

**WARRANT
FOR THE
2017 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 thirteenth (13) day of June 2017**, 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 **Two (2) Select Board Members** for a three (3) year term to commence at the conclusion of the 2017 Annual Town Meeting; term ending Annual Town Meeting 2020.
- Article 3:** To elect **Two (2) Budget Review Committee Members** for a three (3) year term to commence at the conclusion of the 2017 Annual Town Meeting; term ending Annual Town Meeting 2020.
- Article 4:** To elect **One (1) Wells-Ogunquit Community School District Trustee** for a three (3) year term to commence July 1, 2017; term ending June 30, 2020.
- Article 5:** Shall the Town vote to appropriate **\$12,970.19** from the Town's **Undesignated Fund Balance** for payment of an additional 35 days salary for Town Manager Thomas Fortier pursuant to the terms of the Release and Voluntary Resignation Agreement?
- Article 6:** Shall an ordinance entitled "**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions**" be enacted? (**Note:** Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol "*****" indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Article 2 – Definitions

Bureau (as referred to in Shoreland Zoning provisions)
State of Maine Department of ~~Conservation's Bureau Forestry~~ Maine Forest Service

Article 7: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Article 2 – Definitions

Forest management activities
***** other similar or associated activities, ~~exclusive of~~ timber harvesting and the construction, creation or maintenance of roads.

Article 8: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Article 2 – Definitions

Vending or Buyer Operated Retail Device
*****pay telephones and automated multispace parking meters, are exempted from this definition, and therefore are not regulated by section 9.19.

Article 9: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Land Uses	Shoreland Zones														
	OFR	RD	RR1	RR2	DB	GB1	GB2	LB	F	SLR	SLC	SG1	SG2	SP	RP
Forest Management Activities	<u>A</u> <u>C</u>	<u>A</u> <u>MFS</u>	<u>A</u> <u>MFS</u>	<u>A</u> <u>MFS</u>	<u>A</u> <u>MFS</u>	<u>A</u> <u>MFS</u>	<u>A</u> <u>MFS</u>								

Article 10: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

702.1 KEY

Reviewing Authority

MFS BFP - Permitted use with permit from the Contact Maine Forest Service Bureau of Forest Protection

Article 11: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Timber Harvesting	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	NP	NP	NP	NP	<u>C</u>	BFP	NP	NP	NP	BFP	BFP
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Article 12: Shall an ordinance entitled “**An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 9.21, Forest Management Activities**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

Article 9.21 — FOREST MANAGEMENT ACTIVITIES ~~Timber Harvesting Outside of the Shoreland Zone~~

Forest management activities ~~Timber harvesting operations~~ outside of the Shoreland Zone shall meet the following standards:

- ~~A. Outside of the Shoreland or Resource Protection Districts, no permit is required for timber harvesting involving the cutting and removal of up to 10 cords of wood for personal use in any calendar year. Any other timber harvesting shall either require a permit, or shall not be permitted, as indicated in Table 702.1.~~
- ~~B. Within the Shoreland and Resource Protection Districts, the provisions of section 9.15.L, of this Ordinance, as amended by section 1.8.C, shall apply to any timber harvesting.~~
- ~~C. No slash or other debris shall remain on the ground within the right of way or within a distance of 50 feet from the nearest edge of the right of way of any public road for more than 15 days after accumulation.~~
- ~~D. No slash or other debris shall remain on the ground within a distance of 25 feet from the boundary of land of another for more than 15 days after accumulation.~~
- ~~E. No timber harvesting operations or stockpiling will take place in the Town right of way.~~
- F A. Within the public right-of-way of any new or proposed entrance onto a public way a culvert approved by the Road Commissioner may be required to ensure that the natural flow of drainage water will not be interrupted and to protect the shoulder of the public road.
- ~~G~~ B. Where yarding and loading operations are conducted within 50 feet of the right-of-way, all debris remaining after such operations shall be removed and the ground restored to its original contour.
- C. Notification must be made to the Maine Forest Service by the owner if applicable.
- D. Whenever provisions of this ordinance are less stringent than the corresponding provisions of applicable federal, state, or municipal law or regulations, the more stringent provisions apply.
- ~~H~~ E. Any timber harvesting operation which will create less than 50 square feet of residual basal area per acre is prohibited, unless a statement from a licensed professional forester is provided demonstrating that such a harvest is appropriate.
- ~~I~~ F. Within 50 feet of any public road, timber harvesting shall be limited to selective cutting, which provides that cutting will be limited to 50% of the basal area which existed prior to the start of the operation.
- ~~J.~~ ~~The timber harvester shall conduct the operations in such a way to minimize soil erosion and sedimentation of surface waters. Operations shall conform to guidelines outlined in the book, Best Management prepared by the Maine Forest Service.~~
- ~~K.~~ ~~Timber harvesting shall conform to all applicable state laws and regulations, unless local ordinances are more restrictive.~~

Article 13: Shall an ordinance entitled “**An Ordinance to Repeal and Replace Title XVII, Private Use Helicopters, of the Ogunquit Municipal Code**” be enacted?

Title XVII (Private Use Helicopters) is hereby repealed and replaced with the following language:

**Title XVII
Helicopter Ordinance**

Section 101. Purpose

The purpose of this Ordinance is to restrict the landing of helicopters within the incorporated boundaries of the Town of Ogunquit.

Section 102. Definitions

102.01 Helicopter

An aircraft whose lift is derived from the aerodynamic forces acting on one or more powered rotors turning about substantially vertical axes.

102.02 Person

Any Helicopter pilot, helicopter passenger, helicopter owner, or any other individual responsible for a helicopter landing and/or take-off within the incorporated boundaries of the Town of Ogunquit.

Section 103. Landing of Helicopters Prohibited

No area within the incorporated boundaries of the Town of Ogunquit shall be used for the landing of helicopters except as provided in Section 104 of this Ordinance.

Section 104. Emergency Landings by Specified Agencies

Military, Coast Guard or law enforcement landings or takeoffs may occur at any time for emergency purposes at specified locations, with appropriate notification to the Fire and Police Departments. Use of helicopters for medical emergency purposes may also occur with prior notification to the Fire and Police Departments. Such landings shall be on an emergency basis only. Helicopter landings and takeoffs associated with public safety training exercises shall be allowed anywhere with prior notification to the Police and Fire Departments.

An exception may be made for the Governor of Maine, with prior notification of the Fire and Police Departments.

Section 105. Violations

Any person who violates any provision of this ordinance shall be subject to a civil penalty of five thousand dollars (\$5,000.00). Each day a violation continues to exist and each individual landing shall constitute a separate offense. A Uniform Summons and Complaint shall be issued for any violation of this Ordinance.

Section 106. Waiver/Payment of Fines

Waiver/Payment of Fines: Any person charged with a violation of this section, shall be allowed to pay a waiver fee of \$2,500 to the Town in satisfaction of the violation. Such amount must be paid within twenty (20) days of issuance of the Uniform Summons and Complaint. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fee, the matter will be closed in the Ogunquit Police Records system.

If the offender chooses not to pay the waiver fine, s/he shall appear in court on the specified date to answer for the ordinance violation. If the offender is found by the court to have committed the offense, the Town shall seek the full amount of the applicable fine amount, and shall be entitled to recover its costs of prosecution, including court costs and attorney's fees.

Section 107. Conflict with Other Regulations.

Where a conflict exists between any of the provisions of this Ordinance and any other applicable regulations, the more stringent provision shall govern and prevail.

Section 108. Severability

In the event that any section, subsection or any portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to effect the validity of any other section, subsection or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 109. Effective Date

Notwithstanding the provisions of 1 M.R.S.A. Section 302 or any other law to the contrary, this Ordinance shall apply to any applications for permits or approvals required under the prior provisions of Title XVII or any other ordinance or code that were not pending before any officer, board, or agency of the Town as of December 6, 2016.

Article 14: Shall the Town vote to approve the **Municipal Officers' Order of Discontinuance of a portion of Captain Thomas Road**, dated April 18, 2017 and filed with the Town Clerk? [*Note: Copies of the map showing the portion of Captain Thomas Road is available in the Town Clerk's Office*]

BUDGET ARTICLES

Article 15: Shall the Town vote to raise and appropriate the sum of **\$794,275** for **General Government** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for General Government will default to \$818,458 pursuant to Section 503 of the Town Charter*].

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

Article 16: Shall the Town vote to raise and appropriate the sum of **\$13,310** for **Ogunquit Heritage Museum** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation the Ogunquit Heritage Museum for will default to \$12,861 pursuant to Section 503 of the Town Charter*].

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

Article 17: Shall the Town vote to raise and appropriate the sum of **\$25,918** for **Recreation Department** expenditures for fiscal year 2017-2018?

[**Note: Pursuant to Section 503.6.1, this Article includes the Select Board and the Budget Review Committees' recommendation as the two (2) voter choices.**]

Select Board recommends: \$25,918 Yes 4-1

Or

Budget Review Committee recommends: \$13,000 Yes 5-0

Article 18: Shall the Town vote to raise and appropriate the sum of **\$6,500** for **Ogunquit Performing Arts** for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for Ogunquit Performing Arts will default to \$6,500 pursuant to Section 503 of the Town Charter*].

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

Article 19: Shall the Town vote to raise and appropriate the sum of **\$348,442** for **Land Use Department** expenditures for fiscal year 2017-2018? [*Note: If this article is*

defeated, the appropriation for the Land Use Department will default to \$346,453 pursuant to Section 503 of the Town Charter].

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

Article 20: Shall the Town vote to raise and appropriate the sum of **\$271,040** for **Visitors Services** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for Visitor Services will default to \$291,791 pursuant to Section 503 of the Town Charter].*]

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

Article 21: Shall the Town vote to raise and appropriate the sum of **\$1,572,225** for **Police Department** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for the Police Department will default to \$1,496,775 pursuant to Section 503 of the Town Charter].*]

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

Article 22: Shall the Town vote to raise and appropriate the sum of **\$1,342,522** for **Fire-Rescue Department** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for the Fire-Rescue Department will default to \$1,244,964 pursuant to Section 503 of the Town Charter].*]

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

Article 23: Shall the Town vote to raise and appropriate the sum of **\$176,781** for **Lifeguard Services** expenditures for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for Lifeguard Services will default to \$168,475 pursuant to Section 503 of the Town Charter].*]

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

Article 24: Shall the Town vote to raise and appropriate the sum of **\$203,000** to provide for **Utilities** (Street Lights, Sewer Fees and Water Hydrants) for fiscal year 2017-2018? [*Note: If this article is defeated, the appropriation for Utilities will default to \$203,000 pursuant to Section 503 of the Town Charter].*]

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

Article 25: Shall the Town vote to raise and appropriate the sum of **\$739,399** for **Public Works Department** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Public Works Department will default to \$752,619 pursuant to Section 503 of the Town Charter].*

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

Article 26: Shall the Town vote to raise and appropriate the sum of **\$304,894** for **Transfer Station** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Transfer Station will default to \$306,653 pursuant to Section 503 of the Town Charter]*

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

Article 27: Shall the Town vote to raise and appropriate the sum of **\$131,007** for **Harbormaster** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Harbormaster will default to \$119,455 pursuant to Section 503 of the Town Charter]*

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

Article 28: Shall the Town vote to raise and appropriate the sum of **\$2,000** for **General Assistance** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for General Assistance will default to \$2,000 pursuant to Section 503 of the Town Charter]*

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

Article 29: Shall the Town vote to raise and appropriate the sum of **\$140,600** for **Insurance** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Insurance will default to \$149,700 pursuant to Section 503 of the Town Charter]*

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

Article 30: Shall the Town vote to raise and appropriate the sum of **\$365,109** for **Administrative Services Department** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Administrative Services Department will default to \$443,673 pursuant to Section 503 of the Town Charter]*

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

Article 31: Shall the Town vote to raise and appropriate the sum of **\$14,935** for **Conservation** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Conservation will default to \$18,174 pursuant to Section 503 of the Town Charter]*

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

Article 32: Shall the Town vote to raise and appropriate the sum of **\$64,151** for **Information Services** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Information Services will default to \$56,130 pursuant to Section 503 of the Town Charter]*

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

Article 33: Shall the Town vote to raise and appropriate the sum of **\$7,100** for **Shellfish Conservation** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Shellfish Conservation will default to \$9,207 pursuant to Section 503 of the Town Charter]*

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

Article 34: Shall the Town vote to raise and appropriate the sum of **\$33,000** for the **Marginal Way Committee** for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Marginal Way Committee will default to \$7,000 pursuant to Section 503 of the Town Charter]*

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

Article 35: Shall the Town vote to raise and appropriate the sum of **\$5,583** for **Piping Plover** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Piping Plover will default to \$1,217 pursuant to Section 503 of the Town Charter]*

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

Article 36: Shall the Town vote to raise and appropriate the sum of **\$500** for the **American Legion** for fiscal year 2017-2018? *[Note: If this article is defeated, the*

appropriation for American Legion will default to \$500 pursuant to Section 503 of the Town Charter]

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

Article 37: Shall the Town vote to raise and appropriate the sum of **\$1,500** for **Cemeteries** for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Cemeteries will default to \$1,800 pursuant to Section 503 of the Town Charter]*

Riverside Cemetery \$ 500.00
Locust Grove Cemetery \$ 500.00
Ocean View Cemetery \$ 500.00

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

Article 38: Shall the town vote to raise and appropriate the sum of **\$5,000** for the **Wells-Ogunquit Historical Society** for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for the Wells-Ogunquit Historical Society will default to \$5,000 pursuant to Section 503 of the Town Charter]*

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

Article 39: Shall the Town vote to raise and appropriate the sum of **\$809,639** for **Debt Management** expenditures for fiscal year 2017-2018? *[Note: If this article is defeated, the appropriation for Debt Management will default to \$806,434 pursuant to Section 503 of the Town Charter]*

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

Article 40: Shall the Town vote to raise and appropriate the sum of **\$3,000** for the **Unemployment Reserve Account**? *[Note: If this article is defeated, the appropriation for the Unemployment Reserve Account will default to \$3,000 pursuant to Section 503 of the Town Charter]*

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

Article 41: Shall the Town vote to raise and appropriate the sum of **\$40,000** for the **Accrued Liability Reserve Account**? *[Note: If this article is defeated, the appropriation for the Accrued Liability Account will default to \$40,000 pursuant to Section 503 of the Town Charter]*

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

Article 42: Shall the Town vote to raise and appropriate the sum of **\$15,000** for the **Building Maintenance Account**, which shall be part of **General Government**? *[Note: If this article is defeated, the appropriation for the Building Maintenance Account will default to \$15,000 pursuant to Section 503 of the Town Charter]*

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

Article 43: 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 \$0 pursuant to Section 503 of the Town Charter]*

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

Article 44: Shall the Town vote to appropriate the sum of **\$20,000** 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 for Closeout and /or Retirement of ECOMaine Facilities will default to \$20,000 pursuant to Section 503 of the Town Charter]*

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

Article 45: Shall the Town vote to raise and appropriate the sum of **\$20,000** for the **Union Contract and Salary Adjustment Reserve Account**? *[Note: If this article is defeated, the appropriation for the Union Contract and Salary Adjustment Reserve Account will default to \$10,000 pursuant to Section 503 of the Town Charter]*

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

Article 46: Shall the Town vote to appropriate a sum not to exceed **\$20,000** from the **Undesignated Fund Balance** for the **Town Manager Search Committee for Expenses Related to the Hiring of a Town Manager**? *[Note: If this article is defeated, the appropriation for Expenses Related to the Hiring of a Town Manager will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 47: Shall the Town vote to appropriate a sum not to exceed **\$65,000** from the **Undesignated Fund Balance** to replenish the **Natural Disaster Emergency Repair Fund** which was used to fund **Emergency Repairs to the Perkins Cove Foot Bridge**? *[Note: If this article is defeated, the appropriation for Emergency Repairs to the Perkins Cove Foot Bridge will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 48: Shall the Town vote to appropriate a sum not to exceed **\$2,500** from the **Undesignated Fund Balance** to replenish the **Natural Disaster Emergency Repair Fund** which was used to fund **Emergency Repairs to the Perkins Cove Pedestrian Ramp**? *[Note: If this article is defeated, the appropriation for Emergency Repairs to the Perkins Cove Pedestrian Ramp will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 49: Shall the Town vote to appropriate a sum not to exceed **\$17,000** from the **Undesignated Fund Balance** for the **Re-codification of the Town’s Ordinances** for the **General Government Department**? *[Note: If this article is defeated, the appropriation for Re-codification of the Town’s Ordinances for the General Government Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 50: Shall the Town vote to appropriate a sum not to exceed **\$120,000** from the **Undesignated Fund Balance** to **Fund Professional Services to Provide a Design, Building Cost Estimate and Other Associated Costs to Re-purpose the Ogunquit Village School**? *[Note: If this article is defeated, the appropriation for a Design Plan to Re-purpose of the Ogunquit Village School will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 51: Shall the Town (1) vote to approve a capital improvement project consisting of **Improvements to Ogunquit Village School for the Development of a Community Center** for the **Parks and Recreation Department**, (the “Project”); (2) appropriate a sum not to exceed **\$1,800,000** 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 \$1,800,000; 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
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 1,800,000
2. Costs
 - a. At an estimated interest rate of 5.00% for a twenty (20) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>1,800,000</u>
Interest:	\$ <u>774,000</u>
Total Debt Service:	\$ <u>2,574,000</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/ _____
 John Quartararo
 Town Treasurer

[Note: Pursuant to Section 503.6.1, this Article includes the Select Board and the Budget Review Committees’ recommendation as the two (2) voter choices.]

Select Board recommends: \$1,800,000 Yes 4-1

Or

Budget Review Committee recommends: \$0 Yes 5-0

Article 52: Shall the Town (1) vote to approve **Improvements to the Parking Lots** for the **Visitor Services Department** (the “Project”); (2) appropriate a sum not to exceed **\$60,000** 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 \$60,000; 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? *[Note: If this article is defeated, the appropriation for Improvements to the Parking Lots for the Visitor Services Department will default to \$0 pursuant to Section 503 of the Town Charter]*

FINANCIAL STATEMENT

1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 60,000

2. Costs
 - a. At an estimated interest rate of 3.00% for a five (5) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ 60,000
Interest:	\$ 5,400
Total Debt Service:	<u>\$ 65,400</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/ _____
John Quartararo
Town Treasurer

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

Article 53: Shall the Town (1) vote to approve the **Purchase of Multi-Space Parking Meters** for the **Visitor Services Department** (the “Project”); (2) appropriate a sum not to exceed **\$204,000** 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 **\$204,000**; 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? *[Note: If this article is defeated, the appropriation for the Purchase of Multi-Space Parking Meters for the Visitor Services Department will default to \$0 pursuant to Section 503 of the Town Charter]*

FINANCIAL STATEMENT

1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 204,000

2. Costs
 - a. At an estimated interest rate of 3.00% for a five (5) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>204,000</u>
Interest:	\$ <u>18,360</u>
Total Debt Service:	\$ <u>222,360</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/ _____
 John Quartararo
 Town Treasurer

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

Article 54: Shall the Town vote to appropriate a sum not to exceed **\$200,000** for the **Purchase of an Ambulance** for the **Fire Department**, with **\$155,000** to be appropriated from the **Ambulance Reserve Account** and **\$45,000** to be appropriated from **Undesignated Fund Balance**? *[Note: If this article is defeated, the appropriation for the Purchase of an Ambulance for the Fire Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 55: Shall the Town vote to appropriate a sum not to exceed **\$30,000** from the **Undesignated Fund Balance** for the **Rehabilitation of the Fire Station Kitchen** for the **Fire Department**? *[Note: If this article is defeated, the appropriation for*

the Rehabilitation of the Fire Station Kitchen for the Fire Department will default to \$0 pursuant to Section 503 of the Town Charter]

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

Article 56: Shall the Town vote to appropriate a sum not to exceed **\$25,000** from the **Undesignated Fund Balance for Repairs to the Tennis Court** at Agamenticus Field for the **Public Works Department**? *[Note: If this article is defeated, the appropriation for Repairs to the Tennis Courts at Agamenticus Field for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 57: Shall the Town vote to appropriate a sum not to exceed **\$10,000** from the **Undesignated Fund Balance for the Replacement of the Main Beach Ramp Decking** for the **Public Works Department**? *[Note: If this article is defeated, the appropriation for the Replacement of the Main Beach Ramp Decking for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 58: Shall the Town (1) vote to approve the **Purchase of a Tractor with Mower** for the **Public Works Department** (the “Project”); (2) appropriate a sum not to exceed **\$25,100** 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 **\$25,100**; 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? *[Note: If this article is defeated, the appropriation for the Purchase of a Tractor with Mower for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

FINANCIAL STATEMENT

1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0

- c. Bonds to be issued if this Article is approved \$ 25,100
- 2. Costs
 - a. At an estimated interest rate of 3.00% for a five (5) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>25,100</u>
Interest:	\$ <u>2,259</u>
Total Debt Service:	\$ <u>27,359</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/ _____
 John Quartararo
 Town Treasurer

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

Article 59: Shall the Town (1) vote to approve a capital improvement project consisting of the **Purchase of a Plow Truck with Wing and Sander for the Public Works Department**, (the "Project"); (2) appropriate a sum not to exceed **\$170,000** 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 **\$170,000**; 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? *[Note: If this article is defeated, the appropriation for the Purchase of a Plow Truck with Wing and Sander for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

FINANCIAL STATEMENT

- 1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 170,000
- 2. Costs
 - a. At an estimated interest rate of 4.00% for a ten (10) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>170,000</u>
Interest:	\$ <u>37,400</u>
Total Debt Service:	\$ <u>207,400</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/
 John Quartararo
 Town Treasurer

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

Article 60: Shall the Town vote to appropriate a sum not to exceed **\$15,000** from the **Undesignated Fund Balance** for the **Purchase of Overhead Heaters** for the **Public Works Department**? *[Note: If this article is defeated, the appropriation for the Purchase of Overhead Heaters for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 61: Shall the Town vote to appropriate a sum not to exceed **\$15,000** from the **Undesignated Fund Balance** for an **Drainage Engineering Study of Agamenticus Road** for the **Public Works Department**? *[Note: If this article is defeated, the appropriation for an Engineering Study of Agamenticus Road for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

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

Article 62: Shall the Town (1) vote to approve a capital improvement project consisting of the **Maintenance and Overlay of Cherry Lane** for the **Public Works Department**, (the "Project"); (2) appropriate a sum not to exceed **\$50,000** 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 **\$50,000**; 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? *[Note: If this article is defeated, the appropriation for the Maintenance and Overlay of Cherry Lane for the Public Works Department will default to \$0 pursuant to Section 503 of the Town Charter]*

FINANCIAL STATEMENT

1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 50,000
2. Costs
 - a. At an estimated interest rate of 3.00% for a five (5) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>50,000</u>
Interest:	\$ <u>4,500</u>
Total Debt Service:	\$ <u>54,500</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/ _____
 John Quartararo
 Town Treasurer

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

Article 63: Shall the Town (1) vote to approve a capital improvement project consisting of the **Repairs to the Perkins Cove Boatways for the Harbor Master Department**, (the “Project”); (2) appropriate a sum not to exceed **\$50,000** 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 **\$50,000**; 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? *[Note: If this article is defeated, the appropriation for the Repairs to the Perkins Cove Boatways for the Harbor Master Department will default to \$0 pursuant to Section 503 of the Town Charter].*

FINANCIAL STATEMENT

- 1. Total Indebtedness
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 50,000

- 2. Costs
 - a. At an estimated interest rate of 3.00% for a five (5) year maturity, the estimated costs of this bond issue will be:
 - Principal: \$ 50,000
 - Interest: \$ 4,500
 - Total Debt Service: \$ 54,500

- 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/ _____
John Quartararo
Town Treasurer

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

Article 64: Shall the Town (1) vote to approve a capital improvement project consisting of the **Purchase of Transit Van** for the **Administrative Services Department**, (the "Project"); (2) appropriate a sum not to exceed **\$25,000** 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 **\$25,000**; 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
 - a. Bonds outstanding and unpaid: \$ 8,167,493
 - b. Bonds authorized and unissued: \$ 0
 - c. Bonds to be issued if this Article is approved \$ 25,000

- Article 68:** 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 **2017-2018** will result in a tax commitment that is greater than the property tax levy limit?
- Article 69:** 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 70:** Beginning with taxes assessed for **Fiscal Year 2018-2019**, shall Personal Property Taxes be payable in one installment due in the fall of each year, the actual tax due date to be set by Town Meeting?
- Article 71:** 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 1, 2017,
 - The other one-half (1/2) of the tax commitment shall be due on or about May 1, 2018; and further,
 - Interest at the rate of seven-percent (7%) per annum shall be charged for taxes not paid by the established due date(s).
- Article 72:** Shall the Town vote to pay no more than three-percent (3%) 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 73:** 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.

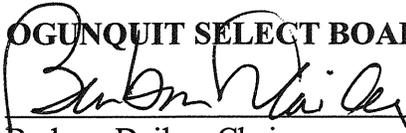
3. To dispose of the property by public sealed bid auction or other public process, with a minimum price of all taxes due plus interest and lien costs; payment of all other costs and/or satisfaction of all other conditions established by the Select Board, which may include a lesser amount than the full 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 74: Shall the Town authorize the Treasurer to waive foreclosure on a Tax Lien, leaving the Tax Lien Mortgage in full force and effect as provided for in 36 M.R.S.A. 944 (1)?

Article 75: 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 2nd day of May, 2017, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

OGUNQUIT SELECT BOARD



 Barbara Dailey, Chair



 John M. Daley, Vice-Chair



 Richard A. Dolliver, Member

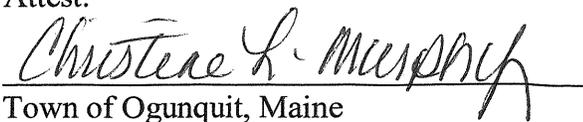


 Gary S. Latulippe, Member

 Robert N. Winn, Jr., Member

State of Maine
County of York, ss

A True Copy,
 Attest:



 Town of Ogunquit, Maine

Dated: May 12, 2017

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 12th day of May, 2017, 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:

Christine R. Murphy
Office of the Town Clerk

OGUNQUIT

Beautiful Place by the Sea

To the Town Clerk of Ogunquit:

We hereby certify that the documents to which we have affixed this Certificate is a true copies of the official text of an Ordinances entitled:

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 2 -Definitions”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Table 702.1, Land Uses Permitted in Zoning Districts”** be enacted?

Shall an ordinance entitled **“An Ordinance to Amend Title X of the Ogunquit Municipal Code, Ogunquit Zoning Ordinance, Article 9.21, Forest Management Activities”** be enacted?

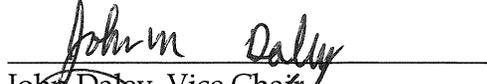
Shall an ordinance entitled **“An Ordinance to Repeal and Replace Title XVII, Private Use Helicopters, of the Ogunquit Municipal Code”** be enacted?

These ordinances will be presented to voters by referendum ballot, for their consideration at the Annual Town Meeting to be held on June 13, 2017.

Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

OGUNQUIT SELECT BOARD


Barbara Dailey, Chair


John Daley, Vice Chair


Richard Dolliver, Member


Gary Latulippe, Member

Robert Winn, Jr., Member

DATED: 5.2.2017

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk



MUNICIPAL OFFICES
23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875
(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
E-mail: townofogt@maine.rr.com

March 14, 2017

To the Town of Ogunquit Select Board,

re: Proposed amendments to the Ogunquit Zoning Ordinance.

On March 13, 2017 the Ogunquit Planning Board unanimously voted to submit the attached proposed Zoning Ordinance Amendments to you, along with a request that said amendments be presented to the voters at the June 13, 2017 Town Meeting.

These proposed amendments were discussed by the Planning Board on:

* February 27, 2017 and March 13, 2017 at Public Hearings which were open for public input. (Notice of the Public Hearings was posted at four locations in Ogunquit – Town Hall, U.S. Post Office, Town of Ogunquit Website, and WOGT on January 10, 2017; and notice was published in the Portland Press Herald on January 23, 2017, January 30, 2017, and February 17, 2017.

The Planning Board hereby respectfully requests that the proposed, enclosed amendments to the Ogunquit Zoning Ordinance be included on the warrant for the June 13, 2017 Town Meeting.

Respectfully,

Steve Wilkos
Planning Board Chair

pc: Acting Town Manager (w/ enclosures)
Christine Murphy, Ogunquit Town Clerk (w/ enclosures)



MUNICIPAL OFFICES
23 SCHOOL STREET • P.O. BOX 875
OGUNQUIT, MAINE 03907-0875
(207) 646-5139 General Offices
(207) 646-9326 Land Use
(207) 646-9546 Town Clerk
E-mail: townofogt@maine.rr.com

**OGUNQUIT PLANNING BOARD
ORDINANCE AMENDMENT
PUBLIC HEARINGS**

**February 27 and March 13, 2017
6:00 p.m. on both nights
DUNAWAY CENTER AUDITORIUM**

The Ogunquit Planning Board will hold three Public Hearings at the above dates, times, and location regarding the following proposed Zoning Ordinance amendments:

Article 2 – Definitions – “Bureau” and “Forest Management Activities”

Table 702.1 – Land Uses for “Forest Management Activities” and “Timber Harvesting”, and associated notation regarding “Reviewing Authority”

Article 9.21 – Forest Management Activities.

[REDACTED]

Copies of the proposed Ordinance Amendments are available on the Town of Ogunquit Website (www.townofogunquit.org), and are posted in the Dunaway Center and the Ogunquit Post Office.

Do not hesitate to call the Land Use Office at Tel. 207 646-9326, or visit us at 23 School Street if you have any questions.

Posted: January 10, 2017 and February 14, 2017 - Dunaway Center / Post Office/ WOGT/Town of Ogunquit Website.

Published: January 23, 2017 and January 30, 2017 in the Portland Press Herald and February 17, 2017.

Article 2 - Definitions
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Bureau (as referred to in Shoreland Zoning provisions)

State of Maine Department of ~~Conservation's Bureau of Forestry~~ Maine Forest Service ****

Article 2 - Definitions
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Forest management activities

**** other similar or associated activities, ~~exclusive of~~ timber harvesting and the construction, creation or maintenance of roads. ****

Article 2 - Definitions
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Article 2 – Definitions:

Vending or Buyer Operated Retail Device

...pay telephones, and automated multispace parking meters, are exempted from this definition, and therefore are not regulated by section 9.19.

Table 702.1 Land Uses Permitted in Zoning Districts
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Reviewing Authority
MFS BFP- Permitted use with permit from the Contact Maine Forest Service
Bureau of Forest Protection

Table 702.1 Land Uses Permitted in Zoning Districts
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Table 702.1 – Timber Harvesting

Timber harvesting*	€	€	€	€	NP	NP	NP	NP	€	BFP	NP	NP	NP	BF P	BFP
-----------------------	---	---	---	---	----	----	----	----	---	-----	----	----	----	---------	-----

Article 9.21 Forest Management Activities
An Ordinance to Amend the Ogunquit Zoning Ordinance

(Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “* * * * *” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown, in order to save space.)

Article 9.21 – Forest Management Activities:

FOREST MANAGEMENT ACTIVITIES ~~Timber Harvesting Outside of the Shoreland Zone.~~

Forest management activities ~~Timber harvesting operations~~ outside of the Shoreland Zone shall meet the following standards:

- ~~A. Outside of the Shoreland or Resource Protection Districts, no permit is required for timber harvesting involving the cutting and removal of up to 10 cords of wood for personal use in any calendar year. Any other timber harvesting shall either require a permit, or shall not be permitted, as indicated in Table 702.1.~~
 - ~~B. Within the Shoreland and Resource Protection Districts, the provisions of section 9.15.L, of this Ordinance, as amended by section 1.8.C, shall apply to any timber harvesting.~~
 - ~~C. No slash or other debris shall remain on the ground within the right-of-way or within a distance of 50 feet from the nearest edge of the right-of-way of any public road for more than 15 days after accumulation.~~
 - ~~D. No slash or other debris shall remain on the ground within a distance of 25 feet from the boundary of land of another for more than 15 days after accumulation.~~
 - ~~E. No timber harvesting operations or stockpiling will take place in the Town right-of-way.~~
- FA. Within the public right-of-way of any new or proposed entrance onto a public way a culvert approved by the Road Commissioner may be required to ensure that the natural flow of drainage water will not be interrupted and to protect the shoulder of the public road.

- ~~G~~B. Where yarding and loading operations are conducted within 50 feet of the right-of-way, all debris remaining after such operations shall be removed and the ground restored to its original contour.
- C. Notification must be made to the Maine Forest Service by the owner if applicable.
- D. Whenever provisions of this ordinance are less stringent than the corresponding provisions of applicable federal, state, or municipal law or regulations, the more stringent provisions apply.
- ~~J. The timber harvester shall conduct the operations in such a way to minimize soil erosion and sedimentation of surface waters. Operations shall conform to guidelines outlined in the book, Best Management Practices for Forestry: Protecting Maine's Water Quality, 2004, prepared by the Maine Forest Service.~~
- ~~K. Timber harvesting shall conform to all applicable state laws and regulations, unless local ordinances are more restrictive.~~

Title XVII (Private Use Helicopters) is hereby repealed and replaced with the following language:

Title XVII Helicopter Ordinance

Section 101. Purpose

The purpose of this Ordinance is to restrict the landing of helicopters within the incorporated boundaries of the Town of Ogunquit.

Section 102. Definitions

102.01 Helicopter

An aircraft whose lift is derived from the aerodynamic forces acting on one or more powered rotors turning about substantially vertical axes.

102.02 Person

Any Helicopter pilot, helicopter passenger, helicopter owner, or any other individual responsible for a helicopter landing and/or take-off within the incorporated boundaries of the Town of Ogunquit.

Section 103. Landing of Helicopters Prohibited

No area within the incorporated boundaries of the Town of Ogunquit shall be used for the landing of helicopters except as provided in Section 104 of this Ordinance.

Section 104. Emergency Landings by Specified Agencies

Military, Coast Guard or law enforcement landings or takeoffs may occur at any time for emergency purposes at specified locations, with appropriate notification to the Fire and Police Departments. Use of helicopters for medical emergency purposes may also occur with prior notification to the Fire and Police Departments. Such landings shall be on an emergency basis only. Helicopter landings and takeoffs associated with public safety training exercises shall be allowed anywhere with prior notification to the Police and Fire Departments.

An exception may be made for the Governor of Maine, with prior notification of the Fire and Police Departments.

Section 105. Violations

Any person who violates any provision of this ordinance shall be subject to a civil penalty of five thousand dollars (\$5,000.00). Each day a violation continues to exist and each individual landing shall constitute a separate offense. A Uniform Summons and Complaint shall be issued for any violation of this Ordinance.

Section 106. Waiver/Payment of Fines

Waiver/Payment of Fines: Any person charged with a violation of this section, shall be allowed to pay a waiver fee of \$2,500 to the Town in satisfaction of the violation. Such amount must be paid within twenty (20) days of issuance of the Uniform Summons and Complaint. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fee, the matter will be closed in the Ogunquit Police Records system.

If the offender chooses not to pay the waiver fine, s/he shall appear in court on the specified date to answer for the ordinance violation. If the offender is found by the court to have committed the offense, the Town shall seek the full amount of the applicable fine amount, and shall be entitled to recover its costs of prosecution, including court costs and attorney's fees.

Section 107. Conflict with Other Regulations

Where a conflict exists between any of the provisions of this Ordinance and any other applicable regulations, the more stringent provision shall govern and prevail.

Section 108. Severability

In the event that any section, subsection or any portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to effect the validity of any other section, subsection or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 109. Effective Date

Notwithstanding the provisions of 1 M.R.S.A. Section 302 or any other law to the contrary, this Ordinance shall apply to any applications for permits or approvals required under the prior provisions of Title XVII or any other ordinance or code that were not pending before any officer, board, or agency of the Town as of December 6, 2016.