

Town of Hampden

PLANNING & DEVELOPMENT COMMITTEE MEETING

Wednesday, October 2, 2019

6:00 P.M.

HAMPDEN TOWN OFFICE

AGENDA

1. Approval of Minutes
 - a. September 4, 2019 Meeting
2. Information Concerning Town Manager Search
3. Committee Applications
4. Citizen's Initiatives
5. New Business
 - a. Town Center; formation of a Citizen's Task Force
 - b. Referrals to Town Council:
 - i. Private Event Venue Licensing Ordinance (New)
 - ii. Post-Construction Stormwater Management Ordinance (Amendment)
 - iii. Non-Stormwater Discharge Ordinance (Amendment)
 - iv. Fees Ordinance (Amendment)
5. Unfinished Business
 - a. Pine Tree Landfill – final report from Drumlin Environmental
6. Zoning Considerations/Discussion
7. Staff Report
 - a. Update on Planned Development – Housing for the aging population
8. Public Comments
9. Committee Member Comments
10. Adjourn



Town of Hampden
Planning and Development Committee

Wednesday Sept 4, 2019, 6:00 pm
Municipal Building Council Chambers

Minutes

Attending:

Committee/Council

David Ryder, Acting Chair
Dennis Marble
Ivan McPike, Mayor
Terry McAvoy

Staff

Karen Cullen, Town Planner
Jared LeBarnes, Acting CEO

Public

None

Acting Chairman Ryder called the meeting to order at 6:00 pm.

1. Minutes for the August 7, 2019 meeting – **Motion** to approve as submitted made by Mayor McPike; second by Councilor McAvoy; carried 2/1/1.
2. Committee Applications: None.
3. Citizen's Initiatives: None.
4. New Business
 - a. Town Center, formation of a Citizen's Task Force – since Chairman Jarvi is absent tonight the committee decided to table this item to the next P&D meeting (October 2).
 - b. Planned Development Ordinance – Councilor McAvoy raised the issue of how Hampden can better support housing for the aging population. Discussion points:
 - New housing options include co-housing and other types of living arrangements; small living units with community meals and amenities.
 - Transitional community with a variety of housing options for people age 55 and older
 - The ideal number of units in a complex would be 40 to 50.
 - Public funding is unlikely to be available so we need to assume any project will be privately funded.
 - Potential for partnership between a medical provider and housing developer.
 - Current zoning densities may not allow high enough density to make these projects financially feasible without public funding; we need to consider different zoning.
 - Potential for overlay zoning to allow developer to use different density and other standards when developing one of these projects.
 - Water supply and sewage disposal may be expensive depending on many factors which will vary from site to site.
 - Planner Cullen will report back to the Committee at the October meeting; she will be attending a conference sponsored by MaineHousing which includes this issue.

DRAFT

5. Unfinished Business:

- a. Pine Tree Landfill – final report from Drumlin Environmental. Planner Cullen summarized the status; there are several wells that are showing worsening water quality conditions and the Environmental Trust has asked P&D to consider whether there is reason to refer to Town Council for any potential action. After discussion the consensus of the committee was to discuss with Chairman Jarvi and Interim Town Manager Scott what our next steps should be, perhaps a discussion with DEP, and whether the Environmental Trust has the authority to do this work. It was suggested it might make sense to have DEP attend a P&D meeting.
- b. Potential Property Maintenance Ordinance – this item was tabled to the December P&D meeting, due to staff changes in the code enforcement team.

6. Zoning Considerations/Discussions: None

7. Updates:

- a. Marijuana – Planner Cullen summarized her notes from the recent MMA’s marijuana training session. She said her main concern right now is the potential for a single parcel of land to house an unlimited number of registered caregivers, without any oversight by the Town, anywhere in town. Recent changes to the state law allow the town to regulate registered caregivers, and it would be appropriate to start to figure out how best to do that to protect the residents of town. The potential for enacting an emergency ordinance to limit the number of registered caregivers that can operate on a single parcel of land was discussed. The committee directed Planner Cullen to draft an emergency ordinance to limit the number of registered caregivers that can operate on a single parcel at one in the Residential A, Residential B, and Town Center districts, and three in all other districts. Planner Cullen will work with Paula Scott to schedule this as needed for Town Council as soon as possible.

8. Public Comments: None

9. Committee Member Comments: None

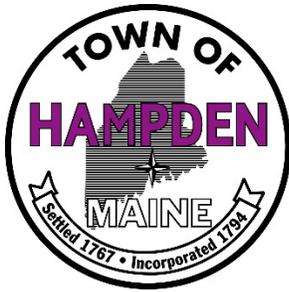
10. Adjournment: Acting Chairman Ryder adjourned the meeting at 7:21 pm.

*Respectfully submitted by
Karen Cullen, Town Planner*

Items from this meeting for October 2, 2019 P&D meeting:

- Agenda Items:
 - Town Center, formation of Citizen Task Force
 - Housing option for older residents (planned development)
- Staff Report:
 - Pine Tree landfill

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Town of Hampden
Town Planner

Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: September 19, 2019
RE: Private Event Venue Licensing Ordinance

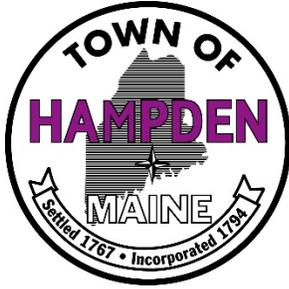
A year ago we were approached by a resident who was inquiring about building a barn for the purpose of hosting weddings. Over the course of the past year, the Planning Board and I have worked with her to draft regulations that would allow the use but strike a balance between the needs of the owner of such a facility and the surrounding neighborhood.

This new section of the zoning ordinance for private event venues is part of the zoning amendments currently moving through the adoption process, which should be referred by the Planning Board to Town Council on October 9. In addition to the zoning provisions, we are proposing the adoption of a licensing ordinance. The attached memo dated August 22, 2019 provides further explanation on both.

The basic idea is that the applicant would first obtain the necessary approval from the Planning Board (either just site plan or both site plan and conditional use, depending on the district), and then would apply to the Town Council for the license. In order to ensure the venue doesn't become a nuisance to the neighborhood, we recommend that the license be granted on an annual basis and that the Council would hold a public hearing for each renewal in addition to the initial application. The purpose of the hearing for the renewal is to allow neighbors as well as staff to provide testimony regarding how the venue has been operated during the previous year. If a venue has consistent problems – noise complaints, etc. – then the Council would have the option to either place additional conditions on the operation or to close it down until the operator addresses the concerns to the Council's satisfaction.

We believe the proposed licensing ordinance is fair and provides all parties with a mechanism to ensure these venues can be a successful part of Hampden without becoming a burden to those around them.

Since the Planning Board will be referring the zoning amendment portion of the private event venue topic to the Town Council, I respectfully request that the P&D Committee refer the licensing portion to Town Council for public hearing. Both should be addressed at the same Town Council meeting. In addition, I have provided Paula Scott a memo regarding amendments to the Fees Ordinance to add the fees for this license; that will be addressed at the same Council meeting.



Town of Hampden
Town Planner

Memorandum

From: Karen M. Cullen, AICP, Town Planner *KME*
Date: August 22, 2019
RE: Private Event Venues

After receiving an inquiry about allowing a wedding venue in the Rural district town staff and the Planning Board have drafted regulations to govern such uses. These consist of both amendments to the Zoning Ordinance and the creation of a new Private Event Venue Ordinance.

These types of venues are typically used not only for weddings and wedding receptions, but also for other private parties, family reunions, business (e.g. corporate) meetings, and similar gatherings. A venue for these activities located in a beautiful space with nice views seems logical; these locations are usually in a rural setting and in Hampden are nearly all in the Rural district.

The impacts for the area where these venues are located are primarily traffic and noise, two issues that come up in nearly every instance in every town where such uses locate. Other issues include lights, dust (from cars driving on dirt driveways and parking areas), sewage disposal and water supply, the number of events held per year, the duration of events, the size of the property, setbacks for structures (including temporary structures like tents), and ancillary activities associated with an event (e.g. wedding rehearsal).

In drafting the attached amendments, research was done on how other municipalities regulate such uses. We have considered the benefits and consequences of such uses on a neighborhood, and we believe these provisions strike a balance that will allow such uses and allow the people in the neighborhood to have a voice in the impacts they will have to deal with during such events.

In addition to the proposed zoning amendments, a new ordinance has been drafted to provide for annual licensing of these venues. It is through the licensing process that abutters and other concerned citizens will have an opportunity to address any negative impacts they experience during events run during the previous year. If Town Council were to find, based on testimony, that a venue is not operating in compliance with their approvals or in a manner that is appropriate for the neighborhood, then they would have the opportunity to place conditions on the license or to deny it altogether, thus shutting the business down, presumably until the problems are resolved. Note that this new ordinance would be adopted by Town Council after a public hearing, and the Planning Board does not have jurisdiction in regards to it. We are including it with the proposed zoning amendments for information purposes only, since the two ordinances are interconnected.

The Planning Board will hold a public hearing on this proposed amendment at their September 11, 23019 meeting. Interested parties are encouraged to attend.

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains
Proposed Amendments to the Zoning Ordinance

Deletions are ~~Strikethrough~~ Additions are Underlined

The purpose of these proposed amendments is to provide for a new use category in Hampden to allow what we are calling “private event venues”, which are typically venues where people gather for special occasions such as weddings or business gatherings. These types of businesses have the potential for negatively impacting abutting properties, and thus some level of public scrutiny and control is desired to ensure the health, safety, and general welfare of the neighborhood where such a facility is proposed.

Amend §3.1.3, Use Table

Add a new category under A - *Agricultural/Recreational Uses*, with the following designations for the districts:

A-13: private event venue

- P (permitted by right) in the Commercial Service and Waterfront districts
- C (conditional use) in the Rural, Business, Business B, and Town Center districts
- N (not permitted) in the Residential A, Residential B, Seasonal, Rural Business, Interchange, Industrial Park, Industrial, and Industrial 2 districts

Amend §4.7.1.1, Table of Parking Requirements

Add a new use, Private Event Venue, with .5 per person at max capacity plus 1 space per worker (direct employee or outside employee e.g. caterer, band) at max capacity of the venue as approved by the Planning Board.

Add a new §4.26, Private Event Venue

4.26.1 Purpose. The purpose of this section is to regulate Private Event Venues to ensure they are designed and operated in such a manner as to minimize potential nuisance issues with abutters and to protect the health, safety, and general welfare of those in the neighborhood.

4.26.2 Exemptions. The following sites are exempt from the provisions of this §4.26: place of worship, property owned by the Town of Hampden, RSU 22, state owned property that is used for public purposes, or property owned by a non-profit club.

4.26.3 Standards. Private Event Venues must meet the following standards:

<u>Standard</u>	<u>Rural</u>	<u>Rural</u>	<u>Bus / Bus B</u>	<u>TC</u>	<u>CS</u>	<u>Waterfront</u>
<u>Min lot size¹</u>	<u>5-20</u>	<u>>20</u>	<u>3</u>	<u>5</u>	<u>3</u>	<u>5</u>
<u>Buffers²</u>	<u>Class 2³</u>	<u>Class 2³</u>	<u>Class 2</u>	<u>Class 2</u>	<u>Class 1</u>	<u>Class 1</u>
<u>Min distance to nearest dwelling</u>	<u>150'</u>	<u>150'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>	<u>100'</u>
<u>Max number of events/year</u>	<u>10⁴</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>	<u>Unlimited</u>
<u>Max number of days/event⁵</u>	<u>1</u>	<u>3</u>	<u>7</u>	<u>3</u>	<u>7</u>	<u>7</u>
<u>Hours for event⁶</u>	<u>9 am to 10 pm</u>	<u>8 am to 10 pm</u>	<u>8 am to 10 pm</u>	<u>8 am to 10 pm</u>	<u>8 am to 11 pm</u>	<u>8 am to 11 pm</u>
<u>Max number of attendees/event⁷</u>	<u>125</u>	<u>200</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>
<u>Permanent signage⁸</u>	<u>12 sq ft</u>	<u>12 sq ft</u>	<u>Per §4.7.5.7.1</u>	<u>Per §4.7.5.7.5</u>	<u>Per §4.7.5.7.3</u>	<u>Per §4.7.5.7.1</u>
<u>Neighborhood notification⁹</u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Not Required</u>

Footnotes:

1. Minimum acreage of the parcel or parcels that are part of the proposed venue.
2. Buffer required on property lines abutting a residential district or an existing residential use. The Planning Board may modify this requirement by no more than 20% if the physical characteristics of the site prevent the installation of the full buffer, and a smaller buffer would not adversely impact any abutting properties. The Planning Board may modify this requirement to relocate the buffer to be closer to the area where the activity will occur, based on the topography and vegetative type (e.g. open field, wooded) of the site and the general neighborhood.
3. The Board may require a greater buffer if it is determined that sound or light impacts to abutters warrant a greater buffer, based on the topography and existing vegetation (e.g. wooded or open field) on the venue property that lies between the venue and nearby residences.
4. Events held between 9:00 am and 5:00 pm that are held entirely indoors are not counted against this limit, provided the venue has permanent sanitary facilities designed for the maximum number of attendees the facility is designed for.
5. Maximum number of days per event does not include ancillary activities such as wedding rehearsals, rehearsal dinners, decorating the venue, and similar activities for preparation for an event.
6. The hours for the event include activities related to setting up or taking down that produce noise audible at the property line, such as testing musical equipment, but does not include indoor activities or quiet outdoor activities such as setting up chairs, setting tables, and decorating the venue. All activities must cease and all attendees must vacate the property no later than 1 hour after the time listed in the table.
7. The Planning Board may approve an application for no more than 20% more attendees in cases where the event facilities (e.g. buildings housing event hall, restrooms, tents, or outdoor stage or seating area) are situated on the site such that the impact on abutting properties is negligible.
8. Relates to permanent signage. see below for temporary signage.
9. Neighborhood notification is a requirement to mail or email written notice of planned events to all direct abutters as well as any other residences in the neighborhood that request such notification; such notification to be a listing of planned events scheduled for the following month (or more at the venue operators option). The listing must include the dates, type of event, estimated number of attendees, expected hours of the event, and contact information for the venue operator. The purpose of this notification is to allow the neighbors to be aware of the dates and times of events.

4.26.4 In addition to the above standards, all proposed Private Event Venues must comply with the following criteria regardless of which zoning district they are in:

- 4.26.4.1 Major Site Plan Review is required regardless of whether there are any permanent buildings proposed or not.
- 4.26.4.2 All parking must be on the site of the venue or on another property provided there is a written agreement with the owner of that property (if not owned by the venue owner) and the off-site location is within walking distance or a shuttle service is provided to transport guests to the venue; no on-street parking is permitted.
- 4.26.4.3 All parking lots must comply with the requirements of §4.7.1.6.
- 4.26.4.4 Private event venues with capacity for more than 100 attendees must submit a Traffic and Parking Management Plan as part of the Site Plan application. This Plan must address how traffic will be handled on the adjacent roads and at any critical intersections leading to the site, as determined by the Planning Board (e.g. hire police detail), in addition to the entrance to the site. It must also address how traffic circulation within the parking lot will be handled (e.g. staff to direct attendees to parking spaces). Traffic management must be carried out to handle both traffic arriving at and leaving the site. This Traffic and Parking Management Plan is completely separate from any plan or permit required by the Maine DOT.
- 4.26.4.5 On-site temporary signage is permitted to guide attendees to the venue, provided the signage is limited to directional instructions and is only displayed on the day(s) of the event and must be removed within one day of the conclusion of the event.
- 4.26.4.6 Outdoor lighting for the event, including parking lot lighting, must be turned off within one hour of the conclusion of the event. All permanent light fixtures must comply with §4.7.3, Lighting. All temporary light fixtures must be located and aimed such that they do not shine light onto abutting properties or produce glare on adjacent roads.
- 4.26.4.7 Sanitary facilities:
- 4.26.4.7.1 For venues approved for more than 6 events per year, permanent bathroom facilities must be provided in compliance with the Maine State Plumbing Code. Additional portable facilities may be used to supplement the permanent facilities.
- 4.26.4.7.2 For venues approved for 6 or fewer events per year, portable bathroom facilities are permitted. At least one must be handicap accessible.
- 4.26.4.7.3 The location of each area where portable facilities will be located for all events must be shown on the site plan.
- 4.26.4.8 The serving of alcoholic beverages must be in compliance with all applicable state laws.
- 4.26.4.9 Overnight accommodations for attendees is only permitted in duly approved facilities, which may be located on the same property as the Private Event Venue.

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- 4.26.4.10 The site must comply with all applicable state and federal laws concerning accommodations of disabilities, including but not limited to the Americans with Disabilities Act.
- 4.26.4.11 The owner must comply with the Town of Hampden Private Event Venue Licensing Ordinance.
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Amend §7.2 Definitions

Private Event Venue: A facility (building or portion of a building, outdoor areas, and related parking areas) which is made available to individuals or groups to accommodate private functions including but not limited to weddings, receptions, anniversaries, private parties, business meetings, fundraisers, banquets, and dances, but not concerts, events open to the general public, or events for which an admission or other charge (monetary or not) is imposed on individual attendees, with the exception of fundraisers.

See draft Private Event Venue License Ordinance starting on next page.

Note that this Ordinance is adopted by the Town Council after public hearing; the Planning Board has no jurisdiction on it but since it is a critical element to the broader Private Event Venue concept it has been included with the draft Zoning Ordinance amendments for the August public hearing with the Planning Board for informational purposes only.

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains
Proposed Private Event Venue Licensing Ordinance (new ordinance)

Deletions are ~~Strikethrough~~ Additions are Underlined

TOWN OF HAMPDEN, MAINE
PRIVATE EVENT VENUE LICENSING ORDINANCE

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- Section 2 – Applicability
- Section 3 – License Required
- Section 4 – Relationship to Other Ordinances
- Section 5 – Application
- Section 6 – Penalty
- Section 7 – Suspension or Revocation of License
- Section 8 – Severability

ADOPTED: Hampden Town Council – [date]
Effective – [date]

CERTIFIED BY: _____
Paula Scott, Town Clerk

Affix Seal



Section 1. Purpose. The purpose of this ordinance is to license Private Event Venues as defined in the Zoning Ordinance to ensure compliance with local approvals and to provide an opportunity for the public to provide comments on the operation of such venues.

Section 2. Applicability. All Private Event Venues in the Town of Hampden are required to comply with the provisions of this Ordinance.

Section 3. License Required. In order to operate within the Town, the owner of a Private Event Venue must obtain a license from the Town Council on an annual basis.

Section 4. Relationship to Other Ordinances and Regulations.

- A. Zoning Ordinance. All Private Event Venues must be approved in accordance with the provisions of the Zoning Ordinance prior to applying for a license under this Ordinance.
- B. Victualers Ordinance. A Private Event Venue which provides food or drink to attendees which is prepared at the venue or by the owner/operator of the venue is required to obtain a Victualers License on an annual basis. A Private Event Venue that only provides food or drink via a duly licensed caterer is not required to obtain a Victualers license.
- C. Liquor License. A Private Event Venue which provides alcoholic beverages to attendees must possess a valid Liquor license from the state of Maine, which requires approval of the Town Council. A Private Event Venue that only provides alcoholic beverages via a duly licensed caterer is not required to obtain a Liquor license.
- D. Concourse Gathering Ordinance and Special Amusement Ordinance. Events, except as provided below, held at approved and licensed Private Event Venues are exempt from the Concourse Gathering Ordinance and from the Special Amusement Ordinance, however no event may exceed the maximum number of attendees or other limits as approved by the Planning Board. Outdoor concerts or events open to the general public for which an admission charge (monetary or otherwise) is imposed are limited to daylight hours unless a permit has been obtained under the Concourse Gathering Ordinance or the Special Amusement Ordinance, as applicable.

Section 5. New Year's Eve Events.

- A. If the owner of a Private Event Venue desires to hold events on New Year's Eve, The Town Council has the authority to permit a later closing time for that event provided the following criteria are met:
 - 1. A written request must be submitted to the Town Council at least 3 months in advance of the event (September 30th) which states the time upon which all attendees will vacate the property;
 - 2. There are no residences within 500 feet of the building in which the event is to take place;
 - 3. There must not be any outdoor activity associated with the event; and

4. Notification must be mailed to all property owners which directly abut the Private Event Venue parcel as well as to anyone who has requested notification under §4.26.2 of the Zoning Ordinance.

B. The Town Council has the authority to approve the request as submitted, approve it with a different closing time, approve it with other conditions, or deny it.

Section 6. Application and Process.

A. Application for a Private Event Venue license or license renewal shall be made on a form available from the Town Clerk. Each application must be accompanied by payment of an application fee pursuant to the Fees Ordinance. Incomplete applications will not be processed.

B. Applications will be heard by the Town Council at a public hearing held at a regularly scheduled meeting. A notice of the hearing will be published in a local newspaper at least seven days prior to the meeting. Such notice will be mailed to all property owners of parcels within 300 feet of the subject property, plus any other property owners who request such notification.

C. All Private Event Venues must be inspected prior to the issuance of a license or license renewal by the Code Enforcement Officer and the Fire Inspector to determine if they are in compliance with all local and state regulations and ordinances.

D. The Treasurer and Tax Collector must certify that all sewer user fees and personal property taxes are paid in full as of the date of the application.

E. Reports on the operation of the venue may be submitted by other Town staff, including but not limited to the Director of Public Safety, the Director of DPW, and the Town Planner, and are to be considered by the Town Council in their deliberations on the application.

F. Town Council shall make a decision on the application within 30 days of the close of the public hearing. The application may be denied if the Town Council finds cause based on the results of the required inspections, failure to pay sewer fees or personal property taxes, the reports of any Town staff, or testimony from abutters and others within the neighborhood where the venue is located. Town Council may issue a license or license renewal with conditions that must be complied with during the license period (e.g. reduced hours of operation from that approved by the Planning Board in the case of repeated violations or neighborhood complaints).

G. A new license, when granted, is valid for one year and must be renewed annually in the month in which it was first issued.

H. The current license must be displayed at the Private Event Venue in a location where it can readily be viewed by any attendee.

I. In cases where multiple local licenses are required, they can be applied for concurrently and Town Council may grant them with a single public hearing.

Section 7. Penalty. Violations of this ordinance shall be prosecuted pursuant to 30-A M.R.S. § 4552. Any violation of this ordinance constitutes a nuisance. Any person found guilty of operating a Private Event Venue without a valid license to do so shall be subject to a fine of \$2,500.00 per day for each day of operation without the required license. If the Town prevails in an enforcement action pursuant to 30-A M.R.S. § 4552, it shall be awarded reasonable attorneys' fees and costs associated with bringing the enforcement action. The Town Council may also seek preliminary and permanent injunctive relief.

Section 8. Suspension or Revocation of License. The Town Council, upon notice and hearing, for cause, may at any time suspend or revoke a Private Event Venue license issued pursuant to this ordinance. Cause shall mean the violation of any license provision or any provision of this ordinance, or any condition constituting a threat to the public health, safety, or welfare, including but not necessarily limited to neighborhood disruption, disorderly attendees, or excessively loud or unnecessary noise that initiates complaints to or requires a response from police, fire, or other town regulatory bodies or employees.

Section 9. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.



Town of Hampden

Town Planner

Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: September 25, 2019
RE: Amendments to Post-Construction Stormwater Management Ordinance

Recently the question has arisen regarding the applicability of the Post-Construction Stormwater Management Ordinance, specifically whether it applies to the entire town or just within the urbanized area. The language in Section 4(A) contradicts itself on this matter. After consulting with Phil Ruck, P.E., our stormwater consultant on the original intent, and with our town attorney, the conclusion is that a strict interpretation of the language as written means it applies throughout the town, but the original intent was that it was supposed to only apply within the urbanized area. In order to clarify this and remove the conflict, we are proposed to amend the ordinance as attached.

Other proposed amendments include:

- The definition of Urbanized Area, which was fine when written (before the 2010 census) but is no longer accurate as the area is actually (per DEP/EPA) the summation of the urbanized areas as mapped in each of the decennial censuses beginning with 2000 (since we were designated as a MS4 municipality after that year). In many towns it doesn't matter, but in Hampden there is an area that was included in the urbanized area in 2000 but not in 2010 – according to DEP, that area is still subject to the Post-Construction Stormwater Management Ordinance. In reality it hardly matters since that area (Summer Street area) is already developed.
- Section 5(B) 6, engineering and administrative fees. We are proposing to refer to the Fees Ordinance to be consistent with how we are handling fees in all of our ordinances.

The Town of Hampden Hereby Ordains that the following Ordinance be adopted:
Post-Construction Stormwater Management Ordinance

ADOPTED: Hampden Town Council, July 6, 2009
Effective Date: July 1, 2009

AMENDED: Hampden Town Council, _____, 2019
Effective Date: _____, 2019

CERTIFIED BY: ~~Denise Hodsdon~~
~~Name~~ Paula Scott, Town Clerk

Town Clerk
Title Affix Seal

Post-Construction Stormwater Management Ordinance

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Section 1. Purpose.

The purpose of this “Post-Construction Stormwater Management Ordinance” (the “Ordinance”) is to provide for the health, safety, and general welfare of the citizens of the Town of Hampden through review and approval of *Post-Construction Stormwater Management Plans* and monitoring and enforcement of compliance with such plans as required by federal and State law. This Ordinance establishes methods for post-construction stormwater management in order to comply with minimum control measures requirements of the federal *Clean Water Act*, of federal regulations and of Maine’s Small Municipal Separate Storm Sewer Systems General Permit.

Section 2. Objectives

This Ordinance seeks to meet the above purpose through the following objectives:

- A. Reduce the impact of post-construction *discharge of stormwater* on receiving waters; and
- B. Reduce *stormwater* runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through use of *Best Management Practices* as promulgated by the Maine Department of Environmental Protection pursuant to its Chapters 500 and 502 Rules, and ensure that these management controls are properly maintained and pose no threat to public safety.

Section 3. Definitions. (Note: Defined terms appear in *italics* throughout this ordinance).

For the purposes of this Ordinance, the terms listed below are defined as follows:

A. Applicant. "*Applicant*" means a *Person* with requisite right, title or interest or an agent for such *Person* who has filed an application for *New Development* or *Redevelopment* that requires a *Post-Construction Stormwater Management Plan* under this Ordinance.

B. Best Management Practices (“BMP”). “*Best Management Practices*” or “*BMPs*” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. *BMPs* also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

C. Clean Water Act. “*Clean Water Act*” means the federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*, also known as the “*Clean Water Act*”), and any subsequent amendments thereto.

D. Construction Activity. “*Construction Activity*” means work or activity undertaken on the *Premises* that results in one acre or more of *Disturbed Area*, or activity with less than one acre of total land area that is part of a subdivision, if the subdivision will ultimately disturb equal to or greater than one acre.

E. Discharge. “*Discharge*” means any spilling, leaking, pumping, pouring, emptying, dumping, disposing or other addition of *Pollutants* to “waters of the State.” “*Direct discharge*” or “point

source” means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which *Pollutants* are or may be *discharged*.

F. Disturbed Area. “*Disturbed Area*” means all land areas that are stripped, graded, grubbed, filled, or excavated at any time during the site preparation or removing vegetation for, or construction of, a project.

"*Disturbed area*" does not include routine maintenance, but does include re-development and new impervious areas. "Routine maintenance" is maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility. Paving impervious gravel surfaces while maintaining the original line and grade, hydraulic capacity and original purpose of the facility is considered routine maintenance. Cutting of trees, without grubbing, stump removal, disturbance or exposure of soil is not considered "*disturbed area*".

G. Enforcement Authority. “*Enforcement Authority*” means the Code Enforcement Officer and or the Public Works Director who are both authorized by the *Municipality* to administer and enforce this Ordinance.

H. Municipality. “*Municipality*” means the Town of Hampden.

I. Municipal Permitting Authority. “*Municipal Permitting Authority*” means the municipal official or body that has jurisdiction over the land use approval or permit required for a *New Development* or *Redevelopment*.

J. Municipal Separate Storm Sewer System, or MS4. “*Municipal Separate Storm Sewer System*” or “*MS4*,” means conveyances for storm water, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any *municipality*, sewer or sewage district, fire district, State agency or Federal agency or other public entity that *discharges* directly to surface waters of the State.

K. National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit. “*National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit*” means a permit issued by the U.S. Environmental Protection Agency (“EPA”) or by the Maine Department of Environmental Protection (“DEP”) that authorizes the *discharge* of *pollutants* to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

L. New Development. “*New Development*” means any *Construction Activity* on unimproved *Premises*.

M. Person. “*Person*” means any individual, firm, corporation, *municipality*, quasi-municipal corporation, State agency or Federal agency or other legal entity.

N. Pollutant. “*Pollutant*” means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological

materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

O. Post-Construction Stormwater Management Plan. “*Post-Construction Stormwater Management Plan*” means *BMPs* and *Stormwater Management Facilities* employed by a *New Development* or *Redevelopment* to meet the standards of this Ordinance and approved by the *Municipal Permitting Authority*.

P. Premises. “*Premises*” means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips, located within the *Municipality* from which *Discharges* to the *Storm Drainage System* are or may be created, initiated, originated or maintained.

Q. Qualified Post-construction Stormwater Inspector. “*Qualified Post-construction Stormwater Inspector*” means a Professional Engineer who conducts post-construction *Stormwater Management Facilities* inspections for compensation and has a practical knowledge of *stormwater* hydrology and *stormwater* management techniques, including the maintenance requirements for *stormwater* management facilities, and the ability to determine if *stormwater management facilities* are performing as intended.

R. Redevelopment. “*Redevelopment*” means *Construction Activity* on *Premises* already improved with buildings, structures or activities or uses, but does not include such activities as exterior remodeling.

S. Regulated Small MS4. “*Regulated Small MS4*” means any *Small MS4* regulated by the State of Maine “General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems” effective July 1, 2008 (“General Permit”), including all those located partially or entirely within an *Urbanized Area* (UA) and those additional *Small MS4s* located outside a UA that as of the issuance of the General Permit have been designated by the DEP as *Regulated Small MS4s*.

T. Small Municipal Separate Storm Sewer System, or Small MS4. “*Small Municipal Separate Storm Sewer System*”, or “*Small MS4*,” means any *MS4* that is not already covered by the Phase I *MS4* stormwater program including municipally owned or operated storm sewer systems and State or federally-owned systems, such as Maine Department of Transportation Maine Turnpike Authority road systems and facilities.

U. Storm Drainage System. “*Storm Drainage System*” means the *Municipality’s Regulated Small MS4*.

V. Stormwater. “*Stormwater*” means any Stormwater runoff, snowmelt runoff, and surface runoff and drainage; “Stormwater” has the same meaning as “Storm Water.”

W. Stormwater Management Facilities. “*Stormwater Management Facilities*” means any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures that are part of the *Post-Construction Stormwater Management Plan* for a *New Development* or *Redevelopment*.

X. Urbanized Area (“UA”). “Urbanized Area” or “UA” means the areas of the State of Maine so defined by the summation of each of the latest decennial (2000) censuses beginning with the 2000 census by the U.S. Bureau of the Census (i.e. the 2000 UA + 2010 UA + 2020 UA).

Section 4. Applicability.

A. In General. This Ordinance shall apply to any application for a building permit, subdivision approval, site plan approval or other zoning, planning or land use approval ~~that is filed on or after July 1, 2009 (or if filed before July 1, 2009, has not become a pending application within the meaning of 1 M.R.S.A. § 302)~~ for any *New Development* or *Redevelopment* within the *Urbanized Area* that *Discharges Stormwater* to the *Municipality’s MS4* and to associated *Stormwater Management Facilities*, ~~and to any *New Development* or *Redevelopment* that receives any such permits or approvals from the Town of Hampden on or after July 1, 2009.~~

B. Exception. This Ordinance does not apply to *New Development* or *Redevelopment* on a lot, tract or parcel where that lot, tract or parcel is part of a subdivision that is approved under this Ordinance; said lot, tract or parcel shall not require separate review under this Ordinance, but shall comply with the *Post-Construction Stormwater Management Plan* requirements for that approved subdivision.

Section 5. Post-Construction Stormwater Management Plan Approval

A. General Requirement. Except as provided in **Section 4.B.** above, no *Applicant* for a building permit, subdivision approval, site plan approval or other zoning, planning or other land use approval for *New Development* or *Redevelopment* to which this Ordinance is applicable shall receive such permit or approval for that *New Development* or *Redevelopment* unless the *Municipal Permitting Authority* for that *New Development* or *Redevelopment* also determines that the *Applicant’s Post-Construction Stormwater Management Plan* for that *New Development* or *Redevelopment* meets the requirements of this Ordinance.

B. Performance Standards

1. **Stormwater Treatment Required.** The *Applicant* shall make adequate provision for the management of the quantity and quality of all *stormwater* generated by the *New Development* or *Redevelopment* through a *Post-Construction Stormwater Management Plan*. This *Post-Construction Stormwater Management Plan* shall be designed by a Professional Engineer to meet the standards contained in the Maine Department of Environmental Protection’s Chapters 500 and 502 Rules and shall comply with the practices described in the manual *Stormwater Management for Maine*, published by the Maine Department of Environmental Protection, January 2006, which hereby are incorporated by reference pursuant to **30-A M.R.S.A. § 3003**.

2. **Location of Facilities.** The *Applicant* may meet the quantity and quality standards above either on-site or off-site, but where off-site facilities are used, the *Applicant* must submit to the *Municipality* documentation, approved as to legal sufficiency by the *Municipality’s* attorney, that the *Applicant* has a sufficient property interest in the property where the off-site facilities are located -- by easement, covenant or other appropriate legal instrument -- to ensure that the facilities will be able to provide post-construction *stormwater* management for the *New Development* or

Redevelopment and that the property will not be altered in a way that interferes with the off-site facilities.

3. **Maintenance Agreement Required.** Where the *Applicant* proposes to retain ownership of the *Stormwater Management Facilities* shown in its *Post-Construction Stormwater Management Plan*, the *Applicant* shall submit to the *Municipality* documentation, approved as to legal sufficiency by the *Municipality's* attorney that the *Applicant*, its successors, heirs and assigns shall have the legal obligation and the resources available to operate, repair, maintain and replace the *stormwater management facilities*. Applications for *New Development* or *Redevelopment* requiring *Stormwater Management Facilities* that will not be dedicated to the *Municipality* shall enter into a Maintenance Agreement with the *Municipality*. A sample of this Maintenance Agreement is attached as Appendix 1 to this Ordinance.

4. **Easements and Dedications.** Whenever elements of the *Stormwater Management Facilities* are not within the right-of-way of a public street and the facilities will not be offered to the *Municipality* for acceptance as public facilities, the *Municipal Permitting Authority* may require that perpetual easements not less than thirty (30) feet in width, conforming substantially with the lines of existing natural drainage, and in a form acceptable to the *Municipality's* attorney, shall be provided to the *Municipality* allowing access for maintenance, repair, replacement and improvement of the *Stormwater Management Facilities*. When an offer of dedication is required by the *Municipal Permitting Authority*, the *Applicant* shall be responsible for the maintenance of these *Stormwater Management Facilities* under this Ordinance until such time (if ever) as they are accepted by the *Municipality*.

5. **Conflict with State Laws or Rules.** In addition to any other applicable requirements of this Ordinance and the *Municipality's* land use ordinances, any *New Development* or *Redevelopment* which also requires a *stormwater* management permit from the Maine Department of Environmental Protection (DEP) under **38 M.R.S.A. 420-D** shall comply with the rules adopted by DEP under **38 M.R.S.A. 420-D(1)**, as the same may be amended from time to time, and the *Applicant* shall document such compliance to the *Municipal Permitting Authority*. Where the standards or other provisions of such *stormwater* rules conflict with municipal ordinances, the stricter (more protective) standard shall apply.

6. **Engineering and administrative fees.** At the time of application, the *Applicant* shall pay to the *Municipality* ~~the amount estimated by the Municipal Reviewing Authority to be sufficient to pay the engineering, legal review, and administrative costs incurred by the Municipality in review of the Post Construction Stormwater Management Plan. The Municipality shall deduct from this amount the actual engineering, legal and administrative costs incurred by the Municipality. Any remaining engineering, legal and administrative review costs owed by the Applicant shall be paid in full by the Applicant prior to the issuance of any temporary or permanent certificate of compliance for the New Development or Redevelopment, and any unused balance remaining at that time shall be refunded to the Applicant~~ any fees and escrow account deposits (for engineering or legal review) as stipulated in the Fees Ordinance.

In addition, any *persons* required to file an annual certification under **Section 6** of this Ordinance shall pay, prior to the issuance of any temporary or permanent certificate of compliance for the *New Development* or *Redevelopment*, ~~an amount estimated to equal a fee as stipulated in the~~

Fees Ordinance to cover the Municipality's administrative and technical costs of review of the annual certification.

7. **Notice of BMP Discharge to Municipality's MS4.** At the time of application, the Applicant shall notify the Municipal Permitting Authority if its Post-Construction Stormwater Management Plan includes any BMP(s) that will discharge to the Municipality's MS4 and shall include in this notification a listing of which BMP(s) will so discharge.

8. **As-Built Certification.** Prior to the issuance of a Certificate of Compliance for a project requiring a Post-Construction Stormwater Management Plan under this ordinance, the Applicant shall submit evidence in the form of a letter or plan prepared and stamped by a Professional Engineer who either prepared the Post-Construction Stormwater Management Plan and its associated Facilities or supervised the Plan and Facilities construction and implementation. The letter or plan shall certify that the Stormwater Management Facilities have been installed in accordance with the approved Post-Construction Stormwater Management Plan and that they will function as intended by said Plan.

Section 6. Post-Construction Stormwater Management Plan Compliance

A. General Requirements. Any Person owning, operating, leasing or having control over Stormwater Management Facilities required by a Post-Construction Stormwater Management Plan approved under this Ordinance, and the Facilities are located in the Urbanized Area and Discharge Stormwater to the Municipality's MS4, shall at their own expense demonstrate compliance with that Plan as follows.

1. **Scope of Inspection.** A Qualified Post-construction Stormwater Inspector shall, at least annually, inspect the Stormwater Management Facilities, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved Post-Construction Stormwater Management Plan.

2. **Deficiencies Identified.** If the Stormwater Management Facilities require maintenance or repair to function as intended by the approved Post-Construction Stormwater Management Plan, that Person shall take or cause to be taken corrective action(s) to address the deficiency or deficiencies.

3. **Submission of Inspection Form.** A Qualified Post-construction Stormwater Inspector shall, on or by July 1 of each year, provide a completed and signed certification to the Enforcement Authority in a form identical to that attached as Appendix 2 to this Ordinance, certifying that he/she has inspected the Stormwater Management Facilities and that they are adequately maintained and functioning as intended by the approved Post-Construction Stormwater Management Plan, or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the Stormwater Management Facilities and, if the Stormwater Management Facilities require maintenance or repair of deficiencies in order to function as intended by the approved Post-Construction Stormwater Management Plan, the Person shall provide a record of the required maintenance or deficiency and corrective action(s) taken.

B. Right of Entry. In order to determine compliance with this Ordinance and with the *Post-Construction Stormwater Management Plan*, the *Enforcement Authority* may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the *Stormwater Management Facilities*.

C. Annual Report. Beginning September 1, 2009 and September 1 each year thereafter, the *Municipality* shall include the following in its Annual Report to the Maine Department of Environmental Protection:

- 1 The cumulative number of sites that have *Stormwater Management Facilities* discharging into their *MS4*;
- 2 A summary of the number of sites that have *Stormwater Management Facilities* discharging into their *MS4* that were reported to the *Municipality*;
- 3 The number of sites with documented functioning *Stormwater Management Facilities*; and;
- 4 The number of sites that required routine maintenance or remedial action to ensure that *Stormwater Management Facilities* are functioning as intended.

Section 7. Enforcement.

It shall be unlawful for any *Person* to violate any provision of or to fail to comply with any of the requirements of this Ordinance or of the *Post-Construction Stormwater Management Plan*. Whenever the *Enforcement Authority* believes that a *Person* has violated this Ordinance or the *Post-Construction Stormwater Management Plan*, the *Enforcement Authority* may enforce this Ordinance in accordance with **30-A M.R.S.A. § 4452**.

A. Notice of Violation. Whenever the *Enforcement Authority* believes that a *Person* has violated this Ordinance or the *Post-Construction Stormwater Management Plan*, the *Enforcement Authority* may order compliance with this Ordinance or with the *Post-Construction Stormwater Management Plan* by written notice of violation to that *Person* indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

1. The abatement of violations, and the cessation of practices, or operations in violation of this Ordinance or of the *Post-Construction Stormwater Management Plan*;
2. At the *Person's* expense, compliance with *BMPs* required as a condition of approval of the *New Development* or *Redevelopment*, the repair of *Stormwater Management Facilities* and/or the restoration of any affected property; and/or
3. The payment of fines, of the *Municipality's* remediation costs and of the *Municipality's* reasonable administrative costs and attorneys' fees and costs.

If abatement of a violation, compliance with *BMPs*, repair of *Stormwater Management Facilities* and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement, compliance, repair and/or restoration must be completed.

B. Penalties/Fines/Injunctive Relief. Any *Person* who violates this Ordinance or the *Post-Construction Stormwater Management Plan* shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the *Municipality's* attorney's fees and costs, all in accordance with **30-A M.R.S.A. § 4452**. Each day such violation continues shall constitute a separate violation. Moreover, any *Person* who violates this Ordinance or the *Post-Construction Stormwater Management Plan* also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to attorneys' fees and costs, incurred by the *Municipality* for violation of federal and State environmental laws and regulations caused by or related to that *Person's* violation of this Ordinance or of the *Post-Construction Stormwater Management Plan*; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this Section.

C. Consent Agreement. The *Enforcement Authority* may, with the approval of the municipal officers, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this Ordinance or of the *Post-Construction Stormwater Management Plan* for the purposes of eliminating violations of this Ordinance or of the *Post-Construction Stormwater Management Plan* and of recovering fines, costs and fees without court action.

D. Enforcement Measures. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, then the *Enforcement Authority* may recommend to the municipal officers that the *Municipality's* attorney file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.

Section 8. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any *person*, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this Ordinance.

Section 9. Basis.

The Town of Hampden enacts this "Post-Construction Stormwater Management Ordinance" (the "Ordinance") pursuant to **30-A M.R.S.A. § 3001** (municipal home rule ordinance authority), **38 M.R.S.A. § 413** (the "Wastewater Discharge Law"), **33 U.S.C. § 1251 et seq.** (the "*Clean Water Act*"), and **40 CFR Part 122** (U.S. Environmental Protection Agency's regulations governing the National Pollutant Discharge Elimination System ("NPDES")). The Maine Department of Environmental Protection, through its promulgation of the "General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems," has listed the Town of Hampden as having a Regulated *Small Municipal Separate Storm Sewer System* ("*Small MS4*"); under this General Permit, listing as a *Regulated Small MS4* necessitates enactment of this Ordinance as part of the *Municipality's* Storm Water Management Program in order to satisfy the minimum control measures required by Part IV H 5 ("Post-construction stormwater management in new development and redevelopment").

APPENDIX 1

**Maintenance Agreement for
Stormwater Management Facilities**

This Maintenance Agreement is made this ____ day of _____, 20__ by and between _____ and the Town of Hampden, Maine.

The project name is _____.

The location is: _____, Hampden, Maine.

The project’s Tax Map and Lot Numbers are Tax Map _____, Lot _____.

The project is shown on a plan entitled " _____ " dated _____ and most recently revised on _____, approved by the _____ [Municipal Permitting Board] on _____ and recorded in the Penobscot County Registry of Deeds in Plan Book _____ Page _____ (the “Project”).

WHEREAS, the approval of the Project includes Stormwater Management Facilities which requires periodic maintenance; and

WHEREAS, in consideration of the approval of the Project the Town of Hampden requires that periodic maintenance be performed on the Stormwater Management Facilities;

NOW, THEREFORE, in consideration of the mutual benefits accruing from the approval of the Project by the Town and the agreement of _____ to maintain the Stormwater Management Facilities, the parties hereby agree as follows:

1. _____, for herself/himself/itself, and her/his/its successors and assigns, agrees to the following:

(a) To inspect, clean, maintain, and repair the Stormwater Management Facilities, which includes, to the extent they exist, parking areas, catch basins, detention basins or ponds, drainage swales, pipes and related structures, as required by **Section 6** of the Town’s Post-Construction Stormwater Management Ordinance, to prevent the build up and storage of sediment and debris in the system;

(b) To repair any deficiencies in the *Stormwater Management Facilities* noted during the required inspection;

(c) To provide a summary report on the inspection, maintenance, and repair activities performed, as required by **Section 6** of the Town’s Post-Construction Stormwater Management Ordinance, on the *Stormwater Management Facilities* to the Town *Enforcement Authority*;

(d) To allow access by Town personnel or the Town’s designee for inspecting the *Stormwater Management Facilities* for conformance with these requirements.

(e) To create a homeowners' association for the purpose of maintaining the *Stormwater Management Facilities*.

2. Upon creation of the homeowners’ association, the homeowners’ association shall become responsible for compliance with the terms of this Agreement.

3. This Agreement shall constitute a covenant running with the land, and _____ shall reference this Agreement in all deeds to lots and/or units within the Project.

Witness

By: _____
Its: _____

TOWN OF HAMPDEN

Witness

By: _____
Printed Name: _____
Its: _____

STATE OF MAINE
_____, ss.

_____, 20__

Personally appeared the above-named _____, the _____ of _____, and acknowledged the foregoing Agreement to be said person's free act and deed in said capacity.

Before me,

Notary Public / Attorney at Law

Printed Name: _____

DRAFT

Effective Date: _____

*Town of Hampden, Maine
Post-Construction Stormwater Management Ordinance*

STATE OF MAINE
Penobscot, ss.

_____, 20__

Personally appeared the above-named _____, the
_____ of the Town of Hampden, and acknowledged the foregoing
Agreement to be said his/her free act and deed in said capacity.

Before me,

Notary Public / Attorney at Law

Print Name: _____

APPENDIX 2

**Stormwater Management Facilities Certification
(to be sent to Municipality)**

I, _____ (print or type name), certify the following:
Qualified Post-construction Stormwater Inspector

1. I am making this Stormwater Management Facilities Certification for the following property: _____ (print or type name of subdivision, condominium or other development) located at _____ (print or type address), (the "Property");

2. The owner, operator, tenant, lessee or homeowners' association of the Property is: _____ (name(s) of owner, operator, tenant, lessee, homeowners' association or other party having control over the Property);

3. I am a Qualified Post-construction Stormwater Inspector hired by the person/entity named in Paragraph 2;

4. I have knowledge of erosion and stormwater control and have reviewed the approved Post-Construction Stormwater Management Plan for the Property;

5. On _____, 20__, I inspected the Stormwater Management Facilities, including but not limited to parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures required by the approved Post-Construction Stormwater Management Plan for the Property;

6. At the time of my inspection of the Stormwater Management Facilities on the Property, I identified the following need(s) for routine maintenance or deficiencies in the Stormwater Management Facilities:

7. On _____, 20__, the owner, operator, tenant, lessee or president of the homeowners' association took or had taken the following routine maintenance or the following corrective action(s) to address the deficiencies in the Stormwater Management Facilities stated in 6 above:

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8. As of the date of this certification, the Stormwater Management Facilities are functioning as intended by the approved Post-Construction Stormwater Management Plan for the Property.

Date: _____, 20__.

By: _____
Signature

Print Name

STATE OF MAINE

_____, ss. _____, 20__

Personally appeared the above-named _____, the _____ of _____, and acknowledged the foregoing Certification to be said person's free act and deed in said capacity.

Before me,

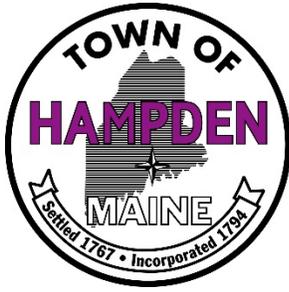
Notary Public/Attorney at Law

Print Name: _____

Mail or hand deliver this certification to the Municipality at the following address:

Public Works Director
Town of Hampden
106 Western Avenue
Hampden, ME 04444

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Town of Hampden

Town Planner

Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KME*
Date: September 25, 2019
RE: Amendments to Non-Stormwater Discharge Ordinance

To maintain consistency between the non-stormwater Discharge Ordinance and the Post-Construction Stormwater Management Ordinance, two amendments are proposed:

- The definition of Urbanized Area, to state it is the summation of the urbanized areas as mapped in each of the decennial censuses beginning with 2000.
- Article 4, to change the enforcement authority from the building inspector to the Code Enforcement Officer and/or the DPW Director. Those two individuals are the more appropriate personnel to enforce this ordinance.

**TOWN OF HAMPDEN, MAINE
NON-STORM WATER DISCHARGE ORDINANCE**

ADOPTED: Hampden Town Council, June 18, 2007
Effective Date: July 18, 2007

AMENDED: Hampden Town Council, _____, 2019
Effective Date: _____, 2019

CERTIFIED BY: ~~Denise Hodsdon~~
~~Name~~ Paula Scott, Town Clerk

Town Clerk
Title Affix Seal

**NON-STORM WATER DISCHARGE ORDINANCE
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NON-STORM WATER DISCHARGE ORDINANCE

**ARTICLE 1
PURPOSE and OBJECTIVES**

1.1. Purpose. The purpose of this Non-Storm Water Discharge Ordinance (the “Ordinance”) is to provide for the health, safety, and general welfare of the citizens of the Town of Hampden, Maine through the

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regulation of Non-Storm Water Discharges to the Municipality’s Storm Drainage System as required by federal and State law. This Ordinance establishes methods for controlling the introduction of Pollutants into the Town’s Storm Drainage System in order to comply with requirements of the federal Clean Water Act and State law.

1.2. Objectives. The objectives of this Ordinance are:

- 1.2.1. To prohibit unpermitted or unallowed Non-Storm Water Discharges to the Storm Drainage System; and
- 1.2.2. To set forth the legal authority and procedures to carry out all inspection, monitoring and enforcement activities necessary to ensure compliance with this Ordinance.

ARTICLE 2 DEFINITIONS

For the purposes of this Ordinance, the terms listed below are defined as follows:

Clean Water Act. “Clean Water Act” means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq., also known as the “Clean Water Act”), and any subsequent amendments thereto.

Discharge. “Discharge” means any spilling, leaking, pumping, pouring, emptying, dumping, disposing or other addition of Pollutants to “waters of the State.” “Direct discharge” or “point source” means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which Pollutants are or may be discharged.

Enforcement Authority. “Enforcement Authority” means the person(s) or department authorized under Article 4 of this Ordinance to administer and enforce this Ordinance.

Exempt Person or Discharge. “Exempt Person or Discharge” means any Person who is subject to a Multi-Sector General Permit for Industrial Activities, a General Permit for Construction Activity, a General Permit for the Discharge of Stormwater from the Maine Department of Transportation and the Maine Turnpike Authority Municipal Separate Storm Sewer Systems, or a General Permit for the Discharge of Stormwater from State or Federally Owned Authority Municipal Separate Storm Sewer System Facilities; and any Non-Storm Water Discharge permitted under a NPDES permit, waiver, or waste discharge license or order issued to the discharger and administered under the authority of the U.S. Environmental Protection Agency (“EPA”) or the Maine Department of Environmental Protection (“DEP”).

Industrial Activity. “Industrial Activity” means activity or activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

Municipality. “Municipality” means the Town of Hampden, Maine.

Municipal Separate Storm Sewer System, or MS4. “Municipal Separate Storm Sewer System” or “MS4,” means conveyances for storm water, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, sewer or sewage district, fire district, State agency or Federal agency or other public entity that discharges directly to surface waters of the State.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. “National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit” means a permit issued by the EPA or by the DEP that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. “Non-Storm Water Discharge” means any Discharge to an MS4 that is not composed entirely of Storm Water.

Person. “Person” means any individual, firm, corporation, municipality, quasi-municipal corporation, State agency or Federal agency or other legal entity which creates, initiates, originates or maintains a Discharge of Storm Water or a Non-Storm Water Discharge.

Pollutant. “Pollutant” means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Premises. “Premises” means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips, located within the Municipality from which Discharges into the Storm Drainage System are or may be created, initiated, originated or maintained.

Regulated Small MS4. “Regulated Small MS4” means any Small MS4 regulated by the State of Maine “General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems” dated June 3, 2003 (“General Permit”), including all those located partially or entirely within an Urbanized Area (UA) and those additional Small MS4s located outside a UA that as of the issuance of the General Permit have been designated by the DEP as Regulated Small MS4s.

Small Municipal Separate Storm Sewer System, or Small MS4. “Small Municipal Separate Storm Sewer System”, or “Small MS4,” means any MS4 that is not already covered by the Phase I MS4 stormwater program including municipally owned or operated storm sewer systems, State or federally-owned systems, such as colleges, universities, prisons, Maine Department of Transportation and Maine Turnpike Authority road systems and facilities, and military bases and facilities.

Storm Drainage System. “Storm Drainage System” means the Municipality’s Regulated Small MS4.

Storm Water. “Storm Water” means any Storm Water runoff, snowmelt runoff, and surface runoff and drainage; “Stormwater” has the same meaning as “Storm Water.”

Urbanized Area (“UA”). “Urbanized Area” or “UA” means the areas of the State of Maine so defined by the summation of each of the latest decennial (~~2000~~) censuses beginning with the 2000 census by the U.S. Bureau of the Census (i.e. the 2000 UA + 2010 a + 2020 ua).

ARTICLE 3 APPLICABILITY

This Ordinance shall apply to all Persons discharging Storm Water and/or Non-Storm Water Discharges from any Premises into the Storm Drainage System.

**ARTICLE 4
RESPONSIBILITY FOR ADMINISTRATION**

The ~~Building Inspector~~Code Enforcement Officer and/or the Public Works Director who are both authorized as an is the Enforcement Authority who shall administer, implement, and enforce the provisions of this Ordinance.

**ARTICLE 5
PROHIBITION OF NON-STORM WATER DISCHARGES**

5.1. General Prohibition. Except as allowed or exempted herein, no Person shall create, initiate, originate or maintain a Non-Storm Water Discharge to the Storm Drainage System. Such Non-Storm Water Discharges are prohibited notwithstanding the fact that the Municipality may have approved the connections, drains or conveyances by which a Person Discharges unallowed Non-Storm Water Discharges to the Storm Drainage System.

5.2. Allowed Non-Storm Water Discharges. The creation, initiation, origination and maintenance of the following Non-Storm Water Discharges to the Storm Drainage System is allowed:

- 5.2.1. Landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)); uncontaminated pumped ground water; uncontaminated flows from foundation drains; air conditioning and compressor condensate; irrigation water; flows from uncontaminated springs; uncontaminated water from crawl space pumps; uncontaminated flows from footing drains; lawn watering runoff; flows from riparian habitats and wetlands; residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material has been removed and detergents are not used); hydrant flushing and fire fighting activity runoff; water line flushing and discharges from potable water sources; and individual residential car washing;
- 5.2.2. Discharges specified in writing by the Enforcement Authority as being necessary to protect public health and safety; and
- 5.2.3. Dye testing, with verbal notification to the Enforcement Authority prior to the time of the test.

5.3. Exempt Person or Discharge. This Ordinance shall not apply to an Exempt Person or Discharge, except that the Enforcement Authority may request from Exempt Persons and Persons with Exempt Discharges copies of permits, notices of intent, licenses and orders from the EPA or DEP that authorize the Discharge(s).

**ARTICLE 6.
SUSPENSION OF ACCESS TO THE MUNICIPALITY'S SMALL MS4.**

The Enforcement Authority may, without prior notice, physically suspend Discharge access to the Storm Drainage System to a Person when such suspension is necessary to stop an actual or threatened Non-Storm Water Discharge to the Storm Drainage System which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Storm Drainage System, or which may cause the Municipality to violate the terms of its environmental permits. Such suspension may include, but is not limited to, blocking pipes, constructing dams or taking other measures, on public ways or public property, to physically block the Discharge to prevent or minimize a Non-Storm Water Discharges to the Storm Drainage System. If the Person fails to comply with a suspension order issued in an emergency, the Enforcement Authority may take such steps as deemed necessary to prevent or minimize damage to the

Storm Drainage System, or to minimize danger to persons, provided, however, that in taking such steps the Enforcement Authority may enter upon the Premises that are the source of the actual or threatened Non-Storm Water Discharge to the Storm Drainage System only with the consent of the Premises' owner, occupant or agent.

**ARTICLE 7.
MONITORING OF DISCHARGES.**

In order to determine compliance with this Ordinance, the Enforcement Authority may enter upon and inspect Premises subject to this Ordinance at reasonable hours with the consent of the Premises' owner, occupant or agent: to inspect the Premises and connections thereon to the Storm Drainage System; and to conduct monitoring, sampling and testing of the Discharge to the Storm Drainage System.

**ARTICLE 8.
ENFORCEMENT.**

It shall be unlawful for any Person to violate any provision of or to fail to comply with any of the requirements of this Ordinance. Whenever the Enforcement Authority believes that a Person has violated this Ordinance, the Enforcement Authority may enforce this Ordinance in accordance with 30-A M.R.S.A. § 4452.

8.1. Notice of Violation. Whenever the Enforcement Authority believes that a Person has violated this Ordinance, the Enforcement Authority may order compliance with this Ordinance by written notice of violation to that Person indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:

- 8.1.1. The elimination of Non-Storm Water Discharges to the Storm Drainage System, including, but not limited to, disconnection of the Premises from the MS4;
- 8.1.2. The cessation of discharges, practices, or operations in violation of this Ordinance;
- 8.1.3. At the Person's expense, the abatement or remediation (in accordance with best management practices in DEP rules and regulations) of Non-Storm Water Discharges to the Storm Drainage System and the restoration of any affected property; and/or
- 8.1.4. The payment of fines, of the Municipality's remediation costs and of the Municipality's reasonable administrative costs and attorneys' fees and costs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement or restoration must be completed.

8.2. Penalties/Fines/Injunctive Relief. Any Person who violates this Ordinance shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the Municipality's attorney's fees and costs, all in accordance with 30-A M.R.S.A. § 4452. Each day such violation continues shall constitute a separate violation. Moreover, any Person who violates this Ordinance also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to attorneys' fees and costs, incurred by the Municipality for violation of federal and State environmental laws and regulations caused by or related to that Person's violation of this Ordinance; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this Article.

8.3. Consent Agreement. The Enforcement Authority may, with the approval of the municipal officers, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this Ordinance for the purposes of eliminating violations of this Ordinance and of recovering fines, costs and fees without court action.

8.4. Appeal of Notice of Violation. Any Person receiving a Notice of Violation or suspension notice may appeal the determination of the Enforcement Authority to the Board of Appeals in accordance with the Board of Appeals Ordinance. The notice of appeal must be received within 30 days from the date of receipt of the Notice of Violation. The Board of Appeals shall hold a de novo hearing on the appeal within 30 days from the date of receipt of the notice of appeal. The Board of Appeals may affirm, reverse or modify the decision of the Enforcement Authority. A suspension under Article 6 of this Ordinance remains in place unless or until lifted by the Board of Appeals or by a reviewing court. A party aggrieved by the decision of the Board of Appeals may appeal that decision to the Maine Superior Court within 45 days of the date of the Board of Appeals decision pursuant to Rule 80B of the Maine Rules of Civil Procedure.

8.5. Enforcement Measures. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal to the Board of Appeals, within 45 days of a decision of the Board of Appeals affirming the Enforcement Authority's decision, then the Enforcement Authority may recommend to the municipal officers that the municipality's attorney file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.

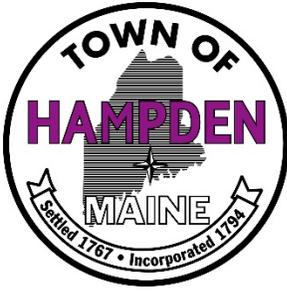
8.6. Ultimate Responsibility of Discharger. The standards set forth herein are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any Person will ensure that there will be no contamination, pollution, nor unauthorized discharge of Pollutants into waters of the U.S. caused by said Person. This Ordinance shall not create liability on the part of the Municipality, or any officer agent or employee thereof for any damages that result from any Person's reliance on this Ordinance or any administrative decision lawfully made hereunder.

**ARTICLE 9.
SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this Ordinance.

**ARTICLE 10.
BASIS.**

The Town of Hampden, Maine enacts this Non-Storm Water Discharge Ordinance (the "Ordinance") pursuant to 30-A M.R.S.A. § 3001 (municipal home rule ordinance authority), 38 M.R.S.A. § 413 (the "Wastewater Discharge Law"), 33 U.S.C. § 1251 et seq. (the "Clean Water Act"), and 40 CFR Part 122 (U.S. Environmental Protection Agency's regulations governing the National Pollutant Discharge Elimination System ("NPDES")). The Maine Department of Environmental Protection, through its promulgation of the "General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems" dated June 3, 2003, has listed the Town as having a Regulated Small Municipal Separate Storm Sewer System ("Small MS4"); under this General Permit, listing as a Regulated Small MS4 necessitates enactment of this Ordinance as part of the Municipality's Storm Water Management Program.



Town of Hampden
Town Planner

Memorandum

To: Planning & Development Committee
From: Paula Scott, Interim Town Manager, and Karen M. Cullen, AICP, Town Planner
Date: September 26, 2019
RE: Amendments to Fees Ordinance

In accordance with Article 9 of the Fees Ordinance, staff has prepared a number of proposed revisions to the fees charged for various applications and services. These include:

- State regulated fees in Article 1, Administration
- An increase in the fee for Special Amusement permits, plus a requirement that the applicant pay the cost for public notices, to be consistent with fees for similar permits (Article 2, Section 2.11).
- Revisions to the way building permit fees are assessed, to bring our fees closer to (but still less than) building permit fees charged in area municipalities (Article 2, Section 2.15).
- Adding fees for the Post-Construction Stormwater Management Ordinance, to be consistent with the removal of fees from individual ordinances and to set the fees which are currently set on a case by case basis by the municipal review authority – a practice which is not recommended since it can lead to inconsistency in fees charged to different people for similar services (Article 2, Section 2.16). The administrative fee (\$50) is paid at the time of initial review, which is done in conjunction with a site plan approval. The draw account deposit is used to pay for both engineering and legal review of the stormwater management design and the agreement document between the applicant and the Town. The annual certification review fee is to cover the costs of reviewing the required annual report for the project, which includes a site visit by staff to ensure the stormwater facilities are as represented in the annual report.
- Adding fees for Private Event Venue licenses (Article 2, Section 2.17). These fees cover the costs for staff time which includes the Town Planner, DPW Director, Director of Public Safety, Code Enforcement Officer, Tax Collector, and Treasurer, as each of these people are required to report on the potential or actual impacts of the venue in preparation for the initial approval and annual renewals.
- Increasing the fee for Advanced Life Support backup (Article 3, Fire Dept.)
- Modifying the fee for Special Detail to reference the Collective Bargaining Unit (Article 4, Police Dept.)
- Revise the fees for Private Swim Lessons (Article 8, Section 8.11).

**TOWN OF HAMPDEN, MAINE
FEES ORDINANCE**

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ADOPTED: Hampden Town Council October 20, 1986
Effective: November 19, 1986

AMENDED: Hampden Town Council December 7, 1987
Effective: January 5, 1988

AMENDED: Hampden Town Council March 21, 1991
Effective: April 21, 1991

AMENDED: Hampden Town Council July 6, 1993
Effective: August 5, 1993

AMENDED: Hampden Town Council December 20, 1993
Effective: January 19, 1994

AMENDED: Hampden Town Council May 6, 1996
Effective: June 6, 1996

AMENDED: Hampden Town Council February 7, 1998
Effective: March 18, 1998

AMENDED: Hampden Town Council November 17, 2003
Effective: December 17, 2003

AMENDED: Hampden Town Council March 21, 2005
Effective: April 20, 2005

AMENDED: Hampden Town Council April 4, 2005
Effective: May 4, 2005

AMENDED: Hampden Town Council October 6, 2008

	Effective: November 5, 2008	
AMENDED:	Hampden Town Council June 15, 2009 Effective: July 15, 2009	
AMENDED:	Hampden Town Council August 3, 2009 Effective: September 2, 2009	
AMENDED:	Hampden Town Council January 19, 2010 Effective: February 18, 2010	
AMENDED:	Hampden Town Council September 19, 2011 Effective: October 19, 2011	8.8.4, 8.9, 8.10, 8.11, 8.15, 8.16.1, 8.16.3, 8.16.5 (new 8.11 added and remainder of Article 8 re-numbered)
AMENDED:	Hampden Town Council April 23, 2012 Effective: May 23, 2012	New 1.13 added and remainder of Article 1 re-numbered, 3.5, 3.6, 3.7, 3.8, 7.2, 7.3, added 7.4 and 7.5
AMENDED:	Hampden Town Staff, November 27, 2012 Effective: December 27, 2012	Deleted Article 8.12 and 8.13
AMENDED:	Hampden Town Council, April 22, 2014 Effective: May 22, 2014	Articles 6.2, 6.3 and 6.4
AMENDED:	Hampden Town Council, September 2, 2014 Effective: October 2, 2014	Articles 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, and 8.16
AMENDED:	Hampden Town Council, December 1, 2014 Effective: December 31, 2014	Articles 3.1, 3.3, 3.5, 3.7 and 3.8; 3.9 and corrected numbering of Article 3; and Articles 4.2, and 4.4
AMENDED:	Hampden Town Council, February 16, 2016 Effective March 17, 2016	Article 2.9
AMENDED:	Hampden Town Council, April 19, 2016 Effective May 19, 2016	Articles 1.8, 1.9, 1.15 (new), 2.3, 2.5, 2.7, 2.8, 2.13, 5.1, 5.2, 8.1, 8.3, 8.4, 8.6, 8.7, 8.10, 8.14, and 8.16
AMENDED:	Hampden Town Council, May 16, 2016 Effective June 16, 2016	Articles 2.6, 2.12.2, 2.12.4, 2.16.2, 2.16.4, 2.16.5, and 2.16.8
AMENDED:	Hampden Town Council, September 8, 2016 Effective October 8, 2016	Article 6.3.8, 6.3.9, and 6.4.4
AMENDED:	Hampden Town Council, February 21, 2017 Effective March 21, 2017	Articles 6.2.1- 6.2.7, 6.3.1 – 6.3.4, 6.3.11
AMENDED:	Hampden Town Council, May 15, 2017 Effective June 14, 2017	Preamble, Articles 1.2, 1.6, 1.10, 1.16, 1.17 2.9.1, 2.9.3, 2.9.4, 2.9.5, 2.12, 2.12.4 – 2.12.6, Footnote 1, 2.15, 2.16.2.1 – 2.16.2.5, 2.16.4, 2.16.4.1 – 2.16.4.3, 2.16.5, 2.16.9, 2.16.9.1 – 2.16.9.2, 2.16.10.4, Footnote 2, 2.16.10.4.1 – 2.16.10.4.4, 2.16.11.1, 2.16.12, 2.16.12.1 – 2.16.12.3, 5.2.5

- AMENDED: Hampden Town Council, August 7, 2017 Article 2.1
Effective September 6, 2017
- AMENDED: Hampden Town Council, November 6th, 2017 Preamble, Article 1.12, 1.13,
Effective December 5th, 2017 1.16, 2.10.1 - 2.10.3, 2.11.1,
5.2.2-5.2.3, 8.2 – 8.12, 8.14, 8.16,
8.16.2, 8.16.5
- AMENDED: Hampden Town Council, July 2, 2018 Article 2.12.6, 2.16.8 (site plan),
Effective August 1, 2018 2.16.11 (deleted commercial secure
landfill applications), 2.16.9 (added
conditional use)
- AMENDED: Hampden Town Council, Oct. 15, 2018 Article 1.2.1,1.2.2,1.2.3, 1.7,2.6.2, 2.6.3,
Effective November 14, 2018 2.6.4, 7.6, 7.6.1, 7.6.2, 7.6.3
- AMENDED: Hampden Town Council, May 20, 2019 Article 2.9
Effective June 19, 2019
- AMENDED: Hampden Town Council, _____, 2019 Article 2.16 (added), Article 2.17 (added)
Effective _____, 2019

CERTIFIED BY: 

Paula Scott, Town Clerk

Affix Seal

**TOWN OF HAMPDEN, MAINE
FEES ORDINANCE**

The Town of Hampden hereby ordains:

In addition to those Town fees and charges, the authorization of which is provided for by Town Ordinances, the following schedule of fees for Town services is approved:

Exemptions: All Town Government activities and projects shall be exempt from these fees except in the case where Maine Statutes dictate otherwise. Organizations located in Hampden with a not-for-profit status recognized by the Internal Revenue Service pursuant to 501(c)(3) shall be exempt from building permit fees (2.16.1), demolition fees (2.16.2(1-3)), sign permit fees (2.16.3), fees for certificates of occupancy and compliance (2.16.4) and additional inspection fees (2.16.5) *(Amended 11/6/17)*

**ARTICLE 1
ADMINISTRATION**

Amended 11-17-03, 3-21-05, 6-15-09, 4-23-12, 4-19-16, 5-15-17

Please note: Fees for items which are state regulated are subject to change without notice

1.1.	Business or Certificate of Sole Proprietor filing <i>(Amended 10/15/2018)</i>	\$10.00 (State Regulated)
	<u>Certificate of Partnership filing</u>	<u>\$10.00 (State Regulated)</u>
1.2.	Copy of Vital Record <i>(Amended 5/15/17) (Amended 10/15/2018)</i>	
1.2.1.	Certified Copy <i>(Amended 10/15/2018)</i>	\$15.00 (State Regulated)
1.2.2.	Each additional copy purchased the same day <i>(Amended 10/15/2018)</i>	\$ 6.00 (State Regulated)
1.2.3.	Attested Copy <i>(Amended 10/15/2018)</i>	\$10.00 (State Regulated)
1.3.	Copy of Subdivision Ordinance	At Cost
1.4.	Copy of Zoning Ordinance	At Cost
1.5.	Copy of other ordinances	
1.5.1.	up to 20 pages	\$0.25/page
1.5.2.	and a page after that	\$0.15/page
1.6.	Photocopies	
1.6.1.	8 ¹ / ₂ inch x 11 inch or smaller (B&W)	\$0.25/page
1.6.2.	8 ¹ / ₂ inch x 14 inch (B&W)	\$0.50/page
1.6.3.	11 inch x 17 inch (B&W)	\$0.75/page
1.6.4.	8 ¹ / ₂ inch x 11 inch or smaller (color) <i>(Amended 5/15/17)</i>	\$1.00/page

1.6.5.	8 ¹ / ₂ inch x 14 inch (color) <i>(Amended 5/15/17)</i>	\$1.25/page
1.7.	<i>Marriage License</i> <i>(Amended 10/15/2018)</i>	\$40.00 (State Regulated)
1.8.	<i>Notary Fee</i>	Free for Hampden residents \$3.00 for non-residents
1.9.	<i>Record Search</i>	\$15.00/hour (for hours over 1)
1.10.	<i>Recording of Pole Permits</i> <i>(Amended 5/15/17)</i>	\$4.00
1.11.	<i>Tax Maps</i>	
	1.11.1. (11 inch x 17 inch)	\$50.00/complete set
	1.11.2. (24 inch x 36 inch) <i>(Amended 05/15/17)</i>	\$8.00 map
1.12.	<i>Compact Disk copies of ordinances, documents or recorded meetings (audio only)</i> <i>(Amended 11/6/17)</i>	\$5.00
1.13.	<i>DVD copies of video recorded meetings</i> <i>(Added 4/23/12)</i> <i>(Amended 11/6/17)</i>	\$5.00
1.14.	<i>Liquor License</i> <i>(Amended 6/15/09)</i>	
	New or renewal _____ \$(State Regulated by type, paid directly to the State)(Public hearing not required) _____ \$ 50.00	
	Cost for public notices and mailings – (new license only)(Public hearing is required) _____	
	_____ \$150.00At cost	
1.15.	<i>Incoming Faxes</i>	\$1.00/page
1.16.	<i>Hunting on Town Land Authorization and Map Book</i> <i>(Amended 5/15/17) (Amended 11/6/17)</i>	\$12.00 (resident) \$17.00 (non-resident)
1.17.	<i>Dog Licensing:</i>	
	1.17.1. Spayed/Neutered dog <i>(Amended 5/15/17) (Amended 10/15/18)</i>	\$ 6.00 (State Regulated)
	1.17.2. Male/Female dog <i>(Amended 5/15/17) (Amended 10/15/18)</i>	\$ 11.00 (State Regulated)
	1.17.3. Late Fee <i>(Amended 5/15/17) (Amended 10/15/18)</i>	\$25.00 (State Regulated)

2.6.	<i>Harbor Ordinance</i>	
2.6.1.	Private mooring	\$100.00 annual fee.
2.6.2.	Unattended tie-ups <i>(Added 10/15/2018)</i>	\$25.00 - \$100.00/day
2.6.3.	Moorings violation <i>(Added 10/15/2018)</i>	\$25.00 - \$100.00/violation
2.6.4.	Willful destruction of channel marker/buoy <i>(Added 10/15/18)</i>	\$100.00 - \$200.00/violation
2.7.	<i>Historic Preservation Ordinance</i>	
2.7.1.	Certificate of Appropriateness Application Fee	\$75.00
2.7.2.	Historic Site or Landmark Designation Application Fee	\$150.00
2.7.3.	Cost of public notices and mailings	At cost
2.8.	<i>Mobile Home Park Ordinance</i>	
2.8.1.	Annual Mobile Home Park License <i>(This includes application review, initial inspection of premises and a follow-up inspection).</i>	\$200.00
2.8.2.	Additional Inspection Fee <i>(If the town needs to perform additional inspections as a result of applicant deficiencies, each inspection will be charged prior to the inspection).</i>	\$200.00
2.9.	<i>Sewer Ordinance</i> <i>(Amended 8/3/09, 2/16/16)</i>	
2.9.1.	Sewer Service Charge Rate <i>(Amended 8/3/09) (Amended 5/15/17)</i> <i>(Amended 05/20/2019)</i>	\$12.00 per 100 cubic feet of water (c.f.w.) consumed as indicated by consumer's water meter.
2.9.1.1.	Sewer Charge Flat Rate Town Water No Meter <i>(Amended 5/15/17) (Deleted 10/15/2018)</i>	\$0.00
2.9.1.2.	Sewer Charge Flat Rate Well Water No Meter <i>(Amended 5/15/17)</i>	\$182.66
2.9.2.	Sewer Service Capital Charge <i>(Deleted 10/15/2018)</i>	\$0.00
2.9.2.1.	<i>(Deleted 10/15/2018)</i>	\$0.00
2.9.2.2.	<i>(Deleted 10/15/2018)</i>	\$0.00
2.9.2.3.	<i>(Deleted 10/15/2018)</i>	\$0.00
2.9.2.4.	<i>(Deleted 10/15/2018)</i>	\$0.00
2.9.3.	Sewer Service Minimum Charge Rate <i>(Amended 5/15/17)</i>	\$31.39
2.9.4.	Sewer Service "Ready to Serve" Charge <i>(Amended 5/15/17)</i>	\$31.39
2.9.5.	Special Sewer Service Charge (Sewer Ord. Sec. 10.4) <i>(Amended 5/15/17)</i>	As determined by Town Council.
2.9.6.	Sewer Service Charge Rate Outside Town Limits	As determined by Town Council.
2.10.	<i>Solid Waste Flow Control Ordinance</i>	
2.10.1.	License Application Fee (initial one-time fee, Per Company, up to 4 Vehicles) <i>(Amended 5/15/17)</i> <i>(Amended 11/6/17)</i>	\$200.00
2.10.2.	License Application Fee (initial one-time fee, Per Company, more than 4 Vehicles) <i>(Amended 11/6/17)</i>	\$250.00
2.10.3.	Annual License Fee Per Vehicle <i>(Amended 5/15/17) (Amended 11/6/17)</i>	\$ 50.00

2.11. Special Amusement Ordinance (Amended 11/6/17)

- | | |
|--|-------------------------------------|
| 2.11.1. Permit Application Fee (Public Hearing Required) | \$125.00 \$150.00 |
| 2.11.2. Cost for public notices and mailings | At cost |

2.12. Subdivision Ordinance

- | | |
|--|--|
| 2.12.1. Subdivision Sketch Plan | No Charge |
| 2.12.2. Minor Subdivision (Amended 5/15/17) | \$100.00 plus \$20.00/lot |
| 2.12.3. Minor Subdivision Review/Inspection Draw | Not required |
| 2.12.4. Major Subdivision Preliminary Plan | |
| 2.12.4.1 on existing road (Amended 5/15/17) | \$150.00 plus \$50.00/lot |
| 2.12.4.2 with new road | \$500.00 plus \$50.00/lot |
| 2.12.4.3 Draw Account Deposit (for technical review) ^{1, 2, 3}
(Amended 5/15/17) | \$2,000.00 |
| 2.12.5 Major Subdivision Final Plan (Amended 5/15/17) | |
| 2.12.5.1 Following Preliminary Plan | \$150.00 plus \$20.00 per lot |
| 2.12.5.2 If no Preliminary Plan | \$500.00 plus \$50.00 per lot |
| 2.12.5.3 Draw Account Deposit (for technical review) ^{1, 2, 3} | None if Preliminary Plan
completed and no significant
modifications to infrastructure
made; otherwise \$2,000.00. |
| 2.12.6. Draw Account Deposit for Construction Inspections ^{2, 3}
(Required prior to the start of construction
for any subdivision with infrastructure that
is proposed to be accepted by the Town of Hampden.)
(Amended 7/2/18) | \$5,000.00 |
| 2.12.7 Cost for public notices and mailings (Amended 5/15/17) | At cost |

2.13. Victualers Ordinance (Amended 6/15/09, 4/19/16)

- | | |
|--|----------|
| 2.13.1. Victualers License Application | |
| 2.13.1.1. Public hearing not required | \$100.00 |
| 2.13.1.2. Public hearing is required | \$150.00 |
| 2.13.1.3. Cost for public notices and mailings | At cost |

The above fees include all inspections required by Town of Hampden Victualers Ordinance. If an inspection is performed and the Code Enforcement Officer or Fire Inspector, or their alternate, believe a reinspection is needed because of a fault of the applicant or agent then a fee per 2.16.5 will be charged and due prior to the issuance of the Victualers License.

2.14. Waste Disposal Facility Licensing Ordinance

- | | |
|-------------------------|-------------|
| 2.14.1. Application Fee | \$50,000.00 |
|-------------------------|-------------|
- This is a draw account to be used by the Council to hire consultants as necessary to review the proposal. If at any time balance drops to \$10,000.00 the applicant shall deposit an additional \$10,000.00. Any unexpended balance shall be returned after a final decision on the application is rendered.*

2.15. Zoning Ordinance

2.15.1. Building Permit Applications for all Construction	\$25.00 plus \$0.10 per sq. ft. of total building area including but not limited to finished areas, basements, attics, decks, pools, porches, sheds, garages, etc.
2.15.1.1 Residential/Commercial - new construction	\$25.00 plus \$0.40 per sq. ft. of total building area
2.15.1.2 Other Residential permits	\$25.00 plus \$0.25 per sq. ft. including but not limited to garages, additions, etc
2.15.1.3 Decks – not attached & over 200 sq.ft.	\$25.00 plus \$0.15 per sq.ft.
2.15.1.4 Sheds – over 200 sq. ft.	\$25.00 plus \$0.10 per sq.ft.
2.15.1.5 Residential Interior Alterations	\$25.00 plus \$0.15 per sq.ft.
2.15.1.6 Commercial Interior Alterations	\$25.00 plus \$0.25 per sq.ft.
<i>(Plumbing Permit Application)</i>	<i>State Regulated</i>
2.15.2. Demolition/Earth Moving Permit Application	
2.15.2.1 Demolition (residential-with sewer connection) <i>(Amended 5/15/17)</i>	\$100.00
2.15.2.2 Demolition (residential-no sewer connection) <i>(Amended 5/15/17)</i>	\$50.00
2.15.2.3 Demolition (commercial) <i>(Amended 5/15/17)</i>	\$150.00
2.15.2.4 Earth Moving (Code Enforcement Issued) <i>(Amended 5/15/17)</i>	\$100.00
2.15.2.5 Earth Moving (Planning Board Issued) <i>(Amended 5/15/17)</i>	\$200.00
2.15.3. Sign Permit Application	\$25.00 per sign
2.15.4. Certificate of Compliance or Occupancy	
2.15.4.1 Certificate of Compliance Application <i>(Amended 5/15/17)</i>	\$100.00
2.15.4.2 Certificate of Occupancy Application <i>(Amended 5/15/17)</i>	\$100.00
2.15.4.3 Dual applications (filed together) <i>(Amended 5/15/17)</i>	\$150.00
2.15.5. Additional Inspections <i>(If the town needs to perform additional inspections as a result of applicant deficiencies). (Amended 5/15/17)</i>	\$35.00 per hour per inspector
2.15.6. Zoning Board of Appeals Variance Application	
2.15.6.1 General Variance	\$250.00
2.15.6.2 Dimensional Variance	\$250.00
2.15.6.3 Disability Variance	Free
2.15.6.4 Administrative Appeal Application	\$250.00

2.15.6.5	Cost for public notices and mailings	At cost
2.15.7.	Zoning Ordinance Map Amendment Request <i>(Amended 5/15/17)</i>	
2.15.7.1	Amendment Application <i>(Amended 5/15/17)</i>	\$650.00
2.15.7.2	Cost for public notices and mailings	At cost
2.15.8.	Site Plan Review Applications <i>(Amended 7/2/18)</i>	
2.15.8.1	Minor Revision	\$75.00
2.15.8.2	Minor Site Plan	\$150.00
2.15.8.3	Major Site Plan	
2.15.8.3.1	Less than 1 acre of land disturbance	\$300.00
2.15.8.3.2	1 to < 3 acres of land disturbance	\$600.00
2.15.8.3.3	3 to < 5 acres of land disturbance	\$850.00
2.15.8.3.4	5 to < 8 acres of land disturbance	\$1,200.00
2.15.8.3.5	8 acres or more of land disturbance	\$1,500.00
2.15.8.4	Draw Account Deposit (for technical review) ^{1, 2, 3} <i>(Amended 5/15/17)</i>	
2.15.8.4.1	General Engineering <i>(Amended 5/15/17)</i>	\$800.00
2.15.8.4.2	Stormwater Analysis <i>(Where proposed use disturbs more than 20,000 sq. ft. of land). (Amended 5/15/17, 7/2/18)</i>	\$600.00
2.15.8.4.3	Traffic Analysis <i>(Where proposed use will generate at least 350 average daily trip ends). (Amended 5/15/17)</i>	\$1,000.00
2.15.8.4.4	Construction Inspections ^{2, 3} <i>(Where proposal includes any infrastructure proposed to be accepted by the Town of Hampden). (Amended 7/2/18)</i>	\$5,000
2.15.8.5	Cost for public notices and mailings <i>(Amended 5/15/17)</i>	At cost
2.15.9	Conditional Use Applications <i>(Amended 7/2/18)</i>	
2.15.9.1	Conditional Use without site plan	\$75
2.15.9.2	Conditional Use with site plan <i>(This is in addition to the site plan review application fee)</i>	\$50
2.15.9.3	Cost for public notices and mailings	At Cost

¹ In addition to the Planning Board application fees the applicant must make a deposit for a Peer Technical Review draw account when the nature of the review exceeds the technical capability of Town personnel. Applications which require subsequent re-review of additional information, or amended submittals shall be responsible to provide additional funds to cover the full peer review costs. *(Amended 5/15/17)*

² Upon exhausting in excess of 75% of the funds in the original deposit, the applicant shall provide additional funding in increments of 50% of the original deposit. *(Amended 5/15/17)*

³ Any remaining funds held in the draw account upon endorsement of the plan (for technical review accounts) or issuance of a certificate of compliance (for construction inspections), after all invoices are paid, shall be returned to the applicant. *(Amended 5/15/17, 7/2/18)*

2.16 Post-Construction Stormwater Management Ordinance (added 11/4/2019)

<u>2.16.1 Administrative Fee (initial approval)</u>	<u>\$50</u>
<u>2.16.2 Draw Account Deposit (for technical review)^{1, 2, 3}</u>	<u>\$600</u>
<u>2.16.3 Annual Certification Review Fee (paid each year with the annual report)</u>	<u>\$150</u>

2.17 Private Event Venue Licensing Ordinance (added 11/4/2019)

<u>2.17.1 Private Event Venue License – Initial Application</u>	<u>\$200</u>
<u>2.17.2 Private Event Venue License – Renewal Application</u>	<u>\$100</u>
<u>2.17.3 Cost for public notices and mailings</u>	<u>At Cost</u>

ARTICLE 3
FIRE DEPARTMENT
Amended 11-17-03, 4-4-05; 4-23-12; 12-1-14

- 3.1. **DELETED** (Amended 12-1-14)
- 3.2. **Report Copies** \$10.00
- 3.3. **DELETED** (Amended 12-1-14)
- 3.4. **Fee for pumping:** 1 time emergency Free
- 3.5. **DELETED** (Amended 12-1-14)
- 3.6. **Advanced Life Support 1 Rates** (Amended 4-23-12)
- 3.6.1. ALS 1 Base Rate \$685.00
 - 3.6.2. ALS 2 Base Rate \$885.00
 - 3.6.3. ALS Non-Emergency Rate \$475.00
 - 3.6.4. ALS Mileage \$ 17.00
 - 3.6.5. ALS Backup Fee ~~\$100.00~~200.00
- 3.7. **Basic Life Support Rates** (Amended 4-23-12; 12-1-14)
- 3.7.1. BLS Base Rate \$550.00
 - 3.7.2. BLS Non-Emergency Rate \$450.00
 - 3.7.3. DELETED (Amended 12-1-14)
 - 3.7.4. BLS Mileage \$ 17.00
- 3.8. **Ambulance Stand-by fee for special events** (Amended 4-23-12; 12-1-14)
\$143.06 per EMS staff member per 0 to 4 hour event. Each additional 0 to 4 hour event shall be billed at an additional \$143.06 per EMS staff member.
- 3.9. **DELETED** (Amended 12-1-14)

ARTICLE 4
POLICE DEPARTMENT
Amended 11-17-03; 12-1-14

- 4.1. **Report Copies** (accident or criminal) \$10.00 for the first page
plus .25 per page
thereafter
- 4.2. **Special Detail** (Dances, games, guard duty, etc.) (Amended 12-1-14) ~~\$143.06 per officer for the first
two hours. Each additional hour
shall be billed at the current
average overtime rate plus
administrative fee.~~
\$As determined by the
Collective Bargaining Unit
- 4.3. **Concealed Weapons (Hand Gun) Permit**
- 4.3.1. First Permit - State Maximum \$35.00
- 4.3.2. Renewal \$20.00
- 4.4. **DELETED** (Amended 12-1-14)

ARTICLE 5
PUBLIC WORKS
Amended 11-17-03, 4-19-16

5.1. Additional Fees

5.1.1.	Public Works Dept. Labor After 3:00 PM	\$200.00 per person (up to 4 hours); \$50.00 per person per hour for every hour above 4.
5.1.2.	Street Opening/Utility Connection Permit	\$50.00
5.1.3.	Sewer Connection	Determined based on proposed use and flow in accordance with Sewer Connection Fee Calculation Worksheet and Sewer Connection Fee Schedule.

5.2. Solid Waste Fees

5.2.1.	<i>(DELETED 11/6/17)</i>	Refer to Article 2
5.2.2.	<i>(DELETED 11/6/17)</i>	Refer to Article 2
5.2.3.	<i>(DELETED 11/6/17)</i>	Refer to Article 2
5.2.4.	Resident Transfer Station Decal	\$10.00
5.2.5.	Replacement of lost Transfer Station Decal <i>(Amended 5/15/17)</i>	\$5.00

ARTICLE 6
RECREATION
Amended 11-17-03, 4-22-14

6.1. **Recreation Fee Waiver Policy:** Any person interested in any Hampden Recreation program that feels they do not have the financial means to afford the full fee shall receive a waiver at the sole discretion of the Recreation Director. Full or partial fee waivers may be given as determined by financial need and the recreation program for which the waiver is requested.

6.2. **Program Fees:**

6.2.1.	Kids Kamp (full week) (<i>Amended 2-21-17</i>)	\$140.00-\$160.00
6.2.2.	Kids Korner AM Program (day) (<i>Amended 2-21-17</i>)	\$ 8.00-\$11.00
6.2.3.	Kids Korner PM Program (day) (<i>Amended 2-21-17</i>)	\$12.00-\$15.00
6.2.4.	Kids Korner Half Day Program (12-6 PM) (day)	\$25.00-\$30.00
6.2.5.	Kids Korner Full Day Program (7 AM-6 PM) (day)	\$40.00-\$45.00
6.2.6.	Team Sport-Resident (depend on session length)	\$35.00-\$40.00
6.2.7.	Team Sport-Non Resident (depend on session length)	\$40.00-\$45.00
6.2.8.	Program Registration Late Fee (per person, per program)	\$10.00

6.3. **Skehan Recreation Center Fees:**

(all requests are subject to availability and require advance written reservation contract and payment)

6.3.1.	Gymnasium Rental-1/2 Gym (<i>Amended 2-21-17</i>)	\$25.00-\$40.00/hour
6.3.2.	Gymnasium Rental-Full Gym (<i>Amended 2-21-17</i>)	\$50.00-\$75.00/hour
6.3.3.	Allen Fitness Room Rental (<i>Amended 2-21-17</i>)	\$25.00-\$40.00/hour
6.3.4.	Interior Classroom Rental (<i>Amended 2-21-17</i>)	\$25.00-\$40.00/hour
6.3.5.	Gymnasium Rental Full Day	negotiated at contract
6.3.6.	Allen Fitness Room Rental Full Day	negotiated at contract
6.3.7.	Interior Classroom Rental Full Day	negotiated at contract
6.3.8.	Affiliated Program Rental 1/2 Gym	negotiated at contract
6.3.9.	Affiliated Program Rental Full Gym	negotiated at contract
6.3.10.	Gymnasium Rental-Multi Day/Multi Week	negotiated at contract
6.3.11.	Private Party Rental (<i>Amended 2-21-17</i>)	\$100.00-\$150.00

2 hours full gym includes classroom for any food consumed

6.4. **RESERVED Outdoor Play Field/Space Rental Fees:** Ball Field or Soccer Field

(all requests are subject to availability and require advance written reservation contract and payment)

6.4.1.	Single Field/Single Game-Resident	\$25.00
6.4.2.	Single Field/Full Day-Resident	\$50.00
6.4.3.	Single Field-Multi Day/Multi Week-Resident	negotiated at contract
6.4.4.	Affiliated Program Rental	negotiated at contract
6.4.5.	Single Field/Single Game-Non Resident	\$50.00
6.4.6.	Single Field/Full Day- Non Resident	\$100.00
6.4.7.	Single Field-Multi Day/Multi Week-Non Res.	negotiated at contract
6.4.8.	Single Field-Light Use	\$15.00 per event

ARTICLE 7
LIBRARY

Amended 11-17-03, 1-19-10; 4-23-12

7.1. Library Fees	
7.1.1. Resident Annual Fee	Free
7.1.2. Non-Resident Annual Fee	\$35.00/year
7.1.3. Overdue Fees	
7.1.3.1. Books and Periodicals	\$0.10/day
7.1.3.2. Audio or Video	\$0.10/day
7.1.3.3. Maximum Overdue Fee	\$3.00/item
7.2 Self-service Photocopies (Amended 4/23/12)	\$0.25/page
7.3 Self-service Printer Pages (Amended 4/23/12)	\$0.25/page
7.4 Self-service Sending of Faxes (Added 4/23/12)	
7.4.1. Within United States	\$1.00/page
7.4.2. International	\$2.00/page
7.5 Receiving of Faxes (Added 4/23/12)	Not Allowed
7.6 Meeting Room Use (Added 10/15/2018)	
7.6.1 Non-profit organizations during business hours	No Charge
7.6.2 For-profit organizations during business hours	\$50.00/up to three hours
7.6.3 Any use outside of business hours	\$50.00/hour

ARTICLE 8
POOL

Amended 11-17-03, 4-4-05, 10-6-08, 9-19-11, 11-27-12, 9-2-14, 4-19-16

8.1. Susan G. Abraham Memorial Endowed Scholarship provides the opportunity to learn to swim (see 8.9 & 8.10) to those who could not otherwise afford it. The scholarship is based on individual assessment of financial need and recipient must be resident of RSU #22 District.
(Amended 9/19/2011; 9/2/2014)

8.2. Annual Resident Membership Fees: *(Amended 9/2/2014)_(Amended 11/6/17)*

8.2.1. Family	\$276.00
8.2.2. Single Adult	\$168.00
8.2.3. Youth/Teen	\$130.00
8.2.4. Senior	\$157.00

8.3. Six Month Resident Membership Fees: *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.3.1. Family	\$173.00
8.3.2. Single Adult	\$106.00
8.3.3. Youth/Teen	\$ 83.00
8.3.4. Senior	\$101.00

8.4. Three Month Resident Membership Fees: *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.4.1. Family	\$106.00
8.4.2. Single Adult	\$ 67.00
8.4.3. Youth/Teen	\$ 57.00
8.4.4. Senior	\$ 62.00

8.5. Annual Non-Resident Membership Fees: *(Amended 9/2/2014) (Amended 11/6/17)*

8.5.1. Family	\$309.00
8.5.2. Single Adult	\$198.00
8.5.3. Youth/Teen	\$160.00
8.5.4. Senior	\$188.00

8.6. Six Month Non-Resident Membership Fees: *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.6.1. Family	\$193.00
8.6.2. Single Adult	\$125.00
8.6.3. Youth/Teen	\$103.00
8.6.4. Senior	\$119.00

8.7. Three Month Non- Resident Membership Fees: *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.7.1. Family	\$119.00
8.7.2. Single Adult	\$ 80.00
8.7.3. Youth/Teen	\$ 68.00
8.7.4. Senior	\$ 74.00

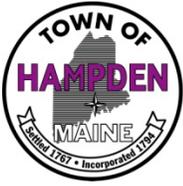
8.8. Daily Swim Fee for non-members *(Amended 9/19/2011; 9/2/2014) (Amended 11/6/17)*

8.8.1. Single Swim - Resident	\$ 5.00
8.8.2. Single Swim – Non-Resident	\$ 6.00
8.8.3. Resident 12 Use Punch Card	\$ 48.00
8.8.4. Non-Resident 12 Use Punch Card	\$ 60.00

- 8.9. Resident Swim Lessons** (Amended 9/19/2011; 9/2/2014) (Amended 11/6/17)
- 8.9.1. Members \$5.00 per class
 - 8.9.2. Non-Members \$6.50 per class
- 8.10. Non-Resident Swim Lessons** (Amended 9/19/2011; 9/2/2014; 4/19/16) (Amended 11/6/17)
- 8.10.1. Members \$7.00 per class
 - 8.10.2. Non-Members \$9.00 per class
- 8.11. Private Swim Lessons** (Amended 9/19/2011) (Amended 11/6/17)
- 8.11.1 Resident Member ~~\$16.00 per childperson, per class~~
 - ~~1 Child \$16.00 per class~~
 - ~~2 Children \$21.00 per class~~
 - 8.11.2. Resident Non-member ~~\$21.00 per childperson, per class~~
 - ~~1 Child \$21.00 per class~~
 - ~~2 Children \$26.00 per class~~
 - 8.11.3 Non-resident Member ~~\$21.00 per childperson, per class~~
 - ~~1 Child \$21.00 per class~~
 - ~~2 Children \$26.00 per class~~
 - 8.11.4 Non-resident Non-member ~~\$26.00 per childperson, per class~~
 - ~~1 Child \$26.00 per class~~
 - ~~2 Children \$32.00 per class~~
- 8.12. Deleted** November 27, 2012
- 8.13. Deleted** November 27, 2012
- 8.14. Adult Aqua Fitness:** (Amended 4/19/16) (Amended 11/6/17)
- 8.14.1. Residents \$5.00/class
 - 8.14.2. Non-Residents \$6.00/class
- 8.15. Gentle Aerobics** (deleted 9/19/2011)
- 8.16. Pool Party Package** (Limited Availability): (Amended 9/19/2011; 9/2/2014; 4/19/16) (Amended 11/6/17)
- 8.16.1. Resident Pool/Lounge Rental (up to 50 total guests) \$100.00/hour
 - 8.16.2. ~~(DELETED 11/6/17)~~
 - 8.16.3. Non-Resident Pool/Lounge Rental (up to 50 total guests) \$125.00/hour
 - 8.16.4. ~~(DELETED 11/6/17)~~
 - 8.16.5. ~~(DELETED 11/6/17)~~
- Note: Pool Party Package payments due in full at time of rental. Payments may be made online or in person, and may be paid by cash, check or credit card.*
- 8.17. Swim Diaper** \$1.00

ARTICLE 9
ANNUAL REVIEW BY TOWN COUNCIL

- 9.1** An itemized listing of fees for each town department will be submitted to the Town Council by the Town Manager on or before October of each year for the Council's review, revision, and approval.



**Appendix B: Town of Hampden
Sewer Connection Fee Schedule**

Amusement Park		Determined by Public Works Director
Apartment Building	185	gpd/unit
Auto Body Shop	0.05	gpd/ft ²
Auto Sales Garage	0.05	gpd/ft ²
Bakery	0.15	gpd/ft ²
Bank	0.1	gpd/ft ²
Barber Shop	0.35	gpd/ft ²
Beauty Salon	0.75	gpd/ft ²
Boarding House	50	gpd/bed
Bowling Alley	75	gpd/lane
Car Wash		Determined by Public Works Director
Church (sanctuary)	185	gpd
Day Care	10	gpd/child
Dry Cleaners	0.15	gpd/ft ²
Duplex, any Combination	270	gpd/unit
Fast Food Restaurant (no table service)	20	gpd/seat
Funeral Home	0.05	gpd/ft ²
Government Building	0.1	gpd/ft ²
Health Club	0.15	gpd/ft ²
Hospitals	150	gpd/bed
Hotels/Motels	100	gpd/unit
Industrial (process flow)		Determined by Public Works Director
Laundry	2.0	gpd/20lb machine
Lodge	0.25	gpd/ft ²
Medical/Dental	0.15	gpd/ft ²
Mobile Homes	270	gpd
Nursing	100	gpd/bed
Offices	0.06	gpd/ft ²
Restaurant	35	gpd/seat
Retail	0.05	gpd/ft ²
Retirement	120	gpd/unit
Schools	10	gpd/student
Senior Housing Facility	65	gpd/island
Single Family Homes	270	gpd
Supermarket	0.05	gpd/ft ²
Taverns, Bars, Lounges	0.09	gpd/ft ²
Theater	3	gpd/seat
Train/Bus Stations	0.075	gpd/ft ²
Utilities	0.01	gpd/ft ²
Veterinarians	0.65	gpd/ft ²
Warehouse	0.05	gpd/ft ²