\$1,072,724** for **Public Works Department** expenditures for fiscal year **2019-2020**? *[Note: If this article*

is defeated, the appropriation for the Public Works Department will default to \$904,767 pursuant to Section 503.6 of the Town Charter]

Select Board recommends: Yes 3-2
Budget Review Committee recommends: Yes 4-1

Article 19: Shall the Town vote to raise and appropriate the sum of **\$358,311** for **Transfer Station** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Transfer Station will default to \$351,915 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 20: Shall the Town vote to raise and appropriate the sum of **\$144,475** for **Harbormaster** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Harbormaster will default to \$145,306 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 21: Shall the Town vote to raise and appropriate the sum of **\$2,000** for **General Assistance** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for General Assistance will default to \$2,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 22: Shall the Town vote to raise and appropriate the sum of **\$183,800** for **Insurance** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Insurance will default to \$178,600 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 23: Shall the Town vote to raise and appropriate the sum of **\$635,313** for **Facilities Department** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Facilities Department will default to \$684,926 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 24: Shall the Town vote to raise and appropriate the sum of **\$22,275** for **Conservation** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Conservation will default to \$19,335 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 25: Shall the Town vote to raise and appropriate the sum of **\$105,205** for **Information Services** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Information Services will default to \$84,252 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 4-1

Article 26: Shall the Town vote to raise and appropriate the sum of **\$7,450** for **Shellfish Conservation** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Shellfish Conservation will default to \$6,750 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 27: Shall the Town vote to raise and appropriate the sum of **\$10,400** for the **Marginal Way Committee** for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Marginal Way Committee will default to \$22,150 pursuant to Section 503.6 of the Town Charter].*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 28: Shall the Town vote to raise and appropriate the sum of **\$5,983** for **Piping Plover** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Piping Plover will default to \$5,583 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 29: Shall the Town vote to raise and appropriate the sum of **\$500** for **Flags for Veterans Graves** for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Flags for Veterans Graves will default to \$500 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 30: Shall the Town vote to raise and appropriate the sum of **\$8,000** for the **Wells-Ogunquit Historical Society** for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for the Wells-Ogunquit Historical Society will default to \$8,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 31: Shall the Town vote to raise and appropriate the sum of **\$918,899** for **Debt Management** expenditures for fiscal year **2019-2020**? *[Note: If this article is defeated, the appropriation for Debt Management will default to \$875,227 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 32: Shall the Town vote to raise and appropriate the sum of **\$10,000** for the **Building Improvements Account**, which shall be part of **General Government**? *[Note: If this article is defeated, the appropriation for the Building Improvements Account will default to \$15,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 3-2

Article 33: Shall the Town vote to raise and appropriate the sum of **\$3,000** for the **Unemployment Account**? *[Note: If this article is defeated, the appropriation for the Unemployment Account will default to \$3,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 34: Shall the Town vote to raise and appropriate the sum of **\$30,000** for the **Labor Contract and Salary Adjustment Account**? *[Note: If this article is defeated, the appropriation for the Labor Contract and Salary Adjustment Account will default to \$30,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 3-2
Budget Review Committee recommends: Yes 4-0-1

Article 35: Shall the Town vote to raise and appropriate the sum of **\$40,000** for the **Accrued Liability Account**? *[Note: If this article is defeated, the appropriation for the*

Accrued Liability Account will default to \$40,000 pursuant to Section 503.6 of the Town Charter]

Select Board recommends: Yes 3-2
Budget Review Committee recommends: Yes 5-0

Article 36: Shall the Town vote to raise and appropriate the sum of **\$10,000** for the **Contingency Account** [*Note: Pursuant to Section 503.6.A, this Article includes the Select Board and the Budget Review Committees' recommendation as the two (2) voter choices.*]

Select Board recommends: \$10,000 Yes 3-2
or
Budget Review Committee recommends: \$0 Yes 4-1

Article 37: Shall the Town vote to appropriate the sum of **\$15,000** from the **Undesignated Fund Balance** for the **Reserve Fund for Closeout and/or Retirement of ecomaine Facilities?** [*Note: If this article is defeated, the appropriation for the Reserve Fund for Closeout and /or Retirement of ecomaine Facilities will default to \$20,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 5-0

Article 38: Shall the Town vote to appropriate the sum of **\$25,000** from the **Undesignated Fund Balance** for the **Land Conservation Reserve Account?** [*Note: If this article is defeated, the appropriation for the Land Conservation Reserve Account will default to \$25,000 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 5-0

Article 39: Shall the Town vote to appropriate the sum of **\$20,000** from the **Undesignated Fund Balance** for the purchase of **EMS Equipment (Chest Compressor) for the Fire Department?** [*Note: If this article is defeated, the appropriation for the purchase of EMS Equipment (Chest Compressor) will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 5-0

Article 40: Shall the Town vote to appropriate the sum of **\$10,000** from the **Undesignated Fund Balance** for the purchase of an **Extractor Washing Machine for the Fire Department?** [*Note: Pursuant to Section 503.6.A, this Article includes the Select Board and the Budget Review Committees' recommendation as the two (2) voter choices.*]

Select Board recommends: \$0 Yes 3-2
 or
 Budget Review Committee recommends: \$10,000 Yes 4-1

Article 41: Shall the Town vote to appropriate the sum of **\$25,000** from the **Undesignated Fund Balance** for the **Fire Training Facility Building Improvements**? *[Note: If this article is defeated, the appropriation for the Fire Training Facility Building Improvements will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
 Budget Review Committee recommends: Yes 5-0

Article 42: Shall the Town (1) vote to approve the **Agamenticus Road Reconstruction Project** including all Planning, Engineering and other associated costs, (the “Project”); (2) appropriate a sum not to exceed **\$1,300,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$1,300,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, 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?

FINANCIAL STATEMENT

1. Total Indebtedness as of April 23, 2019
 - a. Bonds outstanding and unpaid: \$ 6,374,489
 - b. Bonds authorized and unissued: \$ 1,411,600
 - c. Bonds to be issued if this Article is approved \$ 1,300,000
2. Costs
 - a. At an estimated interest rate of 2.79% for a ten (10) year maturity, the estimated costs of this bond issue will be:

Principal:	\$1,300,000
Interest	\$ <u>211,880</u>
Total Debt Service:	\$ <u>1,511,880</u>
3. Validity
 The validity of the bonds and of the voters’ ratification of the 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.

/s/Christine L. Murphy
 Town Treasurer

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 43: Shall the Town vote to appropriate the sum of **\$100,000** from the **Undesignated Fund Balance** for **Street Pavement**? [*Note: If this article is defeated, the appropriation for Street Pavement will default to \$0 pursuant to Section 503.6 of the Town Charter*]

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 44: Shall the Town (1) vote to approve the **Captain Thomas Road Project** including all Planning, Engineering and other associated costs, (the "Project"); (2) appropriate a sum not to exceed **\$200,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$200,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, 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?

FINANCIAL STATEMENT

1. Total Indebtedness as of April 23, 2019
 - a. Bonds outstanding and unpaid: \$ 6,374,489
 - b. Bonds authorized and unissued: \$ 1,411,600
 - c. Bonds to be issued if this Article is approved \$ 200,000
2. Costs
 - a. At an estimated interest rate of 2.52% for a seven (7) year maturity, the estimated costs of this bond issue will be:
Principal: \$ 200,000
Interest \$ 22,799
Total Debt Service: \$ 222,799

3. Validity

The validity of the bonds and of the voters' ratification of the 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.

/s/Christine L. Murphy
Town Treasurer

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 45: Shall the Town vote to appropriate the sum of **\$75,000** from the **Undesignated Fund Balance** for **Shore Road Improvements (Engineering & Design)**? *[Note: If this article is defeated, the appropriation for Shore Road Improvements(Engineering & Design)will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 46: Shall the Town vote to appropriate the sum of **\$75,000** from the **Undesignated Fund Balance** for **River Road Stabilization (Engineering & Design)**? *[Note: If this article is defeated, the appropriation for River Road Stabilization (Engineering & Design) will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 47: Shall the Town vote to appropriate the sum of **\$75,000** from the **Undesignated Fund Balance** for **Parking Lot Improvements (Engineering & Design)**? *[Note: If this article is defeated, the appropriation for Parking Lot Improvements (Engineering & Design) will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 5-0
Budget Review Committee recommends: Yes 5-0

Article 48: Shall the Town vote (1) to approve the purchase of a **Dump Truck with Plow & Sander** for the **Public Works Department** (the "Project"); (2) appropriate a sum not to exceed **\$95,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$95,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, 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?

FINANCIAL STATEMENT

1. Total Indebtedness as of April 23, 2019

a. Bonds outstanding and unpaid: \$ 6,374,489

- b. Bonds authorized and unissued: \$ 1,411,600
- c. Bonds to be issued if this Article is approved \$ 95,000

2. Costs

- a. At an estimated interest rate of **2.52%** for a seven (7) year maturity, the estimated costs of this bond issue will be:
 - Principal: \$ 95,000
 - Interest \$ 10,830
 - Total Debt Service: \$105,830

3. Validity

The validity of the bonds and of the voters' ratification of the 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.

/s/Christine L. Murphy
Town Treasurer

- Select Board recommends: Yes 5-0
- Budget Review Committee recommends: Yes 5-0

Article 49: Shall the Town vote to appropriate the sum of **\$40,000** from the **Undesignated Fund Balance** for the **Perkins Cove Boardwalk and Railing Replacement**? *[Note: If this article is defeated, the appropriation for the Perkins Cove Boardwalk and Railing Replacement will default to \$0 pursuant to Section 503.6 of the Town Charter]*

- Select Board recommends: Yes 4-1
- Budget Review Committee recommends: Yes 5-0

Article 50: Shall the Town vote to appropriate the sum of **\$150,000** from the **Undesignated Fund Balance** for **Marginal Way Improvements**? *[Note: If this article is defeated, the appropriation for Marginal Way Improvements will default to \$0 pursuant to Section 503.6 of the Town Charter]*

- Select Board recommends: Yes 5-0
- Budget Review Committee recommends: Yes 5-0

Article 51: Shall the Town vote to appropriate the sum of **\$20,000** from the **Undesignated Fund Balance** for the **Main Beach Canopy (Seating Area)**? *[Note: If this article is defeated, the appropriation for the Main Beach Canopy will default to \$0 pursuant to Section 503.6 of the Town Charter]*

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 5-0

Article 52: Shall the Town vote to appropriate the sum of **\$15,000** from the **Undesignated Fund Balance for Stage Lighting & Equipment for the Ogunquit Performing Arts?** [*Note: If this article is defeated, the appropriation for Stage Lighting & Equipment will default to \$0 pursuant to Section 503.6 of the Town Charter*]

Select Board recommends: Yes 4-1
Budget Review Committee recommends: Yes 4-1

Article 53: Shall the Town vote to appropriate **\$1,932,000** from anticipated **Parking Lot Revenues** to fund the **2019-2020** fiscal year budget?

Select Board recommends: Yes 5-0

Article 54: Shall the Town vote to collect and appropriate the estimated amounts in **Town Generated Revenue** and **State Revenue** in the amount of **\$1,379,730** to reduce the amount to be raised by taxation for fiscal year **2019-2020**?

Select Board recommends: Yes 5-0

Article 55: Shall the Town vote to accept the categories of funds, listed herein, as provided by the Maine Legislature:

<u>ITEM</u>	<u>AMOUNT</u>
State Education Tax Relief	\$Unknown
Emergency Management Funds	\$Unknown
Public Library Aid	\$Unknown
Specialized State Grants/Funds	\$Unknown

Select Board recommends: Yes 5-0

Article 56: Shall the Town vote to increase the property tax levy limit established for Ogunquit by State law in the event that the municipal budget approved for fiscal year **2019-2020** will result in a tax commitment that is greater than the property tax levy limit?

Article 57: Shall the Town authorize the Select Board to apply for and accept grant funds, donations and gifts; and authorize the Select Board to spend such funds for the purposes intended as allowed by law?

Article 58: Shall the Town vote to fix the date when property taxes shall be due and payable as follows:

- One-half (1/2) of the tax commitment shall be due 30 days after the commitment; on or about **November 15, 2019**,

- The other one-half (1/2) of the tax commitment shall be due on or about **May 15, 2020**; and further,
- Interest at the rate of nine-percent (**9%**) per annum shall be charged for taxes not paid by the established due date(s).

Article 59: Shall the Town vote to pay no more than five-percent (**5%**) per annum to taxpayers who pay taxes in excess of the amounts finally assessed, and to authorize such interest paid or abatements granted to be charged against the Town's annual overlay, or if necessary, against the Town's **Undesignated Fund Balance**?

Article 60: Shall the Town vote to authorize the Select Board to make one of the following decisions for each **Tax Lien Acquired Property**?

1. To dispose of the property by allowing the immediate former owner, or the immediate former owner's estate, to buy back title to the property from the Town. Buy-back of the property shall require payment of all taxes due plus interest and lien costs; payment of all other costs, and satisfaction of all other conditions established by the Select Board.
2. To dispose of the property by conducting a limited public sale among the parties who own property that directly abuts this property, with a minimum price of all taxes due plus interest costs and lien costs; payment of all other costs and/or satisfaction of all other conditions established by the Select Board, which may include a lesser amount than the full taxes due when the Select Board deems such amount to be in the best interest of the Town.
3. To dispose of the property by public sealed bid auction or other public process, with a minimum price of all taxes due plus interest and lien costs; payment of all other costs and/or satisfaction of all other conditions established by the Select Board, which may include a lesser amount than the full taxes due when the Select Board deems such amount to be in the best interest of the Town.
4. To hold Town title to the property.

Article 61: Shall the Town authorize the Treasurer to waive foreclosure on any Tax Lien during the course of the fiscal year, leaving the Tax Lien Mortgage in full force and effect as provided for in 36 M.R.S.A. 944 (1), said waiver requiring the approval of the Select Board?

Article 62: Shall the Town vote to authorize the Select Board to dispose of town-owned surplus property upon such terms and conditions as the Select Board may deem to be in the best interests of the Town as otherwise allowed by law?

Given under our hands this 23rd day of April, 2019, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

OGUNQUIT SELECT BOARD



Charles L. Waite, III, Chair



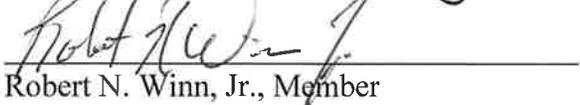
John M. Daley, Vice Chair



Richard A. Dolliver, Member



Madeline S. Mooney, Member



Robert N. Winn, Jr., Member

State of Maine
County of York, ss

A True Copy,
Attest:

Town of Ogunquit, Maine

Dated: _____

VOTER INFORMATION: 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 to vote may not vote in any election.

RETURN OF WARRANT CERTIFICATION

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

Pursuant to the foregoing Warrant to me as directed, I notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for purpose herein stated by posting upon the 10th day of May, 2019, A.D. a copy of said Warrant at the Dunaway Community Center, Ogunquit Post Office, Ogunquit Transfer Station and WOGT, those being four (4) conspicuous and public places in said Town.

Patricia L. Arnaudin

Patricia L. Arnaudin, Chief of Police
Town of Ogunquit

UNDER SEAL OF THE TOWN,

A True Copy: ATTEST:

Office of the Town Clerk

**MUNICIPAL OFFICERS' CERTIFICATION OF OFFICIAL TEXT OF A PROPOSED
ORDINANCE
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Ogunquit, Maine:

We hereby certify to you that the documents to which we have affixed this certificate is a true copy of the official text of an ordinance entitled:

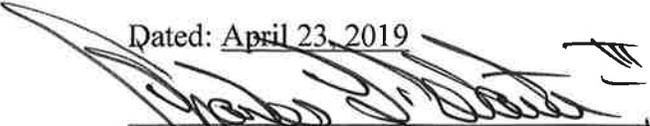
- 1. An Ordinance to Amend the Ogunquit Zoning Ordinance to Create the "Shoreland General Development 3 – Ogunquit Playhouse – SG3 District and to Amend the Official Zoning Map to include within that District Lots 5-42, 5-43 and 5-44 as shown on the Ogunquit Tax Maps**

- 2. Amendment to Ogunquit Zoning Ordinance Restaurant Definitions and Table 702.1.**

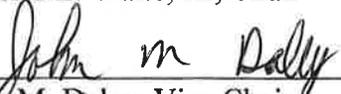
Which is to be presented to the voters for their consideration on June 11, 2019.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

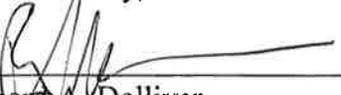
Dated: April 23, 2019



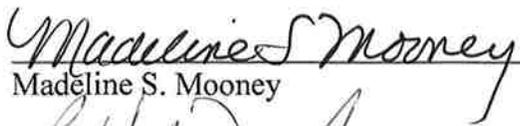
Charles L. Waite, III, Chair



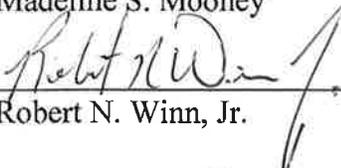
John M. Daley, Vice Chair



Richard A. Dolliver



Madeline S. Mooney



Robert N. Winn, Jr.

Ogunquit Select Board

Ordinance to Amend the Ogunquit Zoning Ordinance

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

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

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

* * * * *

ARTICLE 1 - GENERAL

* * * * *

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

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

* * * * *

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

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

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

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

* * * * *

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

* * * * *

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

* * * * *

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

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

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

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

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

* * * * *

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* * * * *

ARTICLE 2 – DEFINITIONS

* * * * *

Accessory Use

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

* * * * *

Driveway

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

* * * * *

Parking Area

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

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employees or patrons of non-residential uses located on a lot that is contiguous to the lot on which the principal use is located.

* * * * *

Non-Profit Performing Arts Theater

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

* * * * *

ARTICLE 7—DISTRICT REGULATIONS

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

* * * * *

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

* * * * *

N. Shoreland General Development 3 – Ogunquit Playhouse – SG3

NO. Stream Protection District – SP

OP. Resource Protection District – RP

* * * * *

Ordinance to Amend the Ogunquit Zoning Ordinance

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

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TABLE 702.1 – LAND USES PERMITTED IN ZONING DISTRICTS

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

KEY

District

* * * * *

Shoreland Zones:

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

* * * * *

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

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

Ordinance to Amend the Ogunquit Zoning Ordinance

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Subdivision, as defined in the Ogunquit Subdivision Regulations	SUB																		
COMMERCIAL USES																			
Amusement center	NP																		
Boarding house	NP																		
Business & professional office	NP																		
Commercial recreation	NP																		

Ordinance to Amend the Ogunquit Zoning Ordinance

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*These uses have specific performance standards in Article 9

Footnotes:

- 1 No retail sales or services may be offered or solicited except inside of the buildings in which the retail sales or service establishment are located, except for those exceptions indicated in Footnotes 5 and 10, below. (Amended 6/14/11 ATM)
- 2 TA-4 is only allowed in those portions of the SLC District, immediately adjacent to the GB2 District.
- 3 Limited to storage of fishing and lobstering equipment, private tutoring of not more than two persons at any one time, home crafts, pursuit of the arts, activities or occupations which are conducted without customers or clients coming to the premises.
- 4 Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of Articles 3.5 and 9.8.
- 5 As an exception, the Ogunquit Playhouse may serve patrons beverages and snack food outdoors on the premises from one hour before, during and one hour after performances.
- 6 Type 2 and 3 Restaurants shall not be permitted in those portions of the SLC Zone immediately adjacent to the LB Zone.
- 7 Only permitted with Site Plan Review in RP Beach as indicated on the Official Zoning Map. Not permitted in all other portions of the RP District.
- 8 Not permitted unless a special exception is granted pursuant to Article 4.6.
- 9 See special Shoreland standards in Article 9.
- 10 As an exception, within the Shoreland General Development 2 - Perkins Cove – SG2 District, live lobsters landed in Perkins Cove may be sold from vehicles or boats, owned or operated by holders of Commercial Lobstering Licenses. However, any such sales from vehicles shall only be allowed from those vehicles parked within the “Bait Wharf II” Parking Area, directly adjacent to the Harbor Master’s Office. No signs advertising any such outdoor live lobster sales shall be permitted, and lobster sales shall be limited to live lobsters only, and any form of additional solicitation or promotion of other goods, products or services shall be prohibited (regardless of any other provisions of this Ordinance). (Amended 6/12/12 ATM, by a petitioned article)
11. Storage of recreational vehicles shall be exempt.
12. Permitted in the SG3 District only as an accessory use to a non-profit performing arts theater in the SG3 District that constitutes the principal use ~~on the same lot or on a contiguous lot.~~
13. Within the SG3 District, the term “theater” shall include only a “non-profit performing arts theater” as defined in Article 2 of this Ordinance, and shall exclude any other type of theater.

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

TABLE 703.1 – DIMENSIONAL REQUIREMENTS OF EACH ZONING DISTRICT
(Amended 11/4/08, Effective 4/1/09)

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

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

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Without public sewer & water	100	100	100	100	N/A	100	N/A	250 ⁴	150-tidal 200-non-tidal	N/A	N/A	N/A	N/A	N/A		
SETBACKS (feet)																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SG3	SP	RP
Front ¹⁵	20	20	30	30	10 ⁷	20	30	20	50 ⁸	Note 2	Note 2	10 ⁷	15	30 ¹	N/A	N/A
Side and Rear ¹⁵	15	15	20	20	10 ⁹	10 ¹¹	15 ¹⁰	10 ¹¹	20	Note 2	Note 2	10 ⁹	NONE	NONE	N/A	N/A
From vernal pools (significant or non-significant, see sec. 1.3.F)	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75

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From water bodies & wetlands that meet the criteria for inclusion in the Shoreland Zone	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	
	MAXIMUM BUILDING COVERAGE																			
	DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SG3	SP	RP			
	With public sewer & water	30%	30%	20%	20%	NONE	30%	30%	30%	N/A	20 ¹³	20 ¹³	20% ¹³	20% ¹³	70% ¹⁶	0%	0%			
	Without public sewer & water	20%	20%	10%	10%	N/A	N/A	30%	N/A	20%	20 ¹³	N/A	N/A	N/A	N/A	0%	0%			

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MAXIMUM BUILDING HEIGHT ¹⁴																
DISTRICT	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SG3	SP	RP
Feet	35	35	35	35	35	35	35	35	35	35	35	35	27	<u>35¹⁷</u>	N/A	N/A
Stories	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	<u>2 ½¹⁷</u>	N/A	N/A

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NOTES TO TABLE 703.1

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

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16. In the SG3 District, if proposed new development on a lot would cause the total building coverage on that lot, including those portions of that lot that were legally occupied by buildings, structures, parking lots and any other non-vegetated surfaces on the effective date of this footnote 16, to exceed 40%, all new development that would increase the building coverage on that lot above 40% shall conform with the Low Impact Development Practices set forth in Volume III, Chapter 10 of the “Maine Stormwater Best Practices Manual” published by the Maine Department of Environmental Protection. Under no circumstances shall the total building coverage on any lot exceed 70%.
- 17 In the SG3 District, for that portion of a non-profit performing arts theater, commonly known as a “fly tower,” which encloses apparatus commonly known as a “fly system” employed to lift from, or lower to, the stage area items such as scenery, lighting, and/or other equipment and utilities, the maximum building height shall be 85’ regardless of the number of stories. In addition, for that portion of a non-profit performing arts theater, commonly known as the “back of house,” which is located behind the stage and “fly tower” and is ordinarily inaccessible to members of the public attending performances, the maximum building height shall be 50’ or three stories, whichever is greater.

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ARTICLE 8 – GENERAL STANDARDS APPLICABLE TO ALL LAND USES

8.6. Fences

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

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

8.10. Off Street Parking and Loading

D. Off-Street Parking Standards

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

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

B. Awnings

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

D. Size Restrictions

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

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

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

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

ARTICLE 9 – STANDARDS FOR SPECIFIC LAND USES

9.17 Ham Radio Tower/Antennae

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

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ARTICLE 11 – DESIGN REVIEW

11.2. Definitions

District

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

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-- SG3” District

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

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

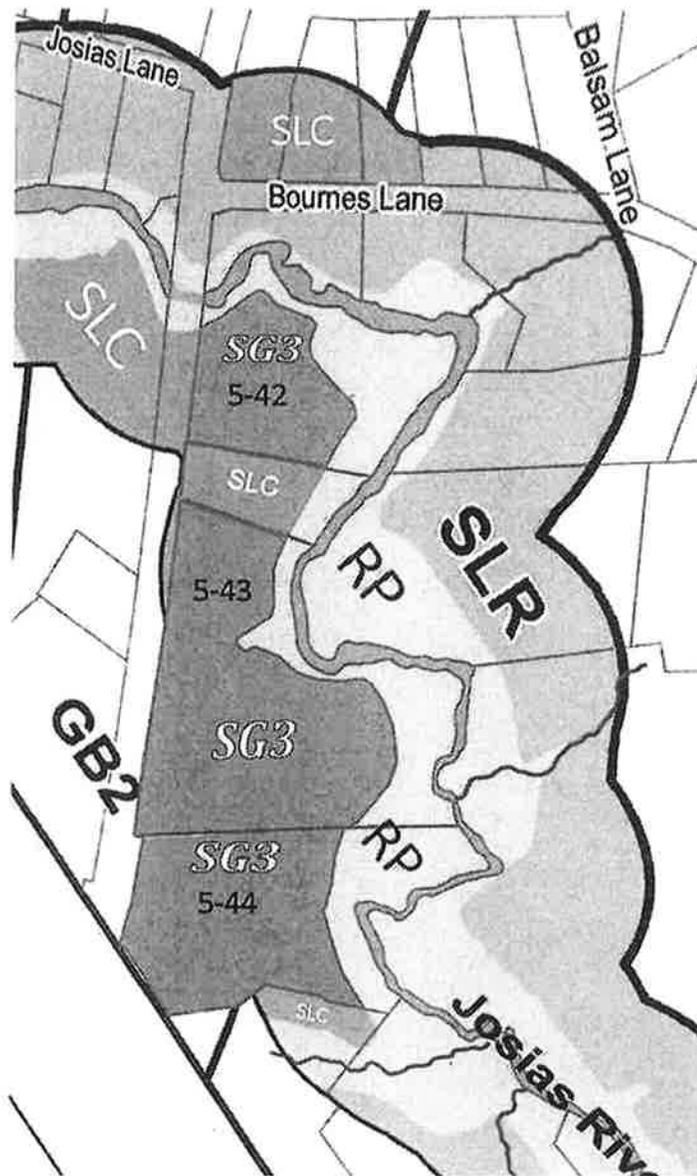


Figure 1

Restaurant, Type 1

An establishment where meals are prepared and served ~~to the public~~ for consumption, which meets all of the following characteristics:

- (1) ~~Where~~ food or beverages (~~either alcoholic or nonalcoholic~~) are served ~~to persons seated only~~ at indoor seating on the premises;
- (2) where food or beverages are not served ~~to pedestrians~~ from an exterior opening or counter, and
- (3) where the design of the facilities, advertising, signage or packaging procedures does not promote the consumption of food or beverages outside the enclosed building. (Amended 4/01/06 ATM)

Restaurant, Type 2

An establishment where meals are prepared and served ~~to the public~~ for consumption, which meets all of the following characteristics:

- (1) ~~Where~~ food or beverages (~~either alcoholic or nonalcoholic~~) are served ~~to persons seated~~ at either indoor or outdoor seating on the premises;
- (2) where food or beverages are not served ~~to pedestrians~~ from an exterior opening or counter, and
- (3) where the design of the facilities advertising, signage or packaging procedures does not promote the consumption of food or beverages off the premises. (Amended 4/01/06 ATM)
- ~~(4) when located in the Limited Business Zone, the restaurant must also meet the following additional standards:~~
 - ~~a. The exterior seating area shall be limited in size to no more than 600 square feet;~~
 - ~~b. Outdoor serving shall not begin before 7:00 a.m. and no outdoor serving is allowed after 9:00 p.m.;~~
 - ~~c. There shall be no outside music or outside entertainment allowed at any time;~~
 - ~~d. Type 2 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road (Effective June 9, 2015).~~

Restaurant, Type 3

An establishment where food and/or beverages (~~either alcoholic or nonalcoholic~~) are prepared and served ~~to the public~~, which meets all of the following characteristics:

- (1) where food and/or beverages are served for consumption on or ~~for takeout~~ off the premises,
- (2) where food and/or beverages are not served ~~to pedestrians~~ from an exterior opening or counter; ~~nor to occupants in motor vehicles~~;
- (3) ~~where exterior loudspeakers are not used~~; and
- (4) where alcoholic beverages may be served only within an enclosed designated area for ~~on-premise~~ on-premise consumption. (Amended 4/01/06 ATM)

Restaurant, Type 4

An establishment where food and/or only non-alcoholic beverages are prepared and served ~~to the public~~, which meets all of the following characteristics:

- (1) where food and/or ~~only non-alcoholic~~ beverages are served for consumption on or ~~for takeout~~ off the premises; and
- (2) where food or beverages ~~may be~~ are served ~~to pedestrians only to foot traffic~~ from an exterior opening or counter. (Amended 4/01/06 ATM)

~~*Restaurant, Type 5*~~

~~An establishment where food and/or only non-alcoholic beverages are prepared and served to the public, which meets all of the following characteristics:~~

- ~~(1) where food and/or only non-alcoholic beverages are served for consumption on or for takeout off the premises;~~
- ~~(2) where food or beverages may be served to pedestrians from an exterior opening or counter and to occupants in motor vehicles whether parked or in a drive-thru lane or similar arrangement; and~~
- ~~(3) where exterior loudspeakers may be used. (Amended 4/01/06 ATM)~~

~~*Restaurant, Type 6 – Formula Restaurant*~~

~~Formula Restaurant shall mean a restaurant that stands alone as a principal use or with another use as an accessory use, and which prepares food or beverages on-site for sale to the public, and which is required by contractual or other arrangements to maintain any one or more of the following standardized features, which causes it to be substantially identical to other restaurants, regardless of the ownership or location of those other restaurants: name, menu, food preparation and presentation format; decor, employee uniforms, architectural design, signage; or any other similar standardized features. (Amended 4-01-06 ATM)~~

9.13 Restaurants

- A. The application for a permit shall state the maximum seating capacity of the restaurant. Any expansion or enlargement over the stated capacity shall require a new permit.
- B. Any restaurant located within 500 feet of an existing public sewer line shall connect with the sewer system at the expense of the owners.
- C. Restroom facilities for the patrons shall be provided on the premises.

D. when located in the Limited Business Zone, the restaurant must also meet the following additional standards:

a. The ~~exterior~~ Outdoor seating area shall be limited in size to no more than 600 square feet;

b. Outdoor serving shall not begin before 7:00 a.m. and no outdoor serving is allowed after 9:00 p.m.;

c. There shall be no outside music or outside entertainment allowed at any time;

d. Type 2 and 3 Restaurant use in the Limited Business Zone is limited to lots that abut Shore Road (Effective June 9, 2015).

E. No exterior loudspeakers shall be permitted in Ogunquit for the purpose of announcing patron seating, orders being ready for pick-up or any other business related activities

F. Formula Restaurants are not permitted in Ogunquit. Formula Restaurant shall mean a restaurant that stands alone as a principal use or with another use as an accessory use, and which prepares food or beverages on site for sale to the public, and which is required by contractual or other arrangements to maintain any one or more of the following standardized features, which causes it to be substantially identical to other restaurants, regardless of the ownership or location of those other restaurants: name, menu, food preparation and presentation format; decor, employee uniforms, architectural design, signage; or any other similar standardized features. For the purposes of this ordinance, this definition pertains to both Coffee and Ice Cream retail service shops

If a restaurant originates in Ogunquit and opens additional facilities in other communities, the original restaurant in Ogunquit shall not be considered a formula restaurant.

G. No Drive-Thru windows shall be permitted in Ogunquit

Draft 4 Revised 11/27/18

Land Uses	Shoreland Zones														
	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SP	RP
Transient Accommodation Type 2 (TA-2) — Bed-and-Breakfast*	NP	SPR	SPR	SPR	NP,	NP									
Transient Accommodation Type 3 (TA-3) — Inn*	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP
Transient Accommodation Type 4 (TA-4) — Motel/Hotel ⁴ *	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR ²	NP	NP	NP	NP
Type 1 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	NP	NP
Type 2 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	SPR	NP	N P
Type 3 Restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	NP SPR	NP	N P
Type 4 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP SPR	NP	NP

Land Uses	Shoreland Zones														
	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SP	RP
Type 5 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Type 6 Restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Wholesale business	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Communications tower*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP
Wireless Communications Facility - Antenna*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	SPR	SPR	NP	NP
GOVERNMENTAL, INSTITUTIONAL USES															