

WARRANT FOR A SPECIAL TOWN MEETING  
OF THE  
TOWN OF OGUNQUIT

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

GREETINGS:

In the name of the State of Maine, you are hereby requested to notify and warn the Inhabitants of the Town of Ogunquit, qualified by law to vote in Town affairs, to meet in the Dunaway Community Center in said Town on Tuesday, the eighteenth day of December, 1990 A.D. at seven o'clock in the evening, then and there to act on Articles 1 through 9.

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

ARTICLE 2: Shall the Town vote to authorize the Board of Selectmen to sign an Easement Deed granting the Ogunquit Sewer District a permanent easement(s) and right(s)-of-way over and across certain land adjacent to its property and a temporary easement and rights-of-way as required to complete the expansion of the Sewer District Treatment Plant?

ARTICLE 3: Shall the Town vote to authorize the Board of Selectmen to sign an Easement Deed granting Central Maine Power Company the right to place a lightpole and light on Town owned land adjacent to the roadway connecting the Upper and Lower Parking Lots for the purpose of illuminating that roadway?

ARTICLE 4: Shall the Town vote to adopt Chapter 6 of Title II of the Ogunquit Municipal Code (Public Sewer Usage Limitation Ordinance) as amended to become effective upon the expiration of the current Ordinance on December 31, 1990? See Appendix A.

ARTICLE 5: Shall the Town vote to accept the gift of a 1983 Cadillac Eldorado automobile from Mrs. Henry Thomas Long Gleason of York as specified by Mrs. Gleason for use by the Ogunquit Police Department?

ARTICLE 6: Shall the Town vote to transfer the sum of \$8,663 from undesignated fund balance and authorize payment of that amount to Martin Damren and William Hirshom to reimburse them for their costs of bringing public water to a lot on Captain Thomas Road?

BUDGET COMMITTEE RECOMMENDS: YES 3/1

ARTICLE 7: Shall the Town vote to transfer the sum of \$5,000 from undesignated fund balance to the Highway Department Budget for use in the Snow Removal and Road Maintenance lines?

BUDGET COMMITTEE RECOMMENDS: YES 4/0

ARTICLE 8: Shall the Town vote to transfer the sum of \$1,500 from undesignated fund balance to the Communications Department Budget?

BUDGET COMMITTEE RECOMMENDS: YES 4/0

ARTICLE 9: Shall the Town vote to authorize the Board of Selectmen to spend an amount not to exceed 4/12 of the 1991 Annual Budget during the period from January 1, 1991 to April 8, 1991 for the purpose of operating the Town government until the 1991 Annual Town Meeting?

The Board of Selectmen hereby gives Notice that the Meeting will be held at seven o'clock in the evening of said day. Given under our hands this seventh day of December, 1990 A.D.

  
John F. Miller, Chairman

  
Steven R. Einstein

  
Raymond W. Norris

  
Newell S. Perkins

  
Ellen L. Tucceri

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

ss:

Pursuant to Warrant to me as directed, I have notified and warned the Inhabitants of the Town of Ogunquit herein named to meet at the time and place for the purpose herein stated by posting upon the seventh day of December 1990 A.D., a copy of the within Warrant at the Dunaway Community Center, Village Food Market and the Ogunquit Post Office, these being three (3) conspicuous and public places in said Town.

  
William P. Hancock, Jr., Chief of Police

A TRUE COPY:

ATTEST:   
Madeline D. Brown, CMC  
TOWN CLERK - OGUNQUIT

Chapter 6 Public Sewer Usage Limitations

6. A. 1 Title, Purpose and Authority
6. A. 1. a Title: This Chapter may be referred to as the "Public Sewer Usage Limitation Ordinance".
6. A. 1. b Purpose: The Ogunquit Sewer System is inadequate to meet the current and anticipated needs of the Town for the disposal of domestic and commercial sewage. The peak capacity of pump number 1 of 1.2 million gallons per day is met or exceeded by the demand in the summer; springtime flows push the system beyond its limits causing overflow conditions; groundwater is infiltrating the system; sump pumps add significant amounts of water to the system. While the Sewer District has taken steps to cure some of these problems and to increase the system's capacity, a permanent fix cannot be accomplished immediately. The Sewer District is in the final stages of obtaining the permits necessary from the DEP and the Town to completely renovate and upgrade the existing system with an anticipated completion of late 1992. Accordingly, it is the intent of this Ordinance that new or additional sewage be discharged into the system in moderate amounts to permit some growth but to ensure that any excess capacity which develops is portioned out fairly and over a period of time until the District has completed its planned renovation.
6. A. 1. c Authority: This Ordinance is enacted pursuant to the authority delegated to the Town by 30-A M.R.S.A. S 2101 and 30-A M.R.S.A. S 3007.
6. A. 2 Definitions
- Residential Facility: Residential Facility means a residential dwelling unit primarily used or intended to be used to house a single family or single group of persons on a seasonal or year-round basis such as a single family home, two family home and multi family home.
- Development: Development means the placement, erection, construction, reconstruction, replacement, repair or enlargement of any structure.
- Non Residential Facility: Non Residential Facility means anything which is not a Residential Facility.
- Department Approval: The Code Enforcement Officer shall be the Department in determining the pre-existing gallonage.
6. A. 3 Permits Required: No Board, agency, officer, official or employee of the Town shall issue any permit, license or approval for any development which would result in the discharge of additional sewage into the Ogunquit Sewer District System unless the applicant holds a valid Sewer User Permit(s) for such development issued by the Code Enforcement Officer.
6. A. 3. a Annual Limitations on Number of Permits: The Code Enforcement Officer may issue no more than that number of Sewer User Permits each calendar year which will have the cumulative effect of discharging 7,500 gallons of additional sewage per day from non-residential facilities and 6,000 gallons per day from residential facilities into the Ogunquit Sewer District System. In determining the amount of sewage likely to be discharged from a development, the Code Enforcement Officer shall be guided by the criteria for Subsurface Wastewater Disposal established by the State of Maine Department of Human Services Division of

Health Engineering. However, for the purpose of Non-Residential development, the Code Enforcement Officer shall use the State of Maine, Department of Human Services Division of Health Engineering, Subsurface Wastewater Disposal Rules, Section 7, B (1) (b) "Department approval of documented water utility meter readings for a 12 month period", in determining the gallonage that is pre-existing on the lot, if any. It shall be the responsibility of the developer to supply that documentation.

6. A. 4 Limitation of Number of Permits Per Entity: No person, firm, corporation or other legal entity, or their affiliates, shall be entitled, in any one year to permits for non-residential facilities generating more than 2,500 gallons of sewage per day or for residential facilities generating more than 900 gallons of sewage per day. For the purpose of this paragraph, affiliates are those entities in which the applicant has a direct financial interest.
6. A. 5 Administration: Applications shall be on forms provided by the Code Enforcement Officer, and shall be accompanied by plans that comply with the requirements of the Ogunquit Zoning Ordinance.
- Applications shall be accompanied by a non-refundable fee of One Hundred Dollars (\$100) for every 450 gallons or portion thereof for which the permit is sought.
- Completed applications as described above, shall be processed on a first-come, first-serve basis at any time, and shall be filed by number in the Code Enforcement Office. Any subsequent changes to the plans described in 6.A.5 paragraph 1, that will result in the discharge of additional sewage into the Ogunquit Sewer System, will be filed as of the date of acceptance as a new application by the Code Enforcement Officer and the previous application and file number will be forfeited.
- Any sewage gallonage capacity for which permits have not been issued and any such gallonage capacity for which permits have been issued but which permits expire, shall be re-issued to the next applicant by file number.
6. A. 6 Expiration of Permits: Permits issued hereunder shall expire if construction of the development for which each permit is issued has not commenced within one (1) year of the permit being issued, except that the Board of Appeals may extend the life of such permits if the holder is able to demonstrate that he has been delayed in his development by natural conditions beyond his control or that he has been diligently pursuing other licenses required for the development but has not yet received approval through no fault of his own.
6. A. 7 Non Transferability: Permits issued hereunder may not be transferred to other development projects on other real estate but shall run with the real estate which is the subject of the proposed development for which the permit is issued.
6. A. 8 Applicability: The requirements of this Ordinance shall apply to all applications for permits for development which have not received substantive review by the Board or Official responsible for issuing such permits.

6.A.9

Appeal: Decisions of the Code Enforcement Officer, under this Title, may be appealed to the Board of Appeals as an Administrative Appeal.

Expiration of Ordinance: This Ordinance shall take effect immediately upon the expiration of the current Ordinance. It shall expire on December 31, 1992 unless the voters, after review of the adequacy of the Ogunquit Sewer District System, decide to extend it to a date certain.

Enacted: 3/03/84

Amended: 12/02/86

4/04/88

12/19/89