

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

OCT 15th, 2018

7:00 P.M.

- A. PLEDGE OF ALLEGIANCE
- B. CONSENT AGENDA
 - 1. SIGNATURES
 - 2. SECRETARY'S REPORTS
 - a. None
 - 3. COMMUNICATIONS
 - a. Proposed 2019 State Valuation
 - 4. REPORTS
 - a. Finance Committee Minutes – Sept 17th, 2018
 - b. Infrastructure Committee Minutes – None
 - c. Planning & Development Committee Minutes – Sept 5th, 2018
 - d. Services Committee Minutes – Sept 10th, 2018
- C. PUBLIC COMMENTS
- D. POLICY AGENDA
 - 1. NEWS, PRESENTATIONS & AWARDS
 - 2. PUBLIC HEARINGS
 - a. Proposed amendments to the Fees Ordinance – *referred by Council on October 1st*
 - b. Proposed repeal of the Outdoor Wood Boiler Annual Licensing Ordinance – *referred by Council on October 1st*

NOTE: The Council will take a 5-minute recess at 8:00 pm.

- c. Proposed amendments to the Town Ways Ordinance – *referred by Council on October 1st*

3. NOMINATIONS – APPOINTMENTS – ELECTIONS

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- a. Council referral to public hearing the proposed amendments to the Board of Appeals Ordinance – *referral from Planning & Development Committee*
- b. Council referral to public hearing the proposed amendments to the General Assistance Ordinance – *as prepared by MMA for the Office of Family Independence, State of Maine*
- c. Request for authorization for the expenditure of \$7,784 from Police Cruiser Reserve for the purpose of outfitting the new cruiser with equipment – *referral from Finance & Administration*
- d. Liquor License renewal for Pizza Gourmet – *requested by Brian Carlisle, Pizza Gourmet*
- e. Request for authorization for the expenditure of \$34,000 from Recreation Area Reserve for the purpose of awarding a contract to Plymouth Engineering to perform professional services to secure stormwater permitting for the Western Avenue Municipal Properties – *referral from Finance & Administration*

E. COMMITTEE REPORTS

F. MANAGER'S REPORT

G. COUNCILORS' COMMENTS

H. ADJOURNMENT

B-3-a



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
MAINE REVENUE SERVICES
PROPERTY TAX DIVISION
PO BOX 9106
AUGUSTA, MAINE
04332-9106

ADMINISTRATIVE & FINANCIAL SERVICES

ALEXANDER E. PORTEOUS
COMMISSIONER

MAINE REVENUE SERVICES

JEROME D. GERARD
EXECUTIVE DIRECTOR

COPY

September 2018

TO: Municipal Assessors and Chairman of Board of Selectmen

RE: Proposed 2019 State Valuation

Pursuant to 36 M.R.S. § 208, the Bureau of Revenue Services is required to send you an annual notice of proposed state valuation for municipalities located in your county. Enclosed with this notice are the 2019 proposed state valuations representing the value of all taxable property in each municipality as of April 1, 2017.

The valuations certified to the Secretary of State pursuant to 36 M.R.S. § 305 will be used for all computations required by law to be based on the state valuation.

In accordance with 36 M.R.S. § 272, any municipality aggrieved by the Bureau of Revenue Services' determination of state valuation may appeal to the State Board of Property Tax Review **within 45 days of receipt of this notification**. The mailing address of the State Board of Property Tax Review is: State Board of Property Tax Review, 49 State House Station Augusta, ME 04333.

Any questions concerning the proposed 2019 state valuation maybe directed to the Property Tax Division at 624-5600.

Kind Regards,

A handwritten signature in blue ink that reads "Steven J. Salley".

Steven J. Salley,
Supervisor, Municipal Services
Property Tax Division

Enclosure

PENOBSCOT COUNTY

**MAINE REVENUE SERVICES
PROPERTY TAX DIVISION**

PROPOSED 2019 STATE VALUATION

MUNICIPALITY	STATE VALUATION
ALTON	\$43,600,000
BANGOR	\$2,616,650,000
BRADFORD	\$66,700,000
BRADLEY	\$113,850,000
BREWER	\$732,700,000
BURLINGTON	\$37,150,000
CARMEL	\$182,050,000
CARROLL PLANTATION	\$24,050,000
CHARLESTON	\$67,800,000
CHESTER	\$110,600,000
CLIFTON	\$78,100,000
CORINNA	\$109,550,000
CORINTH	\$145,850,000
DEXTER	\$217,000,000
DIXMONT	\$94,650,000
DREW PLANTATION	\$4,900,000
EAST MILLINOCKET	\$60,950,000
EDDINGTON	\$173,300,000
EDINBURG	\$9,000,000
ENFIELD	\$149,500,000
ETNA	\$73,950,000
EXETER	\$64,650,000
GARLAND	\$49,150,000
GLENBURN	\$295,750,000
GREENBUSH	\$66,250,000
HAMPDEN	\$665,150,000
HERMON	\$535,150,000
HOLDEN	\$294,350,000
HOWLAND	\$59,700,000
HUDSON	\$101,300,000
KENDUSKEAG	\$79,200,000
LAGRANGE	\$31,500,000
LAKEVILLE	\$70,850,000
LEE	\$56,550,000

PENOBSCOT COUNTY

**MAINE REVENUE SERVICES
PROPERTY TAX DIVISION**

PROPOSED 2019 STATE VALUATION

LEVANT	\$171,050,000
LINCOLN	\$297,900,000
LOWELL	\$49,300,000
MATTAWAMKEAG	\$43,350,000
MAXFIELD	\$8,600,000
MEDWAY	\$58,800,000
MILFORD	\$187,200,000
MILLINOCKET	\$159,600,000
MOUNT CHASE	\$36,350,000
NEWBURGH	\$110,750,000
NEWPORT	\$279,650,000
OLD TOWN	\$453,800,000
ORONO	\$470,900,000
ORRINGTON	\$380,700,000
PASSADUMKEAG	\$19,800,000
PATTEN	\$39,800,000
PLYMOUTH	\$81,700,000
SEBOEIS PLANTATION	\$12,150,000
SPRINGFIELD	\$17,650,000
STACYVILLE	\$19,650,000
STETSON	\$91,900,000
VEAZIE	\$237,000,000
WEBSTER PLANTATION	\$7,750,000
WINN	\$21,300,000
WOODVILLE	\$34,500,000
PENOBSCOT NATION	\$9,600,000
TOTAL	\$10,782,200,000

Town of Hampden

Item B. 4. a

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday September 17th, 2018

6:00 P.M.

HAMPDEN TOWN OFFICE

MINUTES

Attending:

Chairman McAvoy
Mayor McPike
Councilor Cormier
Councilor Marble
Councilor Ryder
Councilor Wilde - arrived at 6:10 p.m. *

Town Manager Chandler
Town Clerk Paula Scott

Absent:

Councilor Wright

Chairman McAvoy called the meeting to order at 6:00 p.m.

1. Meeting Minutes

- a. Sept. 4th, 2018 – *Councilor Marble made a motion, seconded by Councilor Ryder to approve the 9/4 minutes. Unanimous, 5-0.*

2. Review & Sign Warrants – *Committee members reviewed and signed the disbursement warrants.*

3. Unfinished Business

- a. *Council rules review – standing item – Committee proposed starting at beginning of the Council Rules rather than Article 7. Members worked on the rules until the conclusion of the meeting.*

- i. *Adoption of proposed restructured Council Rules*
- ii. *Article 7- Council Committees*

4. New Business

- a. Update on the status of the FEMA disaster reimbursement claim –
No action
5. Manager's Items – *Discussed municipal building needs with committee. No action items.*
6. Public Comment - *None*
7. Committee Member Comments - *None*
8. Adjournment – *Chairman McAvoy adjourned the meeting at 6:55 p.m.*

Respectfully Submitted,

A handwritten signature in black ink that reads "Paula A. Scott". The signature is written in a cursive, flowing style.

*Paula A. Scott, CCM
Town Clerk*

* corrected 10/15/2018



Town of Hampden
Planning and Development Committee
 Wednesday September 5, 2018, 6:00 pm
 Municipal Building Council Chambers

Minutes

Attending:

Committee/Council

David Ryder - Chair
 Dennis Marble
 Ivan McPike
 Terry McAvoy
 Mark Cormier

Staff

Karen Cullen, Town Planner
 Myles Block, Code Enforcement Officer
 Jim Chandler, Town Manager

Public

Farrah Perry

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

1. Minutes for the August 1, 2018 meeting – **Motion** to approve as submitted made by Councilor McAvoy; second by Councilor Marble; carried 5/0/0.
2. Committee Applications: None
3. Citizen's Initiatives: None
4. New Business: None
5. Old Business: None
6. Zoning Considerations/Discussions:
 - a. Discussion of potential zoning amendment to allow Place of Assembly in the Rural district. Planner Cullen introduced the concept which is to allow venues for weddings, family reunions, meetings, etc. She reviewed her memo and the issues that have arisen in other communities where these uses have been established, primarily traffic and noise. Other issues include buffering (visual), dust control (from dirt driveways and parking areas), sewage disposal, and operational issues such as the number of events per year, the duration of events, and the number of attendees. The main points of the discussion were:
 - there are different levels of such event centers, some are full time businesses while others are only offered a few times a year
 - Farrah Perry offered that she is interested in doing this at her property on Shaw Hill Road but only on a limited basis, with just a few events per year
 - there are a variety of ways to allow and regulate these uses
 - the committee wants to pursue such event centers as an allowable use in the zoning ordinance, and keep the regulations simple yet provide appropriate criteria and the means for the Planning Board to set site-specific conditions for projects they approve
 - Planner Cullen will work on this with the Planning Board.

7. Updates:

- a. MRC/Fiberight: CEO Block reported that construction is continuing. Town Manager Chandler reported he has been trying to get a response (so far unsuccessfully) from Fiberight regarding the need to deal with the temporary occupancy permit issue as it relates to the use of the facility and compliance with the Planning Board approval and zoning ordinance. CEO Block reported he still has not received plans for energy code compliance or fire suppression. He added the project is being done by many different parties, apparently with little if any oversight by any one entity, which has led to the situation we're dealing with on a daily basis now.
- b. Staff Report:
 - i. Planner Cullen reported that the packet included an updated project list which includes two new applications, one for a minor subdivision and the other is another "insubstantial" modification requested by MRC/Fiberight for more modifications to the approved site plan. Both of these will be in front of the Planning Board next week, September 12.
 - ii. CEO Block reported that there has been quite a few new homes permitted this year, four in August and about a dozen are under construction in several areas of town.
 - iii. CEO Block said he was working on draft regulations for property maintenance and would have them ready for the October P&D meeting. There was discussion whether the Council had requested this; CEO Block was certain he had heard that directive at a meeting but no one present could confirm one way or the other. Councilor Marble stated he would be in favor of reviewing something. Councilor McAvoy said he would never vote in favor of a property maintenance ordinance.
 - iv. CEO Block reported there is a Board of Appeals meeting scheduled for September 26 for a variance request.
 - v. Planner Cullen reported the Shoreland Zoning Ordinance draft is moving forward and she is now ready to meet with the state to address a number of questions on the regulations. Once that's done we can move ahead with creating a new map that will match the state mandated (not the optional) shoreland zones.

8. Public Comments: None

9. Committee Member Comments: Councilor McAvoy asked about the flags/banners; Manager Chandler said we have recently purchased new flags and have received permission from Emera to install them on the telephone poles; that will be done when DPW can get to it.

10. Adjournment: **Motion** to adjourn the meeting at 6:56 pm made by Mayor McPike, seconded by Councilor Marble; motion carried 5/0/0.

*Respectfully submitted by
Karen Cullen, Town Planner*

Town of Hampden

Item B. 4. d

SERVICES COMMITTEE MEETING

Monday, September 10, 2018

6:00 pm

HAMPDEN TOWN OFFICE

MINUTES

Attending:

*Chairman Marble
Councilor McAvoy
Councilor Ryder
Mayor McPike
Councilor Wilde
Councilor Wright
Councilor Cormier*

*Town Manager Jim Chandler
Eric Jarvi
Chris Packard*

1. Minutes

- a. **August 13, 2018** – *Mayor McPike made a motion, seconded by Councilor McAvoy to accept. Unanimous vote in favor, 6-0.*

2. Committee Applications & Citizen Initiatives – None

3. Unfinished Business

a. Marina – Harbor Master Ordinance Changes

Chairman Marble introduced the item stating that the only question had been from Councilor McAvoy on the Harbor Master's authority. Town Manager Jim Chandler stated he had heard back from the Attorney at Maine Municipal this afternoon that resulted in one additional edit/change that was made on page 2. Councilor Wright made a motion to refer to Town Council for Public Hearing, this was seconded by Councilor McAvoy. The vote was unanimous.

4. New Business

a. Casella's Notification of New Costs for Hauling Town Recycling – Requested by staff and Chairman Marble

Councilors held discussion on this item.
Nothing was decided.

5. Manager and Staff Comments

a. Youth Recreational Field Parking & Stormwater Permitting

Town Manager Chandler put out an RFQ. He also had a list of all attendees interested in the proposal.

b. Souadabscook Stream Boat Launch at Vafiades Landing

Chris Packard spoke about the Land Mark Heritage Trust as a possible funding source if the Town would agree to be the owner if the funds were raised to purchase the Landing. The Town could provide the maintenance of the Landing. The Committee suggested the Town Manager and Chris may want to sit down and have a discussion on what responsibilities the Town would play in the ownership and maintenance of the Landing if it were purchased by the Land Trust.

c. Transit Study & Bus Budget changes

Town Manager Chandler stated the colored chart is of the monthly numbers of ridership over the last 6 fiscal years. It shows a decline in ridership over the last 3 years. Councilor Ryder explained that it does not depict the actual riders from Hampden. The Hampden route starts in Bangor, both Bangor and Hampden riders are counted in those numbers. The Town is interested in more and better information on ridership for Hampden.

d. BACTS Pedestrian – Bicycle Planning Study

Town Manager reported BACTS is in the process of putting together a study and map.

6. Public Comments

Eric Jarvi comment on walking 1A and the difficulties.

7. Committee Member Comments

8. Adjourn

With no further business, the meeting adjourned at 7:00 p.m.

*Respectfully submitted,
Rosemary Bezanson, Administrative Assistant*

**TOWN OF HAMPDEN, MAINE
FEES ORDINANCE**

TABLE OF CONTENTS

Draft

**The Town of Hampden Hereby Ordains
Proposed Amendments to the Fees Ordinance**

Deletions are ~~Strikethrough~~ Additions Double Underlined

ARTICLE 1 – ADMINISTRATION	4
ARTICLE 2 – FEES FOR ACTIVITIES REGULATED BY TOWN ORDINANCE	6
ARTICLE 3 – FIRE DEPARTMENT	11
ARTICLE 4 – POLICE DEPARTMENT	12
ARTICLE 5 – PUBLIC WORKS DEPARTMENT	13
ARTICLE 6 – RECREATION	14
ARTICLE 7 – LIBRARY	15
ARTICLE 8 – POOL	16
ARTICLE 9 – ANNUAL REVIEW BY TOWN COUNCIL	18
APPENDIX A – SEWER CONNECTION FEE CALCULATION WORKSHEET	19
APPENDIX B – SEWER CONNECTION FEE SCHEDULE	20

- 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	Articles 6.2.1- 6.2.7, 6.3.1 – 6.3.4, 6.3.11

Effective March 21, 2017

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
Effective September 6, 2017
Article 2.1

AMENDED: Hampden Town Council, November 6th, 2017
Effective December 5th, 2017
Preamble, Article 1.12, 1.13,
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
Effective August 1, 2018
Article 2.12.6, 2.16.8 (site plan),
2.16.11 (deleted commercial secure
landfill applications), 2.16.9 (added
conditional use)

AMENDED: Hampden Town Council, Oct. 15, 2018
Effective November 14, 2018
Article 1.2.1, 1.2.2, 1.2.3, 1.7, 2.6.2, 2.6.3,
2.6.4, 7.6, 7.6.1, 7.6.2, 7.6.3

CERTIFIED BY: *Paula A. Scott*
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. | <i>Business or Corporation Sole Proprietor filing</i> <i>(Amended 10/15/2018)</i> | <u>\$10.00 (State Regulated)</u> |
| 1.2. | <i>Copy of (Marriage/Birth/Death) Certificate Vital Record</i> <i>(Amended 5/15/17) (Amended 10/15/2018)</i> | |
| | <u>1.2.1. Certified Copy</u> <i>(Amended 10/15/2018)</i> | <u>\$15.00 (State Regulated)</u> |
| | <u>1.2.2. Each additional copy purchased the same day</u>
<i>(Amended 10/15/2018)</i> | <u>\$ 6.00 (State Regulated)</u> |
| | <u>1.2.3. Attested Copy</u> <i>(Amended 10/15/2018)</i> | <u>\$10.00 (State Regulated)</u> |
| 1.3. | <i>Copy of Subdivision Ordinance</i> | At Cost |
| 1.4. | <i>Copy of Zoning Ordinance</i> | At Cost |
| 1.5. | <i>Copy of other ordinances</i> | |
| | 1.5.1. up to 20 pages | \$0.25/page |
| | 1.5.2. and a page after that | \$0.15/page |
| 1.6. | <i>Photocopies</i> | |
| | 1.6.1. 8½ inch x 11 inch or smaller (B&W) | \$0.25/page |
| | 1.6.2. 8½ 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. 8½ inch x 11 inch or smaller (color) <i>(Amended 5/15/17)</i> | \$1.00/page |
| | 1.6.5. 8½ 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> | <u>\$40.00 (State Regulated)</u> |
| 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.	Recording of Pole Permits <i>(Amended 5/15/17)</i>	\$4.00
1.11.	Tax Maps	
	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.	Compact Disk copies of ordinances, documents or recorded meetings (audio only) <i>(Amended 11/6/17)</i>	\$5.00
1.13.	DVD copies of video recorded meetings <i>(Added 4/23/12)</i> <i>(Amended 11/6/17)</i>	\$5.00
1.14.	Liquor License <i>(Amended 6/15/09)</i> (Public hearing not required) (Public hearing is required)	\$ 50.00 \$125.00 \$150.00
1.15.	Incoming Faxes	\$1.00/page
1.16.	Hunting on Town Land Authorization and Map Book <i>(Amended 5/15/17)</i> <i>(Amended 11/6/17)</i>	\$12.00 (resident) \$17.00 (non-resident)
1.17.	Dog Licensing:	
	1.17.1. Spayed/Neutered dog <i>(Amended 5/15/17)</i> <i>(Amended 10/15/18)</i>	<u>\$ 3.00</u> (State Regulated)
	1.17.2. Male/Female dog <i>(Amended 5/15/17)</i> <i>(Amended 10/15/18)</i>	<u>\$ 11.00</u> (State Regulated)
	1.17.3. Late Fee <i>(Amended 5/15/17)</i> <i>(Amended 10/15/18)</i>	<u>\$25.00</u> (State Regulated)

ARTICLE 2
FEEES FOR ACTIVITIES REGULATED BY TOWN ORDINANCE
Amended 11-17-03, 3-21-05, 6-15-09, 8-3-09, 4-19-16, 05/15/17

2.1. Animal Control Ordinance	
2.1.1. Animal Impoundment Fee (<i>Amended 8/7/17</i>)	\$35.00 First offense \$45.00 Second offense \$55.00 Third offense
2.2. Cable Television Ordinance	
2.2.1. Initial Franchise Application Filing Fee	\$500.00
2.2.2. Renewal Franchise Application Filing Fee	\$500.00
2.2.3. Modification of a Franchise Agreement	\$500.00
2.2.4. Combined Filing Fee for participating towns	\$7,000.00
2.3. Cemetery Ordinance	
2.3.1. Lot Fees including perpetual care.	
2.3.1.1. Resident	\$325.00
2.3.1.2. Resident - Infant or Cremation	\$325.00
2.3.1.3. Non-Resident	\$450.00
2.3.1.4. Non-Resident Infant or Cremation	\$450.00
2.3.2. Interment fees	
2.3.2.1. Grave Openings Weekdays Adult	\$400.00
2.3.2.2. Grave Openings Weekdays Infant or Cremation	\$125.00 <u>\$150.00</u>
2.3.2.3. Grave Openings Weekends or Holidays Adult	\$600.00
2.3.2.4. Grave Openings Weekends or Holidays Infant or Cremation	\$200.00 <u>\$300.00</u>
2.3.3. Town Crypt Fees	
2.3.3.1. Resident	Free
2.3.3.2. Non-Resident	\$50.00
2.3.4. Disinterment	\$1,000.00
2.3.5. Vault Cremation	\$400.00
2.3.6. Public Works Dept. Cemetery Crew Labor After 3:00 PM	\$35.00/hour <u>person</u>
2.4. Concourse Gathering Ordinance	
2.4.1. Concourse Gathering Permit Fee	\$100.00
2.5. Floodplain Management Ordinance	
2.5.1. Application Fee	\$100.00
2.5.2. Experts Fee	\$500.00 horizontal review \$1,000.00 vertical review and horizontal review. This is a draw account established for a professional to establish flood elevation data where possible. Any unspent funds are to be returned to the applicant
2.5.3. Cost for public notices and mailings	At cost
<i>(Any "at cost" fee must be paid to the Town before the issuance of approved permits or variances, or action on a board order is undertaken).</i>	

2.6. Harbor Ordinance		
2.6.1.	Private mooring	\$100.00 annual fee.
2.6.2.	Unattended tie-ups (Added 10/15/2018)	\$25.00 - \$100.00/day
2.6.3.	Moorings violation (Added 10/15/2018)	\$25.00 - \$100.00/violation
2.6.4.	Willful destruction of channel marker/buoy (Added 10/15/18)	\$100.00 - \$200.00/violation
2.7. Historic Preservation Ordinance		
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. Mobile Home Park Ordinance		
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. Sewer Ordinance (Amended 8/3/09, 2/16/16)		
2.9.1.	Sewer Service Charge Rate <i>(Amended 8/3/09) (Amended 5/15/17)</i>	\$11.60 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 (Amended 5/15/17) (Amended 10/15/2018)	\$111.29
	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>	
	2.9.2.1. Base Rate for 1 to 2,999 c.f.w. consumed	\$0.00
	2.9.2.2. 3,000 to 5,999 c.f.w. consumed (double base)	\$0.00
	2.9.2.3. 6,000 to 8,999 c.f.w. consumed (triple base)	\$0.00
	2.9.2.4. Other c.f.w. amount	\$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. Solid Waste Flow Control Ordinance		
2.10.1.	License Application Fee (initial one-time fee, Per Company, up to 4 Vehicles) <i>(Amended 5/15/17) (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

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} \$2,000.00
(Amended 5/15/17)

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} \$5,000.00
(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)

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.
<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 *(Amended 7/2/18)*

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)*

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

3.1.	<i>DELETED</i> <i>(Amended 12-1-14)</i>	
3.2.	<i>Report Copies</i>	\$10.00
3.3.	<i>DELETED</i> <i>(Amended 12-1-14)</i>	
3.4.	<i>Fee for pumping: 1 time emergency</i>	Free
3.5.	<i>DELETED</i> <i>(Amended 12-1-14)</i>	
3.6.	<i>Advanced Life Support 1 Rates</i> <i>(Amended 4-23-12)</i>	
	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
3.7.	<i>Basic Life Support Rates</i> <i>(Amended 4-23-12, 12-1-14)</i>	
	3.7.1. BLS Base Rate	\$550.00
	3.7.2. BLS Non-Emergency Rate	\$450.00
	3.7.3. <i>DELETED</i> <i>(Amended 12-1-14)</i>	
	3.7.4. BLS Mileage	\$ 17.00
3.8.	<i>Ambulance Stand-by fee for special events</i> <i>(Amended 4-23-12, 12-1-14)</i>	\$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.	<i>DELETED</i> <i>(Amended 12-1-14)</i>	

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.) <i>(Amended 12-1-14)</i> | \$143.06 per officer for the first
two hours. Each additional hour
shall be billed at the current
average overtime rate plus
administrative fee. |
| 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 <i>(Amended 12-1-14)</i> | |

**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) (Amended 2-21-17)	\$140.00-\$160.00
6.2.2. Kids Korner AM Program (day) (Amended 2-21-17)	\$ 8.00-\$11.00
6.2.3. Kids Korner PM Program (day) (Amended 2-21-17)	\$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 (Amended 2-21-17)	\$25.00-\$40.00/hour
6.3.2. Gymnasium Rental-Full Gym (Amended 2-21-17)	\$50.00-\$75.00/hour
6.3.3. Allen Fitness Room Rental (Amended 2-21-17)	\$25.00-\$40.00/hour
6.3.4. Interior Classroom Rental (Amended 2-21-17)	\$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 (Amended 2-21-17)	\$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
<u>7.6 Meeting Room Use</u> (Added 10/15/2018)	
<u>7.6.1 Non-profit organizations during business hours</u>	<u>No Charge</u>
<u>7.6.2 For-profit organizations during business hours</u>	<u>\$50.00/up to three hours</u>
<u>7.6.3 Any use outside of business hours</u>	<u>\$50.00/hour</u>

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
- 1 Child \$16.00 per class
- 2 Children \$21.00 per class
- 8.11.2. Resident Non-member
- 1 Child \$21.00 per class
- 2 Children \$26.00 per class
- 8.11.3 Non-resident Member
- 1 Child \$21.00 per class
- 2 Children \$26.00 per class
- 8.11.4 Non-resident Non-member
- 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

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains
Proposed Repeal of the OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

~~ADOPTED: Hampden Town Council, March 19, 2007
Effective Date: April 18, 2007~~

REPEALED: Hampden Town Council, October 15, 2018
Effective Date: October 16, 2018

CERTIFIED BY: Denise Hodsdon
Name

Town Clerk
Title Affix Seal

~~OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING ORDINANCE~~
~~CONTENTS~~

ARTICLE	PAGE
1. TITLE AND PURPOSE	2
2. DEFINITIONS	2
3. ANNUAL LICENSE REQUIRED	2
4. SPECIFIC REQUIREMENT	3
5. SUSPENSION OF LICENSE	3
6. WAIVERS	3
7. PENALTIES	4
8. EFFECT ON OTHER REGULATIONS	4
9. EFFECTIVE DATE	5

**TOWN OF HAMPDEN, MAINE
OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING ORDINANCE**

**ARTICLE 1
TITLE AND PURPOSE**

1.1. Title. This chapter shall be known as the "Town of Hampden, Maine Outdoor Wood Fired Boiler Annual Licensing Ordinance."

1.2. Home Rule Authority. It is adopted pursuant to Municipal Home Rule Law.

1.3. Purpose. Although outdoor wood fired boilers may provide an economical alternative to conventional heating systems, concerns have been raised regarding the safety and environmental impacts of these heating devices, particularly the production of offensive odors and potential health effects of uncontrolled emissions. This Ordinance is intended to ensure that outdoor wood fired boilers are utilized in a manner that does not create a nuisance and is not detrimental to the health, safety and general welfare of the residents of the Town.

**ARTICLE 2
DEFINITIONS**

2.1. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

"**Outdoor wood-fired boiler (OWB)**" (same as outdoor wood-fired furnace) means an accessory structure or appliance capable of being installed out of doors and designed to transfer or provide heat, via liquid or other means, through the burning of wood or any other nongaseous or non liquid fuels for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. "Outdoor wood-fired boiler or furnace" does not include a fire pit, wood-fired barbecue, or chiminea.

"**Nuisance**" means any odor, emission, or event that prevents the reasonable use and enjoyment of one's property. For purposes of this ordinance, an OWB shall constitute a nuisance following three or more verified complaints within any 30 day period.

"**Firewood**" means trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than three inches in diameter.

"**Untreated lumber**" means dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, chemical, preservative, glue, adhesive, stain, paint or other substance.

**ARTICLE 3
ANNUAL LICENSE REQUIRED**

3.1. Annual license required. In addition to any permit required under the Town's Fire Prevention Code, no person shall cause, allow or maintain the use of an outdoor wood-fired boiler within the Town of Hampden, Maine without first having obtained an annual license from the Hampden Town Council. Application for annual license shall be made to the Town Clerk on the forms provided.

~~3.2—Standards for initial license.~~ The Town Council shall issue an initial license for an outdoor wood-fired boiler if it determines that:

~~3.2.1—A permit has been issued for the proposed outdoor wood-fired boiler under the Fire Prevention Code; and~~

~~3.2.2—The proposed outdoor wood-fired boiler complies with the requirements of Sections 4.2, 4.3, 4.4 and 4.6 of this Ordinance.~~

~~3.3—Standards for renewal license.~~ The Town Council shall issue a renewal license for an outdoor wood-fired boiler if it determines that:

~~3.3.1. The code official responsible for enforcement of the Fire Prevention Code provides written documentation to the effect that the outdoor wood-fired boiler is in compliance with the applicable provisions of that Code;~~

~~3.3.2—The outdoor wood-fired boiler is in compliance with the requirements of Sections 4.2, 4.3, 4.4, and 4.6 of this Ordinance;~~

~~3.3.3. The outdoor wood-fired boiler was operated in compliance with the requirements of Sections 4.1 and 4.5 of this Ordinance during the preceding year; and~~

~~3.3.4—None of the conditions set forth in Sections 5.1.1, 5.1.2, 5.1.3, 5.1.4, or 5.1.5 of this Ordinance occurred during the preceding year.~~

~~3.4. Existing outdoor wood-fired boilers.~~ Any outdoor wood-fired boiler that was installed, connected, and operating as of the effective date of this Ordinance shall be permitted to remain, provided that the owner applies for and receives an annual license from the Town Council within 120 days of such effective date. Provided, however, that upon the effective date of this Ordinance all the provisions of this Ordinance, except Sections 4.2 Permitted Zones, 4.3 Minimum Lot Size, and 4.4 Setbacks in the event and to the extent that the existing outdoor wood-fired boiler in question does not comply with the same, shall immediately apply to any existing outdoor wood-fired boiler. Any existing outdoor wood-fired boiler that is not in compliance with Sections 4.3 and 4.4 shall not be made more nonconforming. If the owner of an existing outdoor wood-fired boiler does not receive a permit within one year of the effective date of this Ordinance, the outdoor wood-fired boiler shall be removed.

~~ARTICLE 4~~ ~~SPECIFIC REQUIREMENTS~~

~~4.1. Permitted fuel.~~ Only firewood and untreated lumber are permitted to be burned in any outdoor wood-fired boiler. Burning of any and all other materials in an outdoor wood-fired boiler is prohibited.

~~4.2. Permitted zones.~~ Outdoor wood-fired boilers shall be permitted in all zoning districts except the Resource Protection District as shown on the Town's Zoning Map.

~~4.3. Minimum lot size.~~ Outdoor wood-fired boilers shall be permitted only on lots of three acres or more.

~~4.4. Setbacks.~~ Outdoor wood-fired boilers shall be set back not less than 150 feet from the nearest lot line. Additionally, outdoor wood-fired boilers shall be set back not less than 200 feet from neighboring residences.

~~4.5.— *Months of operation.* Outdoor wood-fired boilers shall be prohibited from operation between the dates of May 1 and October 1.~~

~~4.6.— *Spark arrestors.* All outdoor wood-fired boilers shall be equipped with properly functioning spark arrestors.~~

~~4.7.— *Continued compliance required.* If an outdoor wood-fired boiler is installed in compliance with Sections 4.3 and 4.4, the outdoor wood-fired boiler may not be used if the lot on which it is situated is altered so that the minimum lot size or setback(s) are no longer met.~~

ARTICLE 5 REVOCATION OF LICENSE

~~5.1.— *Revocation of license.* A license issued pursuant to this Ordinance may, after notice and hearing, be revoked as the Town Council may determine to be necessary to protect the public health, safety and welfare of the residents of the Town of Hampden if any of the following conditions occur:~~

~~5.1.1.— Emissions from the outdoor wood-fired boiler exhibit opacity that obscures or partially obscures clear view of structures and trees that lay behind the smoke and haze on either the property where the outdoor wood-fired boiler is located or on adjoining properties. This may be evidenced by photographs that are time dated;~~

~~5.1.2.— Malodorous air contaminants from the outdoor wood-fired boiler are detectable outside the property boundaries of the land on which the outdoor wood-fired boiler is located. This may be evidenced by Town Public Safety Officials;~~

~~5.1.3.— The emissions from the outdoor wood-fired boiler interfere with the reasonable enjoyment of life or property;~~

~~5.1.4.— The emissions from the outdoor wood-fired boiler cause damage to vegetation or property; or~~

~~5.1.5.— The emissions from the outdoor wood-fired boiler are or may be harmful to human or animal health.~~

~~5.2.— *Prohibited use after revocation.* If a license is revoked, the outdoor wood-fired boiler in question shall not be used or operated.~~

~~5.3.— *Reinstatement of license.* A revoked license may be reinstated once the condition which resulted in revocation is remedied and reasonable assurances are given that such condition will not recur. Recurrence of a condition which has previously resulted in revocation of a license shall be considered a violation of this Ordinance subject to the penalties provided in Section 7.1 *Penalties for offenses* hereof.~~

ARTICLE 6 WAIVERS

~~6.1.— *Waivers.* Where the Town Council finds that extraordinary and unnecessary hardships may result from strict compliance with this Ordinance, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variations will not have the effect of nullifying~~

~~the intent and purpose of this Ordinance or of jeopardizing the health, safety or welfare of the public. In varying any regulations, the Town Council may impose such conditions and requirements as it deems reasonable and prudent. The Town Council may, at its discretion, hold a public hearing as part of its review. If the Town Council grants the waiver, a license shall be issued for the outdoor wood-fired boiler. If the Town Council denies the waiver, the outdoor wood-fired boiler must either be brought into compliance with this Ordinance or removed. If the Town Council does not take any action with respect to the waiver within 60 days from its receipt of an application for waiver, the waiver shall be deemed denied.~~

ARTICLE 7 PENALTIES

~~7.1. Penalties for offenses. Failure to comply with any of the provisions of this Ordinance shall be a violation and, upon conviction thereof, shall be subject to a civil penalty in accordance with Title 30-A M.R.S.A. §4452. In addition, any license issued pursuant to this Ordinance shall be revoked upon conviction of a second offense and the subject outdoor wood-fired boiler shall not be eligible for another license. Each day that a violation occurs shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden. The owners of premises upon which prohibited acts occur shall be jointly and severally liable for violations of this Ordinance. Violators shall also be responsible for any and all court fees, expert witness fees, costs, and reasonable attorney fees if the Town is the prevailing party in an enforcement action.~~

ARTICLE 8 EFFECT ON OTHER REGULATIONS

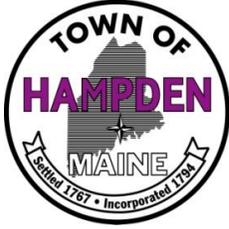
~~8.1. Effect on other regulations. Nothing contained herein shall authorize or allow burning which is prohibited by codes, laws, rules or regulations promulgated by the United States Environmental Protection Agency, Maine Department of Environmental Protection or any other federal, state, regional or local agency. Outdoor wood-fired boilers, and any electrical, plumbing or other apparatus or device used in connection with outdoor wood-fired boilers, shall be installed, operated and maintained in conformity with the manufacturer's specifications and instructions and any and all local, state and federal codes, laws, rules and regulations. In case of a conflict between any provision of this Ordinance and any applicable federal, state or local ordinances, codes, laws, rules or regulations, the more restrictive or stringent provision or requirement shall prevail.~~

ARTICLE 9 SEVERABILITY

~~9.1. Severability. Should any provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.~~

ARTICLE 10 EFFECTIVE DATE

~~10.1. Effective Date. The effective date of this Ordinance shall be 30 days from the date of adoption by the Town Council.~~



MEMORANDUM

106 Western Avenue
Hampden, Maine 04444
Office: 207-862-3034
Facsimile: 207-862-5067

TO: Town Council
FROM: Jim Chandler, Town Manager *JNC*
COPY: Sean Currier, Public Works Director
DATE: October 1, 2018
RE: Proposed Vehicle Weight Restrictions Amendment to Town Ways Ordinance

Please find attached proposed language to amend the Town Ways Ordinance to add an Article addressing vehicle weight restrictions on town way bridges and culverts.

Background

The Maine Department of Transportation (MDOT) routinely inspects three locally-maintained bridges and identified deficiencies or preventative maintenance issues with two bridges within the Town. Specifically, the Manning Mill Bridge and Sawyer Road Culvert were assessed and are the subject of comprehensive reports provided to the Town in November 2017. This issue was discussed at Council meetings in July and August and as result of a public hearing held August 20th the Town has placed before voters in November a referendum question to fund the approximately \$450,000 estimated to complete repairs on these two bridges.

Recommendation of Proposed Ordinance Amendment

Staff recommends Council schedule the required public hearing for the purpose of adopting the proposed amended Town Ways Ordinance, which will include vehicle weight restrictions on designated town way bridges and culvert crossings. This amendment language has been prepared with the following items:

- MMA Sample Ordinance language provided by their Legal Services team
- Discussions with Maine DOT staff (previous and ongoing)
- Research of applicable MRS Statutes (attached for your reference) specifically:
 - Title 29-A §2387. BRIDGE LOADS
 - Title 23 §5637. BRIDGE LOADS – INSPECTION, POSTING AND CLOSURE
- Manual for Uniform Traffic Control Devices (MUTCD), Section 6F.10 of the 2009 edition

The proposed amendment language is required to address the necessary precautionary warnings, restrictions and postings of bridges on town ways, pursuant to requirements of the State of Maine as defined in the appropriate Statutes enumerated in the ordinance language.

Legal Review

Review of the attached draft proposed amendment has been forwarded to our Counsel at Rudman Winchell, and final language presented for Public Hearing will be subject to any edits suggested by their review.

Fiscal Impacts

The cost of implementing this amended ordinance has nominal fiscal impact, in the form of purchase and installation of signs for the crossings of the Manning Mill Bridge and Sawyer Road Culvert.

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains
Proposed Amendment: “**Article 4. Vehicle Weight Restrictions**” to the Town Ways Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

Existing Ordinance Table of Contents below. Complete text available online.

**TOWN OF HAMPDEN, MAINE
TOWN WAYS ORDINANCE
TABLE OF CONTENTS**

ARTICLE I – GENERAL PAGE	3
1.1. Plan Required.....	3
1.2. Acceptance by Town Council.....	3
<u>1.3. Definitions.....</u>	<u>3</u>
1.3.4. Town Engineer Defined	4
1.4.5. Repeal of Conflicting Ordinances or Resolves	4
ARTICLE II – STANDARDS AND REQUIREMENTS	4
2.1. Connection With Existing Town Way	4
2.2. Intersections	5
2.3. Widths of Town Ways	5
2.4. Grades.....	5
2.5. Clearing of Stumps and Roots	5
2.6. Side Slopes	5
2.7. Subgrade.....	5
2.8. Gravel Base	5
2.9. Surface Treatment	5
2.10. Cul-de-sac (Dead-end Street)	5
2.11. Culverts	5
2.12. Opening Town Ways or Streets	6
2.13. Modified or Additional Standards	6
ARTICLE III – LIMITATIONS OF TRUCK TRAFFIC	6
3.1. Limitation/Prohibition of Truck Traffic	6
3.2. Enforcement	6
3.3. Civil Penalties	6
<u>ARTICLE IV – VEHICLE WEIGHT RESTRICTIONS</u>	<u>6</u>
<u>4.1. Vehicle Weight Restrictions</u>	<u>6</u>
<u>4.2. Restrictions and Notices</u>	<u>6</u>
<u>4.3. Exemptions</u>	<u>TBD</u>
<u>4.4. Enforcement</u>	<u>TBD</u>
<u>4.5. Civil Penalties</u>	<u>TBD</u>

TOWN OF HAMPDEN

Proposed New Language is everything below:

Added to Article I.

1. 3. Definitions - Except as otherwise provided herein, the definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Added in its entirety as Article IV.

4.1. Vehicle Weight Restrictions - Upon designation by the Town Manager and approval of the Town Council, vehicle weight limits and restrictions may be applied to bridges and culverts as may be located on town public ways, to prevent damage to town ways and bridges in the Town of Hampden. Such restrictions may be applied to vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce the public expense of their maintenance and repair. The Town Ways Ordinance is amended and adopted pursuant to 30-A M.R.S.A. § 3009; 29-A M.R.S.A. §§ 2395, 2387-2388; and 23 M.R.S.A. § 563.

4. 2. Restrictions and Notices - The Town Manager may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in the Town's judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

Pursuant to 29-A M.R.S.A. § 2395, the notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way, unless on a dead-end way where only the entering side shall be posted.

The Town may post specific vehicle weight restrictions on bridges or town ways as may be deemed necessary for temporary conditions of bridges, culverts and town ways. Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

4. 3. Exemptions - The Town acknowledges the following exemptions, as defined by and from time to time may be changed, Maine Statute. Additionally, the Town may deem it appropriate

TOWN OF HAMPDEN

upon petition by a citizen to review requests for a waiver for a specific vehicle or circumstance at a given location that otherwise is not directly addressed in the exemptions listed below.

- The following vehicles are exempt under State law: Any vehicle delivering home heating fuel or organic animal bedding and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).
- Frozen road exemption: This ordinance shall not apply to any restricted road which is frozen. The highway is considered “frozen” only when the air temperature is 32° F or below and no water is showing in the cracks of the road. Both conditions must be met.
- The following vehicles are also exempt under the specific provisions of this ordinance:
 1. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
 2. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this sub-4. if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.
 3. MaineDOT vehicles or other vehicles authorized by MaineDOT; or maintenance vehicles operated by the Town of Hampden or other municipality or county to maintain the roads under their authority.
 4. Any vehicle authorized by the Town of Hampden deemed necessary for the service or maintenance of properties not otherwise accessible except via passage over a particular bridge or culvert located on a town way.
 5. Authorized emergency vehicles as defined in 29-A M.R.S.A. § 2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
 6. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities may operate without a permit. Special Commodities includes any of the following:
 - a. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
 - b. Petroleum products;
 - c. Groceries;
 - d. Bulk milk;
 - e. Bulk feed;
 - f. Solid waste;

TOWN OF HAMPDEN

- g. Organic animal bedding;
- h. Returnable beverage containers;
- i. Sewage from private septic tanks or porta-potties; or
- j. Medical gases.

4. 4. Enforcement - This Ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee [such as town manager, road commissioner, code enforcement officer or law enforcement officer].

4. 5. Civil Penalties - Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Hampden and shall be brought in the Maine District Court.

Maine Revised Statutes
Title 23: TRANSPORTATION
Chapter 9: BRIDGES

§563. INSPECTION, POSTING AND CLOSURE

The department shall inspect all structures on public ways. [2017, c. 154, §1 (AMD) .]

1. Municipal-maintained structures. For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, noted deficiencies and recommendations regarding posting or closure. The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

[2001, c. 314, §2 (NEW); 2001, c. 314, §4 (AFF) .]

2. Department-maintained structures. For a structure for which the department has maintenance responsibility, the department has sole responsibility and authority to determine whether the structure must be posted or closed, except that a municipality may close the structure in cases of emergency. If the municipality becomes aware of deficiencies in a structure that could impact posting or closure decisions, the municipality shall promptly notify the department. The department is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

[2001, c. 314, §2 (NEW); 2001, c. 314, §4 (AFF) .]

SECTION HISTORY

2001, c. 314, §2 (NEW). 2001, c. 314, §4 (AFF). 2001, c. 667, §§C20,22 (AFF). 2017, c. 154, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 128th Maine Legislature and is current through November 1, 2017. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Maine Revised Statutes
Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 21: WEIGHT, DIMENSION AND PROTECTION OF WAYS

§2387. BRIDGE LOADS

1. Local authority to limit weight, number or speed. Officials responsible for the repair and maintenance of a bridge may limit the combined weight of vehicle and load or any axle, or the number or speed of vehicles permitted on a bridge to the limit necessary for the safety of life or property or the maintenance of the bridge.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

2. Department of Transportation responsibility. If an official fails to set limits, the Department of Transportation may set limits.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

3. Posting. Regulations are in effect when notice is conspicuously posted at each end of a bridge.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

4. Advice. Limits must be based on the advice of the Department of Transportation or a registered professional civil engineer retained for the purpose of inspecting and determining the safe capacity of bridges. In an emergency, the officials may set limits as they may determine proper for the structural capacity or the maintenance of the bridge.

As soon as is reasonably possible, the officials shall seek the advice of the Department of Transportation.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

5. Penalty. Violation of a posted bridge weight limit is a traffic violation, for which a forfeiture of \$20 per each full 1,000 pounds plus \$30 per each full 10% over the posted limit may be adjudged.

It is not a violation if the excess weight is less than 500 pounds multiplied by the number of axles less one.

If the violation is for excess weight less than 1,000 pounds multiplied by the number of axles less one, the fine is reduced by 50%.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 128th Maine Legislature and is current through November 1, 2017. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

TOWN OF HAMPDEN, MAINE BOARD OF APPEALS ORDINANCE

ARTICLE 1 ESTABLISHMENT AND ORGANIZATION

1.1 Composition of the Board of Appeals. A Board of Appeals is hereby established which shall consist of ~~seven-five (75)~~ seven-five (75) members and ~~two-one (21)~~ two-one (21) alternates. The term of office of all members is three (3) years, serving staggered terms. Neither a municipal officer nor his/her spouse may be a member of the Board of Appeals. Members of the Board of Appeals shall be appointed by the Town Council. When there is a permanent vacancy, the Municipal Officers shall appoint a new member for the remainder of the unexpired term. Members of the Board of Appeals may be removed from office by the Town Council for cause upon written charges and after hearing. The Board of Appeals shall elect a chairperson and secretary from its own membership.

1.2 Present Board Re-Established. The present Zoning Board of Appeals for the Town of Hampden as now constituted, shall constitute the Board of Appeals under this ordinance, and each member thereof shall serve the remainder of his or her present term.

ARTICLE 2 JURISDICTION

2.1. Jurisdiction of the Board of Appeals. The Board of Appeals is authorized to hear appeals from decisions made under the following Codes and Ordinances of the Town of Hampden, as the same may be amended from time to time. All appeals and variance requests shall be in accordance with the applicable provisions of the subject code or ordinance, including any provisions thereof specifying the jurisdiction of the Board.

1. ~~Building Code Ordinance.~~ Maine Uniform Building and Energy Code
2. Fire Prevention Code.
3. Floodplain Management Ordinance.
4. Historic Preservation Ordinance.
5. Life Safety Code Ordinance.
6. Mobile Home Park Ordinance.
7. ~~Residential Building Code Ordinance.~~ Shoreland Zoning Ordinance
8. Special Amusement Ordinance.
9. Zoning Ordinance.
10. Any other State or Locally adopted code, ordinance or standard that references appeals, interpretation, or review by the Municipal Board of Appeals.

2.2. Enforcement Decisions. The Board of Appeals' authority does not include appeals from enforcement decisions made by the Code Enforcement Officer, Building ~~Inspector~~Official, Fire Inspector, or other enforcement official. The term *enforcement decisions* refer to violation determinations and enforcement actions taken by the enforcement official.

ARTICLE 3 POWERS AND DUTIES OF THE BOARD OF APPEALS

3.1. Powers and Duties of the Board of Appeals. The Board of Appeals shall have the following powers as provided for in the subject code or ordinance:

3.1.1. *De novo Review.* To hear and decide, on a de novo basis, an administrative appeal alleging that there is an error in any order, requirement, decision, or determination made in writing by, or failure to act by, the Code Enforcement Officer, Building ~~Inspector~~Official, Fire Inspector, or other official in regard to an application for a permit under the subject code or ordinance.

3.1.2. *Appellate Review.* If authorized by the subject code or ordinance, to hear and decide on an appellate basis, an administrative appeal alleging that there is an error in any order, requirement, decision, or determination made by, or a failure to act by, the reviewing authority body in regard to an application for a permit, license, or approval under the subject code or ordinance.

3.1.3 *Standard of Review.* When acting in a de novo capacity, the Board of Appeals shall hear and decide the administrative appeal afresh, undertake its own independent analysis of the evidence presented and the law, research its own decision, and make findings and conclusions in support of its decision. When acting in an appellate capacity, the Board of Appeals shall limit its review to the record of the proceedings before the reviewing authority body, and may reverse the decision of that body only upon a finding that the decision was contrary to specific provisions of the subject code or ordinance or was not supported by substantial evidence in the record. The Board of Appeals shall not substitute its judgment for that of the reviewing authority body. If the Board reverses the decision of the reviewing authority body, it shall remand the matter to that body for further consideration.

3.1.4. *Variances.* To authorize variances in specific cases but only within the limitations set forth in the subject code or ordinance of the Town of Hampden.

3.1.5. *Interpretation of Ordinances.* As provided in the subject code or ordinance, the Board of Appeals shall have the authority to hear appeals to interpret the provisions of a code or ordinance called into question. The Board of Appeals shall interpret the provision called into question based on any of the following considerations: the context in which the word is used in the subject code or ordinance; the legislative intent implicit in the use of the word; definitions given by experts qualified in the field under consideration; other evidence which is germane to the issue but does not involve the specific proposal at hand; and ordinary usage of the word.

3.1.6. *Adoption of Rules.* The Board of Appeals shall have the authority to adopt rules of procedure to govern the conduct of its business as long as the rules are consistent with this ordinance and any other applicable codes or ordinances, and with state laws.

ARTICLE 4 APPEAL PROCEDURE

4.1. Making an Appeal

4.1.1. Appeals to the Board of Appeals shall be taken within thirty (30) days of the decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.

4.1.2. Such an appeal shall be made by filing with the Board of Appeals a written notice of appeal, specifying the grounds for such appeal. For an appellate appeal, the application, record of the reviewing authority body, decision of the body, and any written arguments on the appeal shall be filed by applicant at least 7 days before the hearing. In addition, for a de novo appeal, all written materials and exhibits in support of the appeal must be filed by the applicant at least 7 days before the hearing. Any opposing parties may file a response to such materials at least 3 days before the hearing. No

exhibits or other written materials that were not filed within these time limits shall be admitted at the hearing except by leave of the Chair for good cause shown.

4.1.3. The Board of Appeals shall notify the town official, or reviewing authority body, and applicant of the appeal.

4.1.4. The Board of Appeals shall hold a public hearing on the appeal within thirty-five (35) days of its receipt of an appeal application. Notice of the date, time, and place of the hearing shall be placed in newspapers of general circulation in the area at least seven (7) days prior to the hearing. In addition, at least seven (7) days prior to the hearing, notice of the appeal shall be sent by mail to the owners of properties that abut the property for which the application or appeal is made. Failure of an abutter to receive notice shall not invalidate the proceedings. A fee shall be paid for application of all appeals, variances and sewer reviews consistent with the provisions of the Town of Hampden Fees Ordinance. The cost of the appeal shall be borne by the person(s) filing the appeal.

4.2. Hearings

4.2.1. For an appellate appeal, the Board may not accept new evidence on the subject matter of the appeal, but may receive oral or written argument concerning the merits of the appeal.

4.2.2. For de novo appeals, the Board may receive any oral or documentary evidence, but shall provide as a matter of policy for the exclusion of irrelevant, immaterial or unduly repetitious evidence. Every party shall have the right to present his/her case or defense by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross examination as may be required for a full and true disclosure of the facts. Unsubstantiated hearsay and third party hearsay shall not be given the same weight as documented evidence.

4.2.3. The appellant's case shall be heard first. To maintain orderly procedure, each side shall proceed without interruption. Questions may be asked through the Chair. All persons at the hearing shall abide by the order of the Chairman.

4.2.4. At any hearing a party may be represented by agent or attorney. Hearings shall not be continued to other times except for good cause.

4.2.5. The town official, or representative of the reviewing authority body, whose action or non-action is under appeal, shall attend all hearings and may present to the Board of Appeals all plans, photographs, or other material deemed appropriate for an understanding of the appeal.

4.2.6. The transcript of testimony, if any, and exhibits, together with all papers and requests filed in the proceedings, shall constitute the record.

4.3. Decisions of the Board of Appeals

4.3.1. A majority of the members of the Board shall constitute a quorum for the purpose of deciding an appeal. A member who abstains shall not be counted in determining whether a quorum exists.

4.3.2. The concurring vote of a majority of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the town official or reviewing authority body, or to decide in favor of the applicant on any matter on which it is required to act under this Ordinance, or to effect any variation in the application of this Ordinance.

4.3.3. The person filing the appeal shall have the burden of proof.

4.3.4. The Board shall decide all appeals within thirty-five (35) days after hearing, and shall issue a written decision on all appeals.

4.3.5. All decisions shall become a part of the record and shall include a statement of findings and conclusions as well as the reasons or basis therefore, upon all the material issues of fact, law or discretion presented, and the appropriate order, relief or denial thereof. Notice of any decision shall be mailed or hand delivered to the appellant, or appellant's representative or agent, and the town official or reviewing authority body whose action or non-action was the subject matter of the appeal within seven (7) days of the decision date.

4.3.6. Upon notification of the granting of an appeal or variance or the interpretation of an ordinance by the Board of Appeals, the town official or reviewing authority body shall promptly act in a manner consistent with the Board's decision, unless an appeal is taken therefrom to Superior Court.

(Note that if the enforcement officer, board or council has denied an application based on multiple non-compliance issues reversal of a solitary decision might not have the effect of reversing the overall basis of the denial. For example if a building permit application failed to meet building code and zoning standards relief from one standard would not result in an approval of the project).

4.3.7. A copy of all variances effecting shoreland zoning granted by the Board of Appeals shall be submitted to the Dept. of Environmental Protection within fourteen (14) days of the decision.

4.4. Appeal to Superior Court - Any aggrieved party who participated as a party during the proceedings before the Board of Appeals, and has standing to do so, may take an appeal to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure within forty-five (45) days from the date of any decision of the Board of Appeals.

ARTICLE 5 CONFLICT OF INTEREST

5.1. Voting Procedure for Determination of Conflict of Interest. Any question of whether a particular issue involves a "conflict of interest" sufficient to disqualify a member from voting thereon, shall be decided by a majority vote of the members, except the member whose potential conflict is under consideration.

5.2. Conflict of Interest. The term "conflict of interest" shall be construed to mean direct or indirect pecuniary interest, which shall include pecuniary benefit to any member of the person's immediate family (e.g., grandfather, father, wife, son, grandson) or to the member's employer or the employer of any member of the person's immediate family or any other prejudice that would prevent a Board member from rendering an unfair and/or impartial decision.

ARTICLE 6 RECONSIDERATION

6.1. Reconsideration of Decisions. The Board of Appeals may reconsider any decision within forty-five (45) days of its prior decision. A request to reconsider must be filed within ten (10) days of the decision to be reconsidered. A vote to reconsider and the action taken on the reconsideration must occur and be completed within forty-five (45) days of the date of the vote on the original decision. The Board may conduct additional hearings and receive additional evidence and testimony. Notwithstanding Section 4.4,

appeal of a reconsidered decision must be made within fifteen (15) days after the decision on reconsideration.

**ARTICLE 7
STAY OF PROCEEDINGS**

7.1. Stay of Proceedings. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

**ARTICLE 8
NEW APPEALS**

8.1 New Appeals. After a decision has been made by the Board of Appeals, a new appeal of similar import shall not be submitted to, or entertained by, the Board until one (1) year has elapsed from the date of the decision.

**ARTICLE 9
EFFECTIVE DATE**

9.1. Effective Date. The effective date of this Ordinance shall be 30 days from the date of adoption by the Town Council.

GENERAL ASSISTANCE ORDINANCE



**Prepared by Maine Municipal Association
August 2018**

GENERAL ASSISTANCE ORDINANCE

The Municipality of _____ enacts the following General Assistance Ordinance. This Ordinance is filed with the Department of Health & Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ day of _____, _____, by the municipal officers:
(day) (month) (year)

(Print Name)	(Signature)
--------------	-------------

(Print Name)	(Signature)
--------------	-------------

(Print Name)	(Signature)
--------------	-------------

(Print Name)	(Signature)
--------------	-------------

(Print Name)	(Signature)
--------------	-------------

2018-2019 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	733	814	1,032	1,294	1,748
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	693	697	908	1,137	1,297
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	669	736	932	1,193	1,461
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,058	1,159	1,483	1,986	2,303
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	989	1,039	1,382	1,749	2,433
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	784	831	1,091	1,593	1,820

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	786	875	1,017	1,345	1,636
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	766	884	1,098	1,487	1,515

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	622	662	773	1,016	1,112
Franklin County	650	680	807	1,005	1,431
Hancock County	698	798	1,009	1,274	1,397
Kennebec County	727	756	944	1,241	1,326
Knox County	759	765	944	1,210	1,344
Lincoln County	788	845	1,004	1,259	1,503
Oxford County	694	699	839	1,221	1,426
Piscataquis County	615	681	843	1,115	1,238
Somerset County	679	714	859	1,156	1,219
Waldo County	696	761	903	1,231	1,389
Washington County	679	683	840	1,062	1,212

* Please Note: Add \$75 for each additional person.

Appendix B

Effective: 10/01/18 to 09/30/19

2018-2019 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2018, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155

Note: For each additional person add \$144 per month.

Appendix C

Effective: 10/01/18 to 09/30/19

2018-2019 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should **ONLY consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. *(See Instruction Memo for further guidance.)*

Non-Metropolitan FMR Areas

Aroostook County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	112	483	131	565
1	115	496	140	600
2	133	572	163	700
3	180	776	217	932
4	192	826	236	1,016
Franklin County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	511	138	593
1	120	514	144	618
2	141	606	171	734
3	178	765	214	921
4	266	1,145	310	1,335
Hancock County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	124	535	147	633
1	140	602	169	726
2	183	788	215	924
3	230	988	273	1,175
4	246	1,058	299	1,285
Kennebec County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	131	564	154	662
1	131	564	159	684
2	168	724	200	859

3	222	955	266	1,142
4	230	987	282	1,214

Non-Metropolitan FMR Areas

Knox County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	139	596	161	694
1	139	596	161	694
2	168	724	200	859
3	215	924	258	1,111
4	234	1,005	287	1,232

Lincoln County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	625	168	723
1	151	649	180	773
2	182	783	214	919
3	226	973	270	1,160
4	271	1,164	323	1,391

Oxford County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	528	146	629
1	123	528	146	629
2	140	600	175	754
3	218	935	261	1,122
4	253	1,087	306	1,314

Piscataquis County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	110	474	130	559
1	119	512	144	619
2	149	640	179	771
3	203	871	240	1,032
4	220	946	266	1,142

Somerset County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	120	517	143	614
1	121	519	149	642
2	147	631	180	774
3	202	870	246	1,057
4	205	880	257	1,107

Non-Metropolitan FMR Areas

Waldo County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	530	147	631
1	131	565	160	689
2	159	683	190	818
3	220	945	263	1,132
4	244	1,050	297	1,277
Washington County				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	513	143	614
1	119	513	143	614
2	140	601	176	755
3	181	776	224	963
4	203	873	256	1,100

Metropolitan FMR Areas

Bangor HMFA	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	132	567	155	668
1	144	618	173	742
2	185	793	220	947
3	234	1,008	278	1,195
4	328	1,409	380	1,636
Penobscot Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	527	146	628
1	123	527	146	628
2	156	669	191	823
3	198	851	241	1,038
4	223	958	276	1,185
Lewiston/Auburn MSA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	117	503	140	604
1	125	540	154	664
2	165	711	197	847
3	211	907	254	1,094
4	261	1,122	314	1,349

Metropolitan FMR Areas

<u>Portland HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	208	892	231	993
1	224	963	253	1,087
2	289	1,244	325	1,398
3	395	1,700	439	1,887
4	457	1,964	510	2,191
York/Kittery/S. Berwick HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	192	824	215	924
1	196	843	225	967
2	266	1,143	302	1,297
3	340	1,463	384	1,650
4	487	2,094	540	2,321
Cumberland Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	144	618	167	719
1	148	635	177	759
2	202	868	234	1,006
3	304	1,307	347	1,494
4	344	1,481	397	1,708
Sagadahoc Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	145	623	168	721
1	158	679	187	803
2	185	795	217	932
3	246	1,059	290	1,246
4	302	1,297	354	1,524
York Cty. HMFA				
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	600	163	701
1	160	688	189	812
2	203	875	236	1,013
3	274	1,201	323	1,388
4	274	1,201	326	1,403

Appendix D

Effective: 10/01/18 to 09/30/19

2018-2019- ELECTRIC UTILITY MAXIMUMS

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

Appendix E

Effective: 10/01/18 to 09/30/19

2018-2019 HEATING FUEL MAXIMUMS

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F

Effective: 10/01/18 to 09/30/19

2018-2019 PERSONAL CARE & HOUSEHOLD SUPPLIES
MAXIMUMS

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

APPENDIX G

Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 44 cents (44¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

Funeral Maximums

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is **\$1,125**. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be **\$785**. Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$50
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

Appendix I

26 MRSA §1043 (23)

Misconduct. “Misconduct” means a culpable breach of the employee’s duties or obligations to the employer or a pattern of irresponsible behavior, which in either case manifests a disregard for a material interest of the employer. This definition relates only to an employee’s entitlement to benefits and does not preclude an employer from discharging an employee for actions that are not included in this definition of misconduct. A finding that an employee has not engaged in misconduct for purposes of this chapter may not be used as evidence that the employer lacked justification for discharge. [1999, c. 464, §2 (rpr).]

A. The following acts or omissions are presumed to manifest a disregard for a material interest of the employer. If a culpable breach or a pattern of irresponsible behavior is shown, these actions or omissions constitute “misconduct” as defined in this subsection. This does not preclude other acts or omissions from being considered to manifest a disregard for a material interest of the employer. The acts or omissions included in the presumption are the following:

- (1) Refusal, knowing failure or recurring neglect to perform reasonable and proper duties assigned by the employer;
- (2) Unreasonable violation of rules that are reasonably imposed and communicated and equitably enforced;
- (3) Unreasonable violation of rules that should be inferred to exist from common knowledge or from the nature of the employment;
- (4) Failure to exercise due care for punctuality or attendance after warnings;
- (5) Providing false information on material issues relating to the employee’s eligibility to do the work or false information or dishonesty that may substantially jeopardize a material interest of the employer;
- (6) Intoxication while on duty or when reporting to work or unauthorized use of alcohol while on duty;
- (7) Using illegal drugs or being under the influence of such drugs while on duty or when reporting to work;
- (8) Unauthorized sleeping while on duty;
- (9) Insubordination or refusal without good cause to follow reasonable and proper instructions from the employer;
- (10) Abusive or assaultive behavior while on duty, except as necessary for self-defense;
- (11) Destruction or theft of things valuable to the employer or another employee;
- (12) Substantially endangering the safety of the employee, coworkers, customers or members of the public while on duty;
- (13) Conviction of a crime in connection with the employment or a crime that reflects adversely on the employee’s qualifications to perform the work; or
- (14) Absence for more than 2 work days due to incarceration for conviction of a crime.

Appendix I

[1999, c. 464, §2 (new).]

B. “Misconduct” may not be found solely on:

- (1) An isolated error in judgment or a failure to perform satisfactorily when the employee has made a good faith effort to perform the duties assigned;
- (2) Absenteeism caused by illness of the employee or an immediate family member if the employee made reasonable efforts to give notice of the absence and to comply with the employer’s notification rules and policies; or
- (3) Actions taken by the employee that were necessary to protect the employee or an immediate family member from domestic violence if the employee made all reasonable efforts to preserve the employment.

[1999, c. 464, §2 (new).]

Sgt. T.D. Stewart Sgt. Scott Webber
 Sgt. Chris Bailey Inv. Joel Small
 Ofc. J.D. Burke Ofc. Ben Eyles
 Ofc. Shawn Devine Ofc. Marc Egan
 Ofc. Wm. Miller Ofc. David Mushrall
 Ofc. Tony Lorenz Ofc. Hunter Cotton
 Ofc. Jeff Rice
 Kandy McCullough, Office Manager
 Chief Joseph L. Rogers, Director of Public Safety



Lt. Dan Pugsley, Jr. Lt. Matt St. Pierre
 Lt. Jason Lundstrom CH. Joe Dunton
 FF Jared LeBarnes FF Matt Thomas
 FF Shaun McNally CEO Myles Block
 FF Matt Roope FF Chris Liepold
 FF Gavin Webb FF Ed Gardella
 FF Larry Hayward FF Dani Green
 FF Ken Roy FF Chad Spann
 FF Oliver Bianchi

POLICE **FIRE** **EMS** **CODE ENFORCEMENT** **LOCAL HEALTH OFFICE**

TO: Jim Chandler, Town Manager
 FROM: Joe Rogers, Director of Public Safety
 RE: Police Cruiser Reserve Fund
 DATE: October 11, 2018

I am requesting that \$7783.99 be released from the police cruiser reserve fund account for the cost of outfitting the 2018 Ford Interceptor Police SUV.

----- Forwarded message -----

From: **Jeffery Coon** <custominstallationsmaine@gmail.com>

Date: Wed, Sep 26, 2018 at 8:16 PM

Subject: Estimate 268 from Custom Installations, LLC

To: <swebber@hampdenmaine.gov>

Dear Scott:

Please review the attached estimate for suggested equipment for the new vehicle. Let me know if I've missed something and feel free to contact us if you have any questions.

I would suggest that you order from WatchGuard a 3way visor post bracket for the Ford Interceptor Utility to mount the display, wireless mic charger and the camera head. I didn't put it on the equipment quote, but for removal of equipment from the current vehicle, installation of all equipment into the new vehicle and installation of a prisoner partition into your current vehicle is would be \$1,900.00.

We look forward to working with you.

Sincerely,

-Jeff

Custom Installations, LLC

2079445920

--

Jeffery S Coon

Custom Installations, LLC

5 Thibodeau Drive

Levant, ME 04456

(207) 944-5920

custominstallationsmaine@gmail.com

Custom Installations, LLC

5 Thibodeau Drive
 Levant, ME 04456
 (207) 944-5920
 custominstallationsmaine@gmail.com

Estimate

Date	Estimate #
9/22/2018	268

Name / Address
Hampden Police Department 106 Western Avenue Hampden, ME 04444 Attn: Sgt. Scott Webber

			Project
Description	Qty	Cost	Total
Whelen IW34UFX Inner Edge Suggested \$1,768.00	1	895.00	895.00
Whelen IONBKT4 brackets for rear lights	1	25.50	25.50
Whelen I2E blue/white ION (1) for rear (2) for side windows Suggested \$173/ea	3	118.75	356.25
Whelen I2D red/white for rear Suggested \$173/ea	1	118.75	118.75
Whelen TLIE blue/white liftgate Suggested \$135/ea	1	99.95	99.95
Whelen TLID red/white liftgate Suggested \$135/ea	1	99.95	99.95
Whelen Used Sapphire light/siren amp w/CCRN36 controller New unit \$1,396.00	1	350.00	350.00
Whelen speaker and bracket	1	175.00	175.00
Whelen SSFPOS taillight flasher Suggested \$80.00	1	68.95	68.95
Whelen VTX609C White LED for Taillights Suggested \$119/ea	2	89.95	179.90
Whelen PAR46S2B blue/white spotlight Suggested \$343.00	1	259.95	259.95
Whelen LINSV2E blue/white mirror Suggested \$245/ea	2	183.75	367.50
Whelen LINSV mount LSVBKT34	2	24.50	49.00
Whelen		49.00	49.00
Federal SL4F2B2W rear window stick	1	239.45	239.45
Federal CNSM-RBK1 bracket kit	1	24.95	24.95
Federal		34.00	34.00
Setina 12-VS-13-PIU Cargo Partition	1	389.25	389.25
Setina 10-VSL-XL-13-PIU Prisoner Partition	1	789.45	789.45
Setina Shipping		165.00	165.00
Gamber Johnson 7170-0166-08 equipment console w/armrest and cupholder	1	399.95	399.95
Gamber Johnson 15082 switch plate	1	24.95	24.95
Gamber Johnson 16648 pass thru cable	1	49.45	49.45
Gamber Johnson 15371 USB power	1	64.89	64.89
Gamber Johnson 7160-0444 wire cover plate	1	29.95	29.95
Gamber Johnson 7160-0063 cigarette lighter plug	1	23.62	23.62
Gamber Johnson 7160-0924 2" pocket	1	39.59	39.59
We appreciate your inquiry!		Total	

Customer Signature _____

Custom Installations, LLC

5 Thibodeau Drive
 Levant, ME 04456
 (207) 944-5920
 custominstallationsmaine@gmail.com

Estimate

Date	Estimate #
9/22/2018	268

Name / Address
Hampden Police Department 106 Western Avenue Hampden, ME 04444 Attn: Sgt. Scott Webber

Project

Description	Qty	Cost	Total
Magnetic Mic Clip	2	39.62	79.24
Gamber Shipping		45.00	45.00
Sti-Co FLexiwhip antenna w/low loss cable	1	69.95	69.95
Sound Off ECVDMILT5T4 Cargo work light	2	49.94	99.88
AC/DC MZL90 shutdown timer	1	139.95	139.95
Shop Supplies	1	80.00	80.00
Parts Sales Tax		5.50%	0.00
We appreciate your inquiry!		Total	\$5,883.22

Customer Signature _____

D-5-d

Pizza Gourmet Pizza Gourmet

60 Main Road North Ste. A
Hampden, Maine 04444
(207) 862-6900

September 27, 2018

I would like to request that Hampden bypass public opinion on our liquor license application.

Brian Carlisle

www.PizzaGourmet.biz



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0008
TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

NOTICE

To avoid any delay in the processing of your application and issuance of your liquor license, please make sure that:

1. You completed the application in full. (Please allow us up to 30 days to process)
2. Application is signed by the owner(s), corporate officer(s).
3. The application is signed by the Town or City Municipal Officers or County Commissioners.
4. The license fee is correct, you have included the \$10.00 filing fee and the check is made out to Treasurer, State of Maine.
5. Your room, food and liquor gross income for the year is filled in (if applicable).
6. A diagram of the premises to be licensed accompanies the application.
7. If business is located in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
8. Corporations, limited liability companies, partnerships must complete and submit the Corporate Information Required for Business Entities who are Licensees.
9. If not a publicly traded entity, ownership must add up to 100%.

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

PRESENT LICENSE EXPIRES 11-29-18

NEW application: Yes No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Countryside Inc</u>			Business Name (D/B/A) <u>Pizza Gourmet</u>		
APPLICANT(S) - (Sole Proprietor) <u>Brian Carlisle</u>		DOB: <u>2-14-51</u>	Physical Location: <u>Hampden ME 04444</u>		
<u>Cynthia Carlisle</u>		DOB: <u>3-8-59</u>	City/Town <u>60 Main Rd</u>	State <u>ME</u>	Zip Code <u>No State</u>
Address <u>69 Thurlow Rd</u>			Mailing Address		
City/Town <u>Newburgh</u>	State <u>ME</u>	Zip Code <u>04444</u>	City/Town <u>Hampden</u>	State <u>ME</u>	Zip Code <u>04444</u>
Telephone Number <u>207 234 2342</u>	Fax Number	Business Telephone Number <u>207 862 6900</u>		Fax Number	
Federal I.D. # <u>01-0451740</u>			Seller Certificate #: or Sales Tax #: <u>6240282</u>		
Email Address: Please Print <u>BCarlisle@PizzaGourmet.Biz</u>			Website:		

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 52501 LIQUOR \$ 3360
- Is applicant a corporation, limited liability company or limited partnership? YES NO
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? Yes No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.
(Use an additional sheet(s) if necessary.)

License # _____ Name of Business _____

Physical Location

City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES NO

6. If manager is to be employed, give name: Paul Stratton

7. Business records are located at: 60 Main Rd No Hampden ME

8. Is/are applicants(s) citizens of the United States? YES NO

9. Is/are applicant(s) residents of the State of Maine? YES NO

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Brian Carlisle	2-14-51	Bangor
Cynthia Carlisle	3-8-59	Bangor
Paul Stratton	2-9-79	Winterport
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Newburgh ME		
Frankfort ME		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit directly in your license, if issued?

Yes No If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES NO

14. Does/do applicant(s) own the premises? Yes No If No give name and address of owner:

CRBT PO Box 880728 Fort St Lukie FL

15. Describe in detail the premises to be licensed: (On Premise Diagram Required)

60 Main Rd No Hampden ME

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES NO Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mile

Which of the above is nearest? Church + School

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Hampden ME on 9-24, 20 18
Town/City, State Date

Please sign in blue ink

[Signature]
Signature of Applicant or Corporate Officer(s)
Brian Carlisle
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: Hampden, Maine Penobscot
City/Town (County)
On: Oct 15, 2018
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: Hampden, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW) .]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW) .]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD) .]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD) .]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD) .]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW) .]
[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP) .]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]
[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Countrymeadow Inc
- Doing Business As, if any: Pizza Gourmet
- Date of filing with Secretary of State: 10-89 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Brian Carlisle	69 Thurlow Rd Newburgh ME	2-14-51	Pres	50
Cynthia Carlisle	"	3-8-59	Treas	50
Lanham Blackwell and Baber Esq	133 Broadway Bangor ME		Clerk	

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

*Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*



ON PREMISE DIAGRAM
(Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.

A large, empty rectangular box with a thin black border, intended for the applicant to draw a facility drawing or floor plan.

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

9-24-18

Date



Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

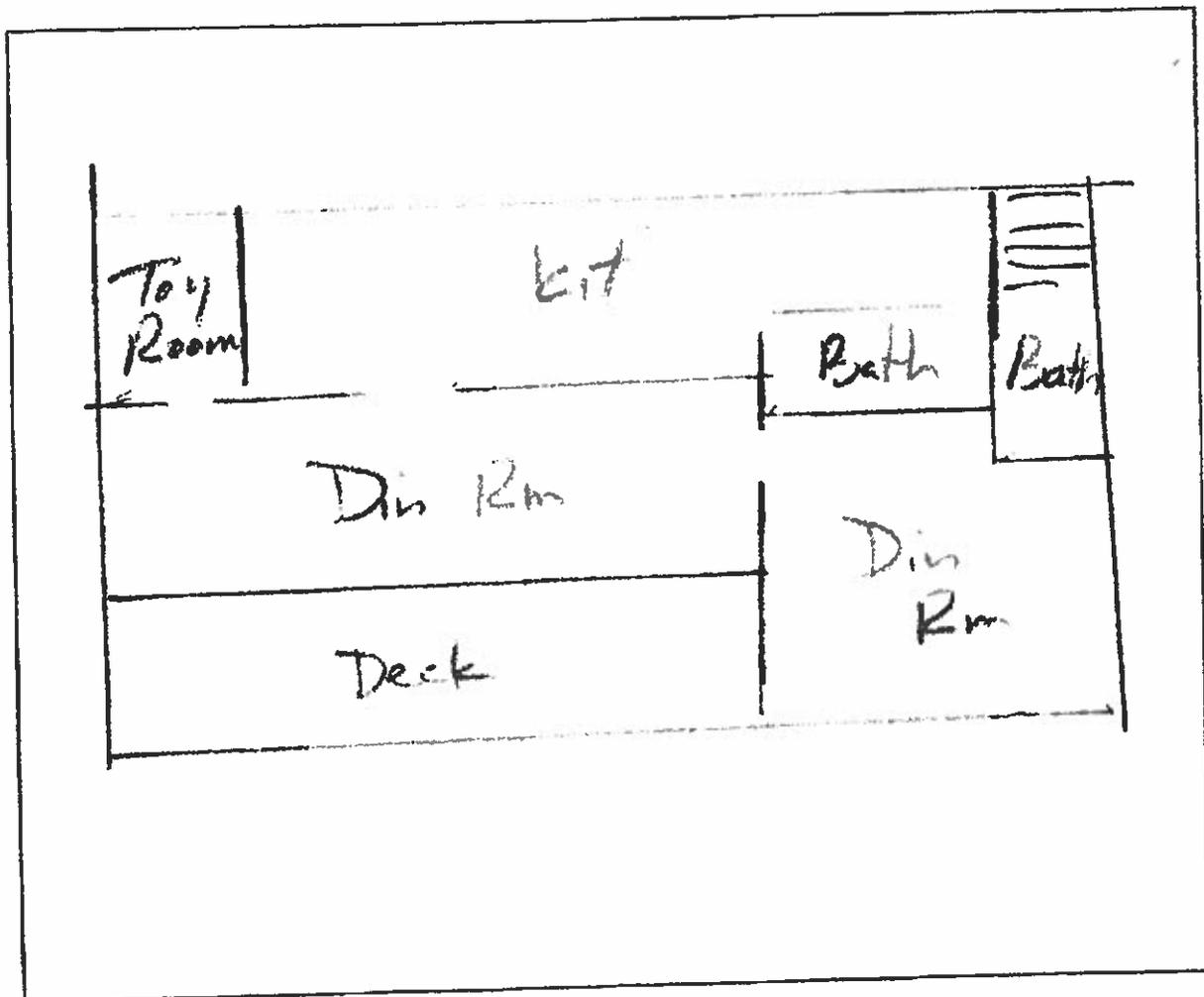
*Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*

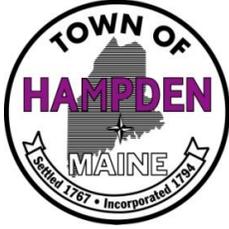
DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Item D. 5. e

MEMORANDUM

106 Western Avenue
Hampden, Maine 04444
Office: 207-862-3034
Facsimile: 207-862-5067

TO: Town Council
FROM: Jim Chandler, Town Manager
COPY: Shelley Abbott, Recreation Director
Sean Currier, Public Works Director
DATE: October 15, 2018
RE: Selection of Consultant for Western Ave Stormwater Permitting & Authorization to Award Professional Services Contract to Plymouth Engineering

This memorandum conveys the attached Plymouth Engineering contract for professional services, including the scope of work outline and insurance certificates.

Background

In August 2018 the Town advertised a Request of Qualifications for proposals to conduct professional engineering, design and permitting services on behalf of the Town. These services are necessary to successfully acquire the Maine Department of Environmental Protection (DEP) Site Location of Development Application (SLODA) permit(s) to design the required stormwater facilities on the Western Avenue municipal properties; and to design the proposed additional parking area desired for the athletic fields located behind the Lura Hoit Pool. Upon completion of the review and evaluation process, staff recommended to the Services Committee that the Town select Plymouth Engineering.

Staff Recommendation

Staff recommends your consideration of the attached Plymouth Engineering contract for professional services to perform the work necessary to acquire the DEP SLODA permit(s) needed for developing stormwater management facilities for the Town properties on Western Avenue; and, to design the proposed additional parking area desired for the athletic fields located behind the Lura Hoit Pool.

Staff negotiated a fee with Plymouth Engineering for these services in the amount of thirty-four thousand (\$34,000) dollars – lump sum, not to exceed that amount. The contract and scope were discussed and favorably referred (6-0) from the Services Committee to Finance and Administration for review, approval and referral to Council for award.

Fiscal Impacts

Award of the attached contract for professional services to Plymouth Engineering requires authorization of reserve funds in the amount of thirty-four thousand (\$34,000) dollars from the Recreation Area Reserve Account #3-767-00. The reserve fund balance previously encumbered and set aside for this project is \$63,236.01.



Plymouth Engineering, Inc.

P.O. Box 46 – 30 Lower Detroit Road
Plymouth, Maine 04969
info@plymouthengineering.com
tel: (207) 257-2071 fax: (207) 257-2130

Professional Services Agreement

Date: October 15, 2018

Client: Town of Hampden
106 Western Avenue
Hampden, ME 04444

Project: Permitting Services for Western Avenue Municipal Properties
Project Number: 18234

Scope of Services: Services for the Project will be as outlined in the Statement of Qualifications submitted to the Client on September 24, 2018 (attached) and as clarified herein. Exclusions from our scope and fee include any additional boundary or topographic survey work, any acquisition or further requirements for wetland or vernal pool investigations or reporting from Moyse Environmental, cost related to digging of test pits, additional soils investigation work as may be required by the SLODA permit application, and legal or application fees.

Fee for Services: Fees will be billed, based upon work completed during the billing period and our standard hourly rates plus reimbursable expenses for a fee not to exceed \$34,000 for the scope provided.

Invoices will be submitted monthly, and payment is expected within thirty (30) days. Outstanding invoices will be subject to 1 1/2 % interest per month, plus all reasonable collection and legal fees.

Retainer Amount: None.

Special Conditions: None.

Standard Terms and Conditions of Agreement attached below form part of this Agreement

Engineer: Plymouth Engineering, Inc.
By: Scott E. Braley

Client: Town of Hampden
By: Jim Chandler

Signature

Signature

President
Title

Town Manager
Title

October 11, 2018
Date

October 15, 2018
Date



Standard Terms and Conditions of Agreement

The CLIENT shall provide access to the site for activities necessary for the performance of the services. The ENGINEER will take precautions to minimize damage due to these activities, but shall not be held liable for any such damage.

Invoices for ENGINEER's services shall be submitted, at the ENGINEER's option, either monthly or at the completion of the project. Invoices shall be payable within 30 days after the invoice date. If the invoices are not paid within 30 days, the ENGINEER may, without waiving any claim or right against the CLIENT, and without liability whatsoever to the CLIENT, terminate the performance of the services. Retainers shall be credited on the final invoice.

Accounts unpaid 60 days after the invoice date may be subject to a monthly service charge of 1.5% on the unpaid balance (18% true annual rate), at the sole discretion of the ENGINEER. In the event any portion of an account remains unpaid 90 days after billing, the CLIENT shall pay all costs of collection, including reasonable attorney's fees.

The CLIENT shall indemnify and hold harmless the ENGINEER and all of its personnel and subcontractors from and against any and all claims, damages, losses and expenses arising out of or resulting from the performance of the services, provided that such claim, damage loss or expense is caused in whole or in part by the negligent act, omission, and/or strict liability of the CLIENT, anyone directly or indirectly employed by the CLIENT (except the ENGINEER), or anyone for whose acts any of them may be liable.

In recognition of the relative risks, rewards and benefits of the project to both the CLIENT and the ENGINEER, the CLIENT agrees that to the fullest extent permitted by law, the ENGINEER's total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes shall not exceed the fee for services. Such causes include, but are not limited to, the ENGINEER's or the ENGINEER's subcontractors, negligence, errors, omissions, strict liability, or breach of contract.

This agreement may be terminated by either the CLIENT or the ENGINEER should the other fail to perform its obligation hereunder. In the event of termination, the CLIENT shall pay the ENGINEER for all services rendered to the date of termination, all reimbursable expenses, and all reasonable expenses of termination.

All documents produced by the ENGINEER under this agreement shall remain the property of the ENGINEER and may not be used by the CLIENT for any other endeavor without written consent of the ENGINEER.

This Agreement shall be governed by the laws of the State of Maine.



Plymouth Engineering, Inc.

P.O. Box 46 – 30 Lower Detroit Road
Plymouth, Maine 04969
info@plymouthengineering.com
tel: (207) 257-2071 fax: (207) 257-2130

2018 Rate Schedule

<i>STAFFING</i>	<i>HOURLY RATE</i>
Principal-in-Charge	\$95.00
Senior Project Manager	\$80.00
Project Manager	\$75.00
Senior Engineers (Civil, Environmental, Structural)	\$75.00
Project Engineers (Civil, Environmental, Structural)	\$70.00
Junior Engineers (Civil, Environmental, Structural)	\$65.00
Registered Architect	\$80.00
Architectural Intern	\$60.00
Landscape Architect/Planner	\$75.00
Drafting Production	\$55.00
Construction Monitoring/Inspection/Administration	\$55.00 – 95.00
Clerical	\$40.00
Sub-Consultants	Cost + 10% administrative fee
Mileage	Prevailing IRS Rate
Miscellaneous Reimbursable Expenses	At Cost

The hourly rates and other costs described above are effective as of January 1, 2018. All contracted work that extends beyond a rate change will be invoiced at the rates applicable at the time this Contract was executed.

All services on client's behalf related to mediation, arbitration and/or trial regarding work unrelated to Plymouth Engineering design services, including but not limited to preparation, depositions, witness and expert witness, shall be billed at 175% of the standard hourly rates.



Plymouth Engineering, Inc.

Scope of Work Outline

MDEP SLODA Permit Application Tasks:

1. Client-Stakeholder Kickoff Meeting
 - a. Discuss project background, purpose and goals
 - b. Affirm data needs and seek stakeholder input
2. Complete Data Acquisition
 - a. Includes receipt from Town of previously completed work products
 - b. Collection of additional documentation from other previous contractors
3. Parking Lot Concept Design Refinement
4. Regulatory Kickoff Meeting
 - a. Establish baseline requirements to meet Department expectations
5. Parking Lot Design & Permitting Level Plan Development
 - a. Draft Civil Site Plan
 - b. Construction Details
 - c. Pre- & Post-Development Storm Water Plans, with Required Details per MDEP
6. Perform stormwater calculations and modeling
 - a. Design stormwater management systems and buffer requirements (permit level)
7. Application Refinement
 - a. Prepare and distribute letters garnering input from State agencies and local utility providers
 - i. (Historic Preservation, Inland Fisheries, Hampden Water, Bangor Wastewater)
8. MDEP Pre-Application Meeting
 - a. Review preliminary stormwater management system design
 - b. Town affirms Fiscal Capability for Project Development
9. Permit Application Submission to MDEP
10. Address Maine DOT permit components for Addition of Proposed Exit Lane
11. Respond to MDEP feedback, if any

Town of Hampden Planning Board – Site Plan Approval Tasks:

1. Modify Site Plan prepared for MDEP SLODA Permit Application
2. Compile plan summary and supporting documentation required by local ordinance
3. Submit Site Plan application to the Town
4. Attend Public Planning Board Meeting

Deliverables

1. Parking Lot Concept Design
2. Permit-Level Plans, with Permit Application(s)
3. SLODA Permit Application
4. MDOT Permit Application(s) – As identified by Regulator
5. Planning Board Site Plan Application

Exclusions

Scope is based upon certain assumptions that related tasks and work products have been accomplished by others, and the results of that work (including those products and deliverables) will be provided to Plymouth Engineering. Should any additional work be required of the regulatory agencies for the issuance of their permits, those items specifically are excluded from this Scope of Work, and include:

1. Additional Boundary or Topography Survey tasks;
2. Additional acquisition or determination of data related to wetland or vernal pool identification or analysis, including additional work required of Moyse Environmental;
3. Costs associated with the digging of soil analysis test pits (to be performed by Town staff);
4. Additional soil testing and/or analysis;
5. Legal and permit fees for applications to the regulatory agencies.

Should any of the above be required for the successful application and issuance of the desired MDEP, MDOT, Army Corps, NRPA, EPA or Hampden Site Plan permits/approvals; that work would be considered a change in Scope, or otherwise be the fiscal responsibility of the Town.
