



SELECTMEN'S MEETING e-Packet
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February 9, 2010

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**BOARD OF SELECTMEN
AGENDA**

Tuesday, February 9, 2010

7:00 p.m.

JSMS Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated January 12, 2010
- 3) New business.
 - a) Regional Planning Proposal – GPCOG Executive Director Neil Allen
 - b) Executive Session – Discussion of Personnel Matter pursuant to 1 M.R.S.A. § 405(6)(A)
 - c) Discussion/possible amendment Tax Acquired Property Policy – Board of Selectmen

PUBLIC HEARING

- 4) Public Hearing.
 - a) Roscoe's Rockin' Buffet and Lounge (former Montebello Ristorante) liquor license and special amusement permit applications – Roscoe and Sabrina Grant
 - b) Review of proposed Fire Department Ordinance changes – Fire Inspector Craig Messinger
- 5) Reopen Selectmen's Meeting
- 6) Old (unfinished) business.
 - a) none
- 7) Workshop.
 - a) Discussion of MSW/Recycling contract and roadside collection policy, including draft private road standards – Board of Selectmen
- 8) Town Manager Report and Communications.
 - a) Reminder of second February Selectmen's Meeting on February 16, 2010.
 - b) Reminder of Budget Meeting on February 23, 2010.
 - c) Confirm date for March Selectmen's Meeting -- Proposed Tuesday, March 9th, 2010.

The Selectmen may take items out of order at their discretion.

d) Set dates of 2010 Annual Town Meeting -- Proposed Tuesday, June 1, 2010.

e) Voting will be the following week along with the State Referendum and Primary Election on Tuesday, June 8, 2010 from 7:00 am to 8:00 pm.

9) Selectmen Communications. This agenda item is for the general discussion of non-agenda items by the Board of Selectmen, and for the purpose of introducing future topics for discussion. No action will be taken.

10) Fiscal Warrants – Payroll and Appropriation Warrants – February 9, 2010.

11) Adjournment.

The Selectmen may take items out of order at their discretion.



**BOARD OF SELECTMEN
AGENDA**

Tuesday, February 9, 2010
7:00 p.m.
JSMS Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated January 12, 2010
- 3) New business.

a) Regional Planning Proposal – Greater Portland Council of Governments (GPCOG) Executive Director Neil Allen

Attached to the e-packet is a memorandum and supporting documentation from GPCOG Executive Director Neil Allen proposing a GPCOG sponsored regional comprehensive planning program for the Lakes Region. This program would seek to support the communities with meeting the requirements of Maine's Growth Management Act and improve coordination of planning activities within the region by integrating issues such as transportation, land use and economic development planning. By working together a shared regional vision may emerge which helps to accentuate the manifold attractive elements of the Lakes Region, while at the same time, minimizing inter-town decisions that could adversely impact neighboring communities and the region as a whole. The adoption of a cohesive planning strategy would help to identify, even more so than presently, the notion of the Lakes Region as a unique destination, and business, and life-style region.

b) Executive Session – Discussion of Personnel Matter pursuant to 1 M.R.S.A. § 405(6)(A)

c) Discussion/possible amendment Tax Acquired Property Policy – Board of Selectmen

The Board of Selectmen will give consideration to improving and strengthening the existing tax acquired property policy. Copies of Raymond's current Tax Acquired Property Policy are attached to the e-packet, as are copies of the policy from Bridgton, Naples and Windham. Deputy Tax Collector Sue Carr will attend the meeting to answer any questions that may arise.

PUBLIC HEARING

4) Public Hearing.

a) Roscoe's Rockin' Buffet and Lounge (former Montebello Ristorante) liquor license and special amusement permit applications – Roscoe and Sabrina Grant

All life safety, building code and fire protection inspections have been completed and corrective actions if necessary taken. The building is fully compliant with all applicable code issues and therefore suitable for the intended use. Fire Inspector

The Selectmen may take items out of order at their discretion.

Craig Messinger will be available to answer any questions, as will Code Enforcement Officer Chris Hanson.

b) Review of proposed Fire Department Ordinance changes – Fire Inspector Craig Messinger

The Fire/Rescue Department has requested changes to the Fire Protection Ordinance. Detailed information is attached in the e-packet.

5) Reopen Selectmen's Meeting

6) Old (unfinished) business.

a) none

7) Workshop.

a) Discussion of MSW/Recycling contract and roadside collection policy, including draft private road standards – Board of Selectmen

The Board of Selectmen will give preliminary consideration to the possibility of accepting Pine Tree Wastes low bid proposal for 'custom' MSW pick-up option #1. Or in the alternative, a negotiated program of service that would address the long-standing issue of problematic refuse collection on inadequate private roads by enacting possible private road standards. Staff has provided a draft of road standards for consideration by the Selectmen as well as a draft of private roads that have been problematic for the private contractor to service.

This information is draft and informational only, subject to amendment and change by the Board of Selectmen and may, or may not, be incorporated into any future collection pick-up program. The purpose of the workshop meeting is to give the Board of Selectmen an opportunity to consider options amongst themselves, and to discuss possible changes with involved town staff members. A public comment opportunity/public hearing may be offered at the Board of Selectmen's next scheduled meeting on February 16, 2010, should the Selectmen decide to explore the negotiated disposal option further.

8) Town Manager Report and Communications.

a) Reminder of second February Selectmen's Meeting on February 16, 2010.

b) Reminder of Budget Meeting on February 23, 2010.

c) Confirm date for March Selectmen's Meeting -- Proposed Tuesday, March 9th, 2010.

d) Set dates of 2010 Annual Town Meeting -- Proposed Tuesday, June 1, 2010.

e) Voting will be the following week along with the State Referendum and Primary Election on Tuesday, June 8, 2010 from 7:00 am to 8:00 pm.

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10) Fiscal Warrants – Payroll and Appropriation Warrants – February 9, 2010.

11) Adjournment.

The Selectmen may take items out of order at their discretion.

January 25, 2010

Mr. Donald Willard
Raymond Town Manager
401 Route 85
Raymond, ME 04071


Dear Don,

Please find enclosed the Greater Portland Council of Governments' regional comprehensive planning proposal for the Lakes Region. As we previously discussed, we are anxious to meet with your Board of Selectmen to review the proposal and determine their respective level of interest in moving forward with the first step in the process. To that end we are presently scheduling those meetings and, if we have not done so already, we will be contacting you shortly to find an acceptable date in which to meet with your governing body.

As you know, growth and development trends in the Lakes Region have been steady and are forecast to continue at the same pace into the future. We believe our proposal offers an opportunity to facilitate a discussion and process for addressing past growth and desires for the future. We also believe that decisions made in one community will increasingly impact neighboring communities thereby necessitating the importance of considering a more regional approach to defining and addressing the complex issues of transportation, land use and economic development.

We look forward to discussing the regional planning proposal with your community over the next few weeks.

Sincerely,


Neal W. Allen
Executive Director

Enclosure

January 19, 2010

Greater Portland Council of Governments

Regional Comprehensive Planning Proposal for the Lakes Region

The Greater Portland Council of Governments (GPCOG) proposes to facilitate the development of a Regional Comprehensive Plan for the communities along the Route 302 Corridor and around the Sebago Lake watershed region.

The initial concept underlying the proposal is development of a regional plan that is found consistent with the State's Growth Management Act thereby providing the possibility for development of local comprehensive plans that only need to prove consistency with the regional plan.

As currently envisioned the regional plan will seek to incorporate GPCOG's Seven Sustainability Principles (attached) as adopted by the GPCOG Executive Committee with a focus on the integration of transportation, land use planning and economic development.

GPCOG and the State Planning Office (SPO) have entered into a Memorandum of Agreement (attached) to establish a working framework for guiding a regional planning process. State support and participation also includes a firm commitment not only from the SPO but also from the Maine Department of Transportation (MDOT). This provides a unique opportunity to more fully integrate regional transportation planning with our land use and economic development efforts.

As proposed, the plan will evolve over three phases with decision points during the process allowing communities to continue with effort at the onset of each new phase. There is no direct financial contribution required of participating municipalities in the development of the regional plan.

Based on a meeting with the town managers of communities along the Route 302 Corridor together with GPCOG's current President, Standish Town Manager Gordy Billington, this regional planning proposal outline has been developed for presentation to the municipal officers of the communities within the Lakes Region: Bridgton, Harrison, Naples, Casco, Raymond, Windham, Standish and Sebago. The proposal is described through a question/answer format.

GPCOG staff looks forward to meeting with any of the above communities who are interested in possibly participating in this process.

Questions & Answers

(1) Do we need a regional plan and if so, why?

The Lakes Region has and will continue to experience steady growth. Development of a regional plan will provide a forum in which to discuss and address growth at the scale at which it takes place. Traffic on Route 302 is not bounded by the borders of a single community, nor are many of the other impacts associated with growth. These impacts affect the character of the Lakes Region and what makes it unique. Following are samples of growth projections under current trends:

Population

	1980	2000	2025	% Change 1980-2025
Cumberland County	215,789	265,612	315,910	46%
Bridgton	3,528	4,883	6,563	86%
Casco	2,243	3,469	4,685	109%
Harrison	1,667	2,315	2,971	78%
Naples	1,833	3,274	4,793	161%
Raymond	2,251	4,299	6,196	175%
Sebago	974	1,433	1,982	104%
Standish	5,946	9,285	12,173	105%
Windham	11,282	14,904	18,697	66%
Lakes Region	29,724	43,862	58,059	95%

Housing Units

	2000	2025	Additional Units Needed	% Change 2000-2025
Cumberland County	122,600	-	-	-
Bridgton	1,982	2,706	724	37%
Casco	1,354	1,869	515	38%
Harrison	943	1,229	286	30%
Naples	1,325	1,980	655	49%
Raymond	1,638	2,425	787	48%
Sebago	606	842	236	39%
Standish	3,249	4,374	1,125	35%
Windham	5,588	7,231	1,643	29%
Lakes Region	17,051	22,656	5,605	33%

Jobs

	2000	2025	Additional Jobs Created	% Change 2000-2025
Cumberland County	218,753	258,290	39,537	18%
Bridgton	2,997	3,539	542	18%
Casco	963	1,136	174	18%
Harrison	263	310	47	18%
Naples	1,028	1,214	186	18%
Raymond	1,383	1,599	216	16%
Sebago	175	207	32	18%
Standish	2,465	2,794	329	13%
Windham	6,664	7,948	1,284	19%
Lakes Region	15,937	18,747	2,810	18%

Daily Vehicle Miles Traveled

	2008	2025	% Change 2008-2025
Cumberland County	8,384,021	9,242,802	10%
Bridgton	163,062	178,689	10%
Casco	112,125	122,869	10%
Harrison	48,921	53,610	10%
Naples	110,148	120,705	10%
Raymond	131,758	144,384	10%
Sebago	35,829	39,262	10%
Standish	273,739	299,972	10%
Windham	413,309	458,875	11%
Lakes Region	1,288,891	1,418,366	10%

(2) Why has GPCOG chosen the Lakes Region?

In addition to a unique and distinct geographic area the Lakes Region possesses:

- A history of municipal collaboration among towns. Examples include:
 - Lakes Region School District (SAD 61);
 - Casco-Naples Transfer Station;
 - Mutual Aid Practices & Agreements;
 - Participation on the Municipal Oversight Committee of the County CDBG program;
 - Mountain Division Planning efforts; and
 - Regional Public Safety study;
- Critical natural resources including Sebago Lake, its watershed and its significance to the entire greater region;
- The Route 302 corridor serving as an essential connection between the Lakes Region, Portland metro region and New Hampshire;
- Considerable open space, special places and recreational opportunities;
- A steady rate of growth and development; and
- Limited municipal planning capacity within most of the Lakes Region towns.

(3) What are some of the possible benefits for towns to participate in this process?

- Eliminate or streamline individual comp plan requirements;
- Additional professional planning assistance;
- Increases ability to compete for state and federal funding; and
- Establish an agreed upon foundation for managing growth through the coordination of land use, transportation and economic development.

(4) What is the estimated time to complete the entire process?

- 6 - 12 months to form Design team and develop scope
- 24 – 36 months to develop plan
- up to 12 months to adopt plan

(5) Describe the three phases of the planning process and the obligations expected of each participating town.

Phase I which is estimated to take 12 months will involve the formation of a Plan Design Team and development of the process to create the regional plan. The Team will be drawn from representatives appointed by the municipal officers of those towns choosing to participate. Again, the task of the Team will be to develop the process from which the regional plan will be created, not actual development of a plan.

Each of the participating communities will then have the option of continuing with Phase II, the development of a plan or withdrawing from further participation. Completion of Phase II will likewise require the approval of each community prior to committing to Phase III, plan implementation.

(6) What will the role and composition of the Planning Design Team be?

- The Team will be composed of one or two appointed representative from each participating municipality; and
- The Team will be responsible for developing the scope of work needed for preparing the plan. This will include identifying stakeholders, tasks to be completed to prepare the plan including public outreach and engagement, materials and data to be gathered, and developing a project timeline.

(7) What is GPCOG's role?

- Facilitate the planning process;
- Provide background materials;
- Research;
- Engage SPO, MDOT and other state agencies as may be appropriate in the process; and
- Drafting of plan.

(8) What are the roles of the SPO and MDOT?

- Primarily as "support staff";
- Provide background materials; and
- Assist with funding through existing Technical Assistance contracts with GPCOG.

(9) How will the planning effort be supported?

- In the development of the plan no direct financial expense will be required of participating towns;
- Funding will be provided in part through GPCOG's contracts with SPO and MDOT;
- Participation of the GPCOG Executive Director will be considered a member service; and
- Other funding sources will be identified as they come available

(10) Will participating municipalities have to continue to comply with the State's Growth Management Act?

If the participating municipalities wish to have the regional comprehensive plan serve as their comprehensive plan approved by the State, then the overall regional plan must comply with the requirements of the Growth Management Act (GMA). As such it is tentatively anticipated that this will preclude municipalities from having to adopt an individual plan. GPCOG believes that the GMA requirements are likely to be easier to comply with when applied to a much larger geographic area than each municipality individually.

(11) What will happen to participating municipalities existing comprehensive plans?

It is our hope that the relevant and important pieces of individual communities' comprehensive plans will be included and reflected in the regional plan.

(12) Have you reviewed municipalities' existing comprehensive plans?

GPCOG is in the process of reviewing each of the potential participating municipalities' comprehensive plans with an emphasis on identifying common goals and objectives and areas of priority.

(13) Once the plan is established how will it be implemented and how will it be paid for?

- How the plan will be implemented is to be defined by the plan itself;
- Implementation will be carried out in much the same way plans are currently carried out through development of ordinances, policies, and programs; and
- GPCOG will continue to play a support role through implementation.



401 Webbs Mills Road
Raymond, Maine 04071

MEMORANDUM

TO: Don Willard
CC: Board of Selectmen

FROM: Sue Carr

DATE: February 3, 2009

RE: Other town's TAP

The town of Gray is in the process of forming a policy. At this present time they are doing what we do, but want to change. They are just not sure how they are going to do it.

Casco the Board decides what to do with the property as to keep or sell. The ubutters have first choice on buying. If not purchased by ubutters then they go out to bid.

New Gloucester the selectmen meet and discuss what should be done and at town meeting voted on.

Harrison, Lewiston, Auburn land is sold if not retained for the town's benefit. Property with a building is dealt with differently.

Auburn is working to revive their policy but for now they try to work out payment plans with homeowners.

Lewiston works with homeowners but commercial and multi family properties go to sale (no payment plans).

**TAX ACQUIRED PROPERTY (T.A.P.)
POLICY**

Adopted by the Board of Selectmen: May 18, 1995; Amended: August 3, 1999

1. The purpose of this policy is to provide guidance regarding properties acquired by the Town for non-payment of taxes
2. **Retention of Property:** The Selectmen shall retain property for the benefit of the Town, if they deem it in the best interest of the town to do so. By way of example, but not of limitation, the Selectmen might deem it in the best interest of the town to retain property where: **(a)** The property has or will have recreational value or economic value to the Town, **(b)** The property has or will have potential for a public facility or additions to public facilities, **(c)** Retention of the property will provide a residence for an individual or individuals who otherwise will require public assistance from the Town.
3. If the former owner, after the property has achieved tax acquired status, requests a reasonable payment schedule that will provide for the repayment of all outstanding taxes, the Tax Collector will allow a payment schedule for up to 60 months from the date of automatic foreclosure. **(a)** If the payment schedule, as established by the Tax Collector, is not acceptable to the taxpayer, appeal may be made to the Board of Selectmen.
4. If the Taxpayer becomes more than 90 days delinquent in meeting the payment schedule as established or is not current as of June 30th of any given year, the account will be referred to the Board of Selectmen for redemption and/or sale.
5. If the Selectmen determine that a property should not be retained under Section 2 and that the taxpayer is delinquent under Section 4, the Taxpayer or other party in interest will be offered the right of immediate redemption by paying all outstanding taxes, interest and costs within 30 days of receiving notice.
6. **Sale:** If a property is not retained by the Selectmen under Section 2, and if the property is not redeemed under Section 5, the property shall be sold by sealed bid or any other method approved by the Selectmen which maximizes the return to the Town. The Selectmen shall reserve the right to accept or reject bids in any bid process. A notice of intent to sell the property shall be published in the newspaper; shall be posted in those areas where warrants are posted; and shall be sent to the Taxpayer or Taxpayers who lost the property by certified mail, return receipt requested to their last known address.

POLICY ON DISPOSITION OF TAX FORECLOSED PROPERTY

Following automatic foreclosure of property for non-payment of taxes, the following steps will be followed by the Town Treasurer.

1. Anyone who pays off all outstanding taxes, interest and costs by April 15th or who pays off all taxes, interest and costs for the year of foreclosure by April 15th and submits a written payment plan to pay off all remaining taxes, interest and costs by December 31st shall have their property returned to them by the Board of Selectmen. When property has been returned to its owner based on a written payment plan and the taxpayer subsequently fails to meet the terms of that payment plan no further consideration will be given to the taxpayer if another automatic foreclosure takes place without a meeting between the taxpayer and the Board of Selectmen.

2. Anyone who is unable to meet the above criteria for any reason may request a meeting with the Board of Selectmen prior to the property being advertised for sale to request further consideration. Evidence of financial status must be provided at such a meeting.

3. When foreclosed property is advertised for sale, the Board of Selectmen reserves the right to return it to its owner but only when payment of all outstanding taxes, interest and costs has been received by the time the bids are received and opened.

Adopted by Board of Selectmen on April 9, 1996

TOWN OF NAPLES
TAX ACQUIRED PROPERTY POLICY

Approved by the Board of Selectpersons on June 19, 1995

1. TITLE:

This policy shall be known as the Town of Naples Tax Acquired Property Policy.

2. AUTHORITY:

This policy is approved pursuant to Home Rule and Title 36, Section 941-943.

3. PURPOSE:

The purpose of this policy is to provide the Selectpersons guidance regarding properties acquired by the Town for nonpayment of taxes.

4. NON-DISCRIMINATION. The Town shall apply this policy uniformly to all property owners regardless of the prior property owner's race, religion, sex, ethnic background or age; regardless of whether the home is seasonal or primary residence; and regardless of whether the prior owner is a resident or nonresident of the Town of Naples.

5. RETENTION OF PROPERTY:

The Selectpersons shall retain property for the benefit of the Town if they deem it in the best interest of the Town to do so. By way of example, but not of limitation, the Selectpersons might deem it in the best interest of the Town to retain property where:

- A. The property has or will have recreational value or economic value to the Town.

B. The property has or will have potential for a public facility or additions to public facilities.

C. Retention of the property will provide a residence for an individual or individuals who otherwise will require public assistance from the Town.

D. The prior owners are making diligent efforts to pay outstanding, taxes, interest, costs and fees and make payments on a regular basis.

Prior to altering or improving any retained property, the Selectpersons shall place an article on the Annual Town Meeting or a Special Town Meeting Warrant to allow the public to vote on the permanent disposition of the property.

The Town will take the proper steps to insure that all property retained is insured within 60 days after the property is vacated by the occupants.

6. REDEMPTION:

If the Selectpersons determine that a property should not be retained under Section 4, the property shall be offered to the taxpayer or taxpayers who last owned the property prior to foreclosure. The taxpayer or taxpayers may redeem the property by paying all outstanding taxes, interest and costs, including the estimated taxes for the current municipal fiscal year if the conveyance back to the taxpayer is after April 1.

7. SALE:

If a property is not retained by the Selectpersons under

Section 4, and if the property is not redeemed under Section 5, the abutters shall be given the opportunity to purchase the property at fair market value. If more than one abutter is interested in purchasing the property the Town may negotiate with the abutters regarding price and/or division of the property.

If the property is not retained by the Selectpersons under Section 4, and the property is not redeemed under Section 5, and if the abutters, after notification, have indicated no interest in the property or if the abutters have indicated interest and no satisfactory agreement can be reached, the property shall be sold by sealed bid as provided below.

A. Publication.

The Administrative Assistant shall cause to be published a notice of the sale of the tax acquired property in the local newspaper. Said notice shall be published three (3) times with the last publication at least fourteen (14) days prior to the sale. The notice shall also be posted within the Town Office, Post Office and in at least one other conspicuous place within the municipality. The notice shall specify the time and date bids are due and the general terms of the bid. The notice shall also contain the following information for each piece of property:

- (1) Brief description of the property. i.e., land, building, mobile home, etc.
- (2) Location of property.
- (3) Brief description of the conditions of the sale.

(4) The minimum bid.

B. Notification to Prior Owner.

If the Town has not been successful in contacting the prior owner regarding redemption, the Administrative Assistant shall again make a diligent effort to notify the prior owner of the pending sale and the bid requirements. Preferably, notification will be made by certified mail, return receipt requested.

C. Abutters.

Abutters of the property shall be notified of the pending sale and bid requirements by certified, return receipt mail.

D. Minimum Bid.

Unless the Board of Selectpersons stipulates otherwise, the minimum bid for any tax acquired parcel shall be the total of all outstanding taxes, including estimated taxes for the current tax year (if the conveyances after April 1 and the exact amount of tax has not been determined), interest, lien costs and any other costs relating to the property including, but not limited to insurance, notice and advertising costs. The Board of Selectpersons may set the minimum bid at any amount which equals or exceeds the aforementioned costs. The Town may refuse to award the bid to the party from whom the property was acquired if all other obligations due from that party on all parcels owned are not paid in full.

E. Bid Submittal and Deposit.

All interested bidders shall be provided with a copy of

the Notice of Sale and bid forms. All bids shall be submitted on forms prescribed by the Administrative Assistant in an envelope clearly marked "Tax Acquired Property Bid" and accompanied by a cashier's or certified check equal to ten percent (10%) of the minimum bid. Bids shall be publicly opened and read on the date and time specified.

F. Selection of Successful Bidder.

The Administrative Assistant shall review all bids and

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make recommendations to the Board of Selectpersons. The Board of Selectpersons shall determine the successful bidder.

G. Award Notification.

The Administrative Assistant shall notify the successful bidder by certified mail.

H. Reservations.

The Town of Naples reserves the right to reject any or all bids and waive any of the requirements of this policy should the Board of Selectpersons, in its sole determination, judge such actions to be in the best interest of the Town of Naples. Instances where this right may be invoked include, but are not limited to:

(1) The Board of Selectpersons may choose to sell the property to the abutting property owner rather than the highest bidder.

(2) The Board of Selectpersons may determine that it prefers a use proposed by a party other than the highest

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bidder.

The disclaimer contained in the first sentence of Section H shall be included in the Notice of Sale and bid forms.

I. Repeat Bid Process.

Should the Board of Selectpersons reject all bids, the property may again be offered for public sale without notification to the prior owners.

J. The bid deposit of the successful bidder shall be retained as a credit toward the purchase price. All other deposits shall be returned to the bidders.

K. The Board of Selectpersons shall require payment in full from any successful bidder within thirty (30) days from the date the bids are opened. Should the bidder fail to pay the full price within thirty (30) days, the Town shall retain the bid deposit and title to the property. The Board of Selectpersons may offer the property to the next highest bidder who shall also have thirty (30) days from the date of notification to make full payment.

L. Title to tax acquired property shall be transferred only by means of a release deed.

M. The successful bidder shall be responsible for the removal of any and all occupants and contents of purchased tax acquired property.

TOWN OF WINDHAM
Policy on Disposition of Tax-Acquired Property

WHEREAS the Town Council believes it to be in the public interest to allow the previous assessed owners of property to have reasonable opportunity to satisfy their obligation to contribute to the public charges, and

WHEREAS the Town Council recognizes that it has the fiduciary responsibility to consider the value to the Town of any property it has acquired through automatic foreclosure, prior to disposition,

NOW THEREFORE BE IT RESOLVED by the Windham Town Council that:

1. All conveyances of tax-acquired property prior to the effective date of this policy are hereby ratified and affirmed.
2. Following the adoption of this policy and automatic foreclosure in any subsequent year the Town Manager or his designees shall, for a period of not more than thirty (30) days, conduct an evaluation of the properties acquired by automatic foreclosure. The purpose of this evaluation is to complete research and draw conclusions on each property that includes but is not limited to:
 - a. To make contact with the current owner or occupant to determine extenuating circumstances related to the owed taxes and property's status. With the exception of properties that repeatedly have been subject to automatic foreclosure (twice within a three-year period), a good faith attempt will be made to contact property owners during the period of evaluation.
 - b. To determine the total amount of all taxes and fees owed to the Town of Windham.
 - c. Historical activity on the property requiring Town services such as public safety responses or code enforcement inquiries.
 - d. Any potential uses for the property that will derive a public benefit.

During this period, no further payments of taxes, interest, and costs will be accepted, and no conveyance will be made.

3. Following the period of evaluation performed by the Town Manager, properties subject to automatic foreclosure for the first time that have not been the subject of issues related to ownership and occupancy, public safety concerns or existing code violations shall be available for redemption by the property owner of record. Once notified by the Town that the property is eligible for redemption, the property owner will be given thirty (30) days to pay all owed taxes and fees owed or execute a suitable payment arrangement. Redemption may be in whole, including all back taxes and fees owed, or through a suitable payment arrangement that addresses all taxes and fees owed within a three year time frame or such time that is deemed suitable by the Town Manager. All payment plans must include provisions that address back taxes and current accruing

taxes with the stipulation that the property owner must be current on all outstanding and accruing taxes within a three year time frame.

Following the 30-day period of evaluation by the Town Manager, properties that have appeared on the delinquent list twice within the last three years or are subject to public safety concerns shall automatically be referred to the Town Council. In cases where a payment plan has been established and the property owner has not made payment in accordance with the agreement, the subject property shall be referred to the Town Council for discussion and action. All properties referred to the Town Council for discussion and action shall include written recommendations from the Town Manager for their redemption, sale, or retention by the Town of Windham. All properties retained by the Town of Windham must have a clearly defined use and purpose and include an analysis that depicts public benefit.

4. Within thirty (30) days following the receipt of the Town Manager's written recommendations for redemption, sale, or retention the Town Council shall schedule a date to discuss and take action on the properties. The Town Council may permit the redemption of properties provided that the property owner agrees to pay all outstanding taxes and fees within a time frame of not less than three years to include currently accruing property taxes and fees. Properties that are to be retained to derive a public benefit must accompany a mechanism establishing ownership to the Town of Windham and, after the ownership is legally established, an abatement of all owed taxes and fees. All other properties shall be offered to the public for sale of the Town of Windham's interest.

Notice of the sale of tax-acquired property shall be provided to the previous assessed owner, by certified mail return receipt requested and/or served in hand, not less than thirty (30) days prior to the sale or, in cases where the previous assessed owner can not be contacted by certified mail, notice shall be published in a local newspaper not less than fourteen (14) days prior to sale..

5. The public sale, sale by sealed bid, or any other conveyance of real property of the Town of Windham not covered by this policy shall require the approval of the Town Council. The Town Council expressly reserves the right to accept or reject any or all bids or offers on any property.

6. This policy shall become effective immediately upon its adoption.

Article 98-51 - March 24, 1998

Amended by Article 01-217 - November 27, 2001

TOWN OF RAYMOND
401 WEBBS MILLS ROAD
RAYMOND, MAINE 04071
207-655-4742

SPECIAL AMUSEMENT APPLICATION

1. Name of Applicant: Roscoe's Rockin Buffet and Lounge
2. Address of Applicant: 1227 Roosevelt Trail Raymond, Me 04071
Street City State Zip
3. Name of Business: Roscoe's Rockin Buffet and Lounge
4. Business Street Address: 1227 Roosevelt Trail Raymond, Me 04071
5. Business Mailing Address: 1227 Roosevelt Trail Raymond, Me 04071
6. Telephone Residence: 892-0753 Business: 671-9120
7. List the names and addresses of all officers & residency for the preceding 3 years.

<u>Roscoe Grant</u>	<u>715 Gray Rd. Windham, Me 04062</u>
<u>Sabrina Grant</u>	<u>715 Gray Rd. Windham, Me 04062</u>

8. Have any of the officers been convicted of a Class A, B, or C crime in the last 3 years? If so who and please describe the offense:

No

9. Please describe the premises including security measures being taken, size, seating, etc.

It is a 7000 square foot Restaurant and Lounge with a performance area and dance floor. There will be open space and seating with a minimum of 3 manager/security personnel during entertainment.

10. Has applicant ever had a license denied or revoked? If so describe the circumstances:

No

715 Gray Rd.
Windham, Me 04062

11. Please specify the type of entertainment in detail:

The entertainment will range from musicians performing country, blues, classic rock and roll, DJ's and stand-up comedy

12. List the days and hours of entertainment:

The entertainment will be scheduled on specific days during evening hours usually from 9 pm to 1 am mostly on Fridays and Saturdays

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 \$500.00 for each offense or by both. Each day that a violation occurred shall be considered a separate offense."

13. The fee must be paid at the time of application. The application fee is \$50.00 plus all advertising costs if a public hearing is necessary.

ADVERTISING INCLUDED WITH LIQUOR LICENSE APPLICATION

ch # 3054 Rec'd 1/12/10

[Signature]

Signature of Applicant

1/8/10
Date

NOTE: Special amusement permits expire at the same time as the liquor license.

Authorizing signatures:

Town Manager: _____

Code Enforcement Officer: _____

Selectmen: _____

**Department of Public Safety
Division**

Liquor Licensing & Inspection



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|---|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) Roscoe Grant DOB: 11-12-1975 Sabrina Grant DOB: 2-9-1978 DOB: _____	2. Business Name (D/B/A) Roscoe's Rockin Buffet and Lounge
Address 715 Gray Rd.	Location (Street Address) 1227 Roosevelt Trail City/Town Raymond State Me Zip Code 04071
City/Town Windham State Me Zip Code 04062	Mailing Address " " " "
Telephone Number 892-0753 Fax Number 345-9250	City/Town " State " Zip Code "
Federal I.D. # 27-1506622	Business Telephone Number 671-9120 Fax Number _____
	Seller Certificate # TBD

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: 2/1/10
Requested inspection date: 1/15/10 Business hours: by appt. -671-9120
9. Business records are located at: Premis's
10. Is/are applicants(s) citizens of the United States? YES NO

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

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Roscoe Austin Miles Grant	11-12-1975	Portland, Me
Sabrina Lynn Grant - Maiden Name is Chadwick	2-9-1978	Portland, Me

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Windham, Maine

13. 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: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes No If Yes, give name: _____

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

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

Bob and Laurie Mason P.O. Box 829 South Casco, Me 04077

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 7000 square foot

restaurant & lounge facility with separate dining room and lounge

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

YES NO Applied for: 12-22-09

19. 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

20. 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 & Inspection 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: _____ on _____, 20 _____

Town/City, State

Date

Roscoe Austin Miles Grant

Please sign in blue ink

Sabrina Lynn Grant

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

owner

owner

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, 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	Spirituos, 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	Spirituos 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	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE		\$ 10.00

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 fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____
Date

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

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

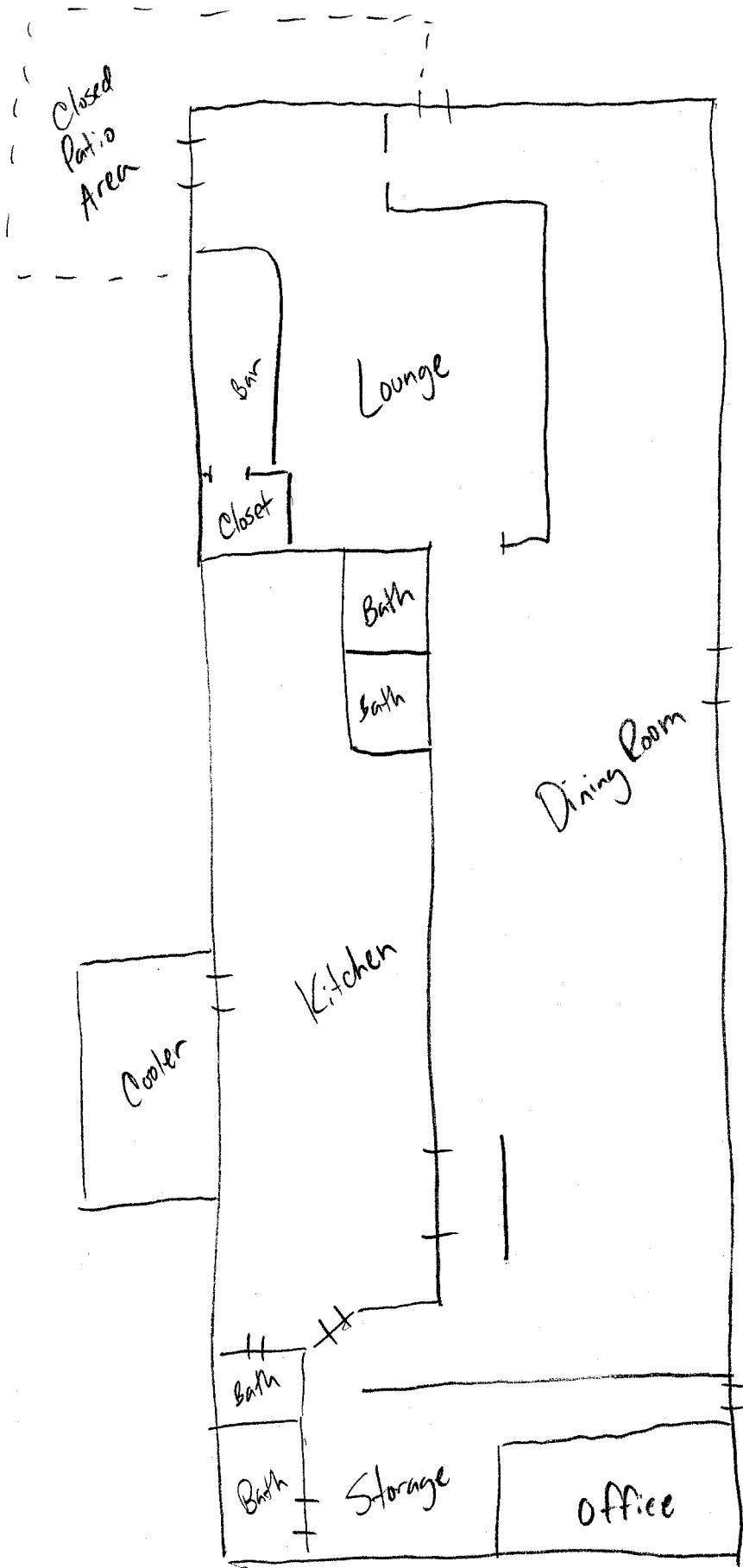
NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

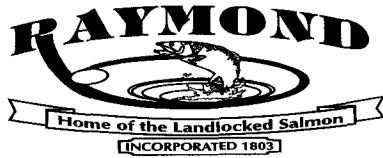
- 1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise 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-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise 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-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §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, c45, 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 violation 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; and [1989, c.592, §3 (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. [1989, c.592, §4 (new).]
- [1993, c730, §27 (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).]
 - 4. **No license to person who moved to obtain a license. (REPEALED)**
 - 5. **(TEXT EFFECTIVE 3/15/01) 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 receUpon 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.

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PREMISE DIAGRAM



Denis Morse
Chief



Bruce Tupper
Assistant Chief

FIRE/RESCUE

1443 Roosevelt Trail
Raymond, Maine 04071

Emergency 9-1-1

Chief's Office 655-4502

All Other Business 655-7851

January 22, 2010

To: Town of Raymond Board of Selectmen

From: Craig Messinger, Raymond Fire/Rescue Dept.

Re: Roscoe's Rockin' Buffet and Lounge

Please be advised that on this date of Friday January 22, 2010, a final inspection was conducted of the facility at 1227 Roosevelt trail, with the proposed name of Roscoe's Rockin' Buffet and Lounge. At this time the building is fully compliant with the Town of Raymond Fire Protection Ordinance as well as with NFPA 101 Life Safety Standards. Please feel free to contact this office with any questions,

Respectfully,

A handwritten signature in black ink, appearing to read "Craig R. Messinger".

Craig R Messinger
Town of Raymond, Fire Inspections

"Protecting With Pride The Heart Of The Lakes Region"

TOWN OF RAYMOND, MAINE

ADDRESSING ORDINANCE

March 1997

Section 1. Purpose:

The purpose of this Ordinance is to enhance the effective and rapid location of properties by public safety personnel including: law enforcement, fire, rescue, and emergency medical services personnel in the Town of Raymond.

Section 2. Authority:

This Ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

Section 3. Administration:

This Ordinance shall be administered by the Board of Selectmen, Town Manager, and E911 Coordinator. The Board of Selectmen is authorized to and shall assign road names and numbers to all properties, both on existing and proposed roads, in accordance with the criteria in Section 4 and 5. The E911 Coordinator shall also be responsible for maintaining the following records of this Ordinance:

- A. A Raymond map of official use showing road names and numbers;
- B. An alphabetical list of all property owners as identified by current assessment records, by last name, showing the assigned numbers;
- C. An alphabetical list of all roads with property owners listed in order of their assigned numbers.

Section 4. Naming System:

All roads that serve two or more properties shall be named regardless of whether the ownership of the road is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel or dirt thoroughfare. "Property" refers to any property on which more or less a permanent structure has been erected. A road name assigned by the Town of Raymond shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

- A. No two roads shall be given the same name (e.g. no Pine Street and Pine Lane);
- B. No two roads shall have similar-sounding names (e.g. no Woodlawn Avenue and Woodland Street).
- C. Each road shall have the same name throughout its entire length, except, when authorized

by the Board of Selectmen, the name may change at a significant landmark or intersection.

Section 5. Numbering System:

Numbers shall be assigned every fifty (50) to two hundred (200) feet, depending on density and geographic location (e.g. 50 feet in Village areas and up to 200 feet in rural areas), along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, determined by the number origin.

The following criteria shall govern the numbering system:

- A. All number origins shall begin from Roosevelt Trail or that end of the road closest to Roosevelt Trail. For dead end roads, numbering shall originate at the intersection of the adjacent road and terminate at the dead end.
- B. The number assigned to each structure shall be that of the numbered interval falling closest to the front door. If the front door cannot be seen from the main road, the number shall be that of the interval falling closest to the driveway of said structure.
- C. Every structure with more than one principal use or occupancy shall have a separate number for each use or occupancy. (i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Street, Apt. 2).

Section 6. Compliance:

All owners of structures shall, by the date stipulated in Section 8, display and maintain in a conspicuous place on said structure, the assigned numbers in the following manner:

- A. Number on the structure or residence: Where the residence or structure is located and clearly visible within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry;
- B. Number at the street line: Where the residence or structure is over fifty (50) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box (when such mailbox is located on the same side of the street where the principal structure is located), or on some structure at the property line next to the walk or access drive to the residence or structure.
- ~~C. Size and color of number: Numbers shall be displayed in a color and size that can clearly be identified and shall be located to be visible from the road.~~
- C. Size and Color of number: Numbers shall be at least 4" in height, contrasting color to the background, and shall be located to be visible from the road on a permanent structure, post or mailbox. The number should be high enough so that snow does not obstruct it in the winter months.

- D. Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this Ordinance. (Note: Historic dates identifying when the property was established or the structure was built shall be exempt from the section. Careful consideration of clear distinction between a historical date and the physical address numbers shall be made by the property owner.)
- E. Interior location: All residents and other occupants are requested to post the assigned number and road name next to their telephone for emergency reference.
- F. The Fire/Rescue Department shall receive notification from Code Enforcement whenever a Certificate of Occupancy is issued in the Town of Raymond.
- G. Fines: Non-Compliance of this ordinance as requested by either Fire/Rescue Department, Code Enforcement, or Law Enforcement personnel will result in an annual fine of \$100.00. No certificate of occupancy shall be issued until numbering is properly installed.

Section 7. New Construction and Subdivisions:

All new construction and subdivision shall be named and numbered in accordance with the provisions of this Ordinance and as follows:

- A. New Construction: Whenever any residence or other structure is constructed or developed, it shall be the duty of the new owner to obtain an assigned number from the E911 Coordinator. This shall be done at the time of the issuance of the building permit.
- B. New Subdivisions: Any prospective subdivider shall show a proposed road name and lot numbering system of the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the Board of Selectmen, shall constitute the assignment of the road names and numbers to the lots in the subdivision. On the final plan showing proposed roads, the applicant shall mark on the plan, lines or dots, in the center of the streets every fifty (50) feet to aid in the assignment of numbers to structures subsequently constructed.

Section 8. Effective Date:

This Ordinance shall become effective as of January 1, 1998. It shall be the duty of the Board of Selectmen to notify by mail each property owner and the Post Office of a new address at least thirty (30) days before the effective date of its use. It shall be the duty of each property owner to comply with this Ordinance, including the posting of new property numbers, within thirty (30) days following notification. On new structures, numbering will be installed before final inspection or when the structure is first used or occupied, whichever comes first.

Section 9. Enforcement:

It is expected that this Ordinance will be complied with. If for any reason, a property owner

or resident fails to comply with this Ordinance, they shall be deemed to have assumed the risk of not receiving emergency assistance at the same level of service had they met the requirements of this Ordinance.

Section 10. Severability:

In the event that any portion of this Ordinance is found by a court to be invalid, the remaining provisions shall continue in full force and effect.

Adopted the 15th day of March 1997 by an affirmative vote at a duly held Town Meeting.

**TOWN OF RAYMOND, MAINE
FIRE PROTECTION ORDINANCE**

**May 19, 1995
[Amended March 17, 2001]**

ARTICLE I

Section 1. This Ordinance shall be known as the Town of Raymond Fire Protection Ordinance.

Section 2. The purpose of the Ordinance is to establish in the manner provided by law, a Municipal Fire/Rescue Department according to the provisions of 30-A M.R.S.A. §3151 and to establish an ordinance governing the installation of sprinkler systems in certain buildings in the Town of Raymond, Maine.

Section 3. A Municipal Fire/Rescue Department means an organized Firefighting/Rescue unit established pursuant to this Ordinance.

Section 4. A Municipal Firefighter shall mean an active member, whether full-time, part-time, or on call, of a municipal fire department.

Section 5. A Municipal Rescue Member shall mean an active member whether full-time, part-time, or on call, of a municipal rescue department, who aids in providing emergency medical and rescue assistance and is qualified to render such aid under current Human Services regulations governing rescue and ambulance personnel.

ARTICLE II

Section 1. There shall be a Municipal Fire/Rescue Department that is established by this Ordinance.

Section 2. The duties of the Fire/Rescue Department shall be to provide fire protection and emergency medical care to the Town of Raymond and elsewhere as provided by mutual aid or other contractual agreements approved by the municipal officials.

Section 3. The head of the Municipal Fire/Rescue Department shall be the Fire Chief, who shall be appointed by the Town Manager and confirmed by the Board of Selectmen.

ARTICLE III

Section 1. Members of the Municipal Fire/Rescue Department shall enjoy the privileges and immunities as provided them by 30-A, M.R.S.A. §3155, and 14 M.R.S.A. §8101-8118.

**ARTICLE IV
NFPA LIFE SAFETY CODE 101**

The Town of Raymond adopts the NFPA Life Safety Code 101 by reference (the most current edition) as the basis for inspection and plans review for buildings other than single-family

homes.

ARTICLE V
ALARM SYSTEM REQUIREMENTS

Section 1. A monitored fire alarm system is required in any business, manufacturing facility, school, day care, church, and apartment house with more than 3 units, or other public assembly occupancy of more than 1,000 square feet. Spaces of less than 1,000 square feet housed in one building or sharing common walls, roofs, or foundations are not exempted. This requirement must be implemented by December 31, 2001.

- A. Proof of yearly alarm system testing must be forwarded to: The Raymond Fire Department, Att: Chief's Office, 401 Webbs Mills Road, Raymond, Maine 04071 by January 1st of each year.
- B. All structures that are required to have an alarm or sprinkler system shall also have a secure key box, approved by the Fire Department, containing keys to the entire building, contact information and a map of the building.

ARTICLE VI

Section 1. All trash and construction dumpsters shall be placed no closer than 10 feet from a structure, overhang, overhead wires, or be protected by an automatic suppression system if placed closer than 10 feet.

The storage of any flammable items, other than items accepted by local Fire Department, Code Enforcement, NFPA Life Safety Code, or BOCA, within 10 feet of any business, manufacturing facility, apartment house, school, day care, or public assembly occupancy is prohibited.

Section 2. Solid Fuel Burning Stove Permit

The Fire/Rescue Department shall require a permit for the installation or major upgrade of any solid fuel burning device in the Town of Raymond. The permit will be issued through either the Code Enforcement Office or the Fire/Rescue Department. This ordinance shall include any wood, pellet or other stove to be determined, to burn a solid fuel in accordance with the guidelines provided in NFPA 211. The stove shall be inspected by the Fire/Rescue Department and a fee of \$25.00 will be assessed to the property owner.

~~ARTICLE VI~~

ARTICLE VII

DEFINITIONS AND REQUIREMENTS

Section 1. An approved automatic sprinkler system shall mean a system installed in accordance with the National Fire Protection Association Standard 13 or 13D.

Section 2. Any building requiring the installation of a Standard 13 System shall have a fire department connection. The location of the connection shall be approved by the Fire Chief

and properly signed Fire Department Connection.

Section 3. All sprinkler systems installed under this Ordinance shall have the following:

- A. A tamper switch alarm at the system shut-off;
- B. An evacuation alarm for the building that will sound when the sprinkler system is activated. The evacuation alarm shall be audible throughout the entire building;
- C. An outside water flow alarm;
- D. Butterfly valves will not be allowed on any N.F.P.A. Standard 13 System;
- E. An automatic alarm to dispatch when the system is activated.

Section 4. Occupied or unoccupied buildings or portions thereof of any construction having a sprinkler system in place, shall maintain all sprinkler and standpipe systems and all component parts in a workable condition at all times, and it shall be unlawful for any owner or occupant to reduce the effectiveness of the protection these systems provide, except that this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary for the purpose of conducting tests, repairs, alterations, or additions. The tests, repairs, alterations or additions are to be done in such a way as to avoid the creation of a safety hazard.

The Fire Chief shall be notified before any such tests; repairs, alterations or additions are started.

Section 5. For the purpose of this Ordinance, the term building shall mean any structure except:

- A. Single-family dwelling.
- B. Two-family dwelling of two stories or less in height.
- C. Barn or stable used exclusively for agricultural purposes.
- D. Shelters having roofs supported by columns or walls and intended for storage, housing use or enclosure of persons, animals, or chattels, but not excepting any garage, out building, or any accessory buildings used for any commercial or industrial purpose.

The building also includes any garage, out buildings or any accessory building used for any commercial or industrial purpose.

Section 6. Any building having more than one sprinkler riser shall have the risers separately zoned and wired to a local alarm energy panel to provide zone identification upon activation. The energy panel shall be located at the energy alarm panel showing each zone of the building.

Section 7. A lock box shall be provided outside the building's main entrance to any building regulated hereunder, containing a key or keys to allow access to all fire department areas.

Section 8. A permit shall be obtained from the Fire Chief before the start of construction of the sprinkler system. A set of blueprints showing the entire sprinkler system and rate of flow shall be provided when the permit is obtained.

A copy of the permit shall be forwarded to the Code Enforcement Office. No Certificate of Occupancy shall be issued until the system has been properly installed, tested and approved by the Fire Chief or his designee.

Section 9. Any building containing a sprinkler system shall have a yearly test completed on the system by a qualified sprinkler technician. A written copy of the yearly test results shall be forwarded to the Fire Chief's office.

ARTICLE VII
ARTICLE VIII
NEW BUILDING CONSTRUCTION

Section 1. An approved automatic sprinkler system shall be installed in all areas of new buildings meeting any or all of the following criteria:

- A. Three (3) or more stories in height;
- B. Thirty-five (35) or more feet in height, one hundred thousand (100,000) cubic feet in volume or ten thousand (10,000) square feet in floor area, structures sharing a common foundation, roof, or walls totaling 10,000 square feet;
- C. Multiple family or multiple occupant dwelling and/or all lodging units of two (2) stories in height.
- D. Any single-family dwelling attached units – such as town houses, garden apartments, with three (3) or more units attached together and/or any grouping of 3 unit style buildings.

In those instances where a proposed addition or additives will exceed twenty-five percent (25%) or the area and/or volume of the existing building or when the cost of the renovation of the existing building meet criteria of Article 5 or Article 6 – Section 1 in equal to or greater than fifty percent (50%) of the current building value as shown on the assessment records to the Tax Collector of the Town of Raymond, Maine and when the resulting building, including the addition or additions, meet the criteria in Article 5 or Article 6 – Section 1 above, the existing building and addition shall have an approved automatic sprinkler system.

- E. Any building required to have sprinklers, larger than one dwelling unit, shall have sprinkler coverage in the truss loft.
- F. Any home that is built in an approved Town of Raymond subdivision shall be equipped

with an NFPA 13 approved sprinkler system.

- G. Any subdivision that is built in the Town of Raymond with six or more living units (including condominiums, apartments or single families) shall install one 10,000 gallon cistern/tank with applicable Fire Department connections, in addition to the required sprinklers for single family homes. With each additional six living spaces an additional cistern/tank should be installed and placed in an area where the authority having jurisdiction finds it safe and reasonable.
- H. The Fire/Rescue Department will require, that any new home built, or new electrical service project to an existing building, shall include an emergency electrical disconnect to be installed at the building electrical service meter. The ordinance shall require these installations in both business as well as residential projects.

Town of Raymond
Rationale for Proposed Amendments to
Fire Protection Ordinance

Adopted May 19, 1995
(Amended March 17, 2001)

Article VI
Proposed Amendment

Rationale – Section 2

Due to the high heating costs over the past couple of years it was found that many homeowners as well as business owners attempted to install wood and pellet stoves at their properties. In many cases we found that these devices had not been installed properly and were potentially dangerous. Due to the varying regulations of homeowners insurance policies, the Fire/Rescue Department was sometimes notified, and sometimes not notified until the property owner ran into a problem. Many communities have instituted such an ordinance to guide property owners through such issues before it turns into an unsafe or potential deadly operation. With rising costs of fuel and personnel we feel that the \$25.00 assessment helps to cover the cost of the department members who go out and carry on these inspections.

Article VIII
New Building Construction
Proposed Amendments

Rationale - Subsection F

The Town of Raymond has been requiring homes in approved subdivisions to provide sprinkler systems for a few years now, hopefully this change will provide some guidance for them.

Rationale - Subsection G

The town currently is growing rapidly in the 'non-hydrant' area of the community. We also have several fire ponds and dry hydrants that have failed and are not cost effective to maintain. We feel that by sharing this burden with the developers that we can maintain fire protection in this area of town.

Rationale - Subsection H

Many times during a structure fire, the situation necessitates the Fire/Rescue Department to shut off major power to a building, which currently is done through a representative from Central Maine Power (CMP). With the reduction of CMP staff, response times by CMP crews are lengthy, putting firefighters and the public at great risk when power is not shut off in an expeditious time frame. The emergency electrical disconnect could also be used during a power failure, when back feeding can occur through the use of a generator, placing emergency workers in great danger.

Town of Raymond
Rationale for Proposed Amendments to
Addressing Ordinance
Originally Adopted March 1997

Rationale - Section 6, Subsection C

This change is requested because it was found that many property owners have installed numbers that are clearly not visible from the street and the numbers are not easily seen. However the property owners feel that as long as they can see it, there is not a problem. This problem has also been conveyed to the Fire/Rescue Department from different agencies, including Code Enforcement and Law Enforcement.

Rationale – Section 6, Subsection F

This is being requested so that the Fire/Rescue Department may conduct a site visit in conjunction with Code Enforcement.

Rationale - Section 6, Subsection G

This is requested again because of the frustration of the above agencies, who feel that though there is a Town Ordinance, its enforceability is very difficult without some sort of penalty. These changes are requested in an effort to help keep people safe in the event of an emergency.



DRAFT
Private Road Standards
for Recycling and Waste Service

1. Layouts of roads—must meet or exceed the following standards.
 - a. All private roads must have 7 or more year round residents.
 - b. Have a year round road association representative and/or contract person name and phone number on file at the Town Office.
 - c. Have a signed release of Liability Waiver on file at the Town Office.

2. Design and construction standards—All roads shall meet or exceed the following standards.
 - a. Minimum drive surface width of 10 feet.
 - b. Minimum overhead clearance of 14 feet.
 - c. Minimum overall cleared width of 12 feet, (trees, rocks utility poles and any other objects that may narrow roadway for safe passage).
 - d. Dead end roads will not be permitted without a suitable turn around of a width of 20 feet and depth of 30 feet.
 - e. Gravel roads must be able to support heavy vehicles year round. (No standing water; has proper drainage)

3. Road maintenance
 - a. Gravel roads must be graded as needed.
 - b. Roads must be plowed and sanded.
 - c. Snow banks must be kept back to meet the minimum road width criteria [see above].
 - d. Turnaround must be kept cleared and vacant year round.
 - e. Access points of roads must be 20 feet in width with visual clearance of 100 feet on both sides.

Definition of Year Round Resident:

A Year Round Resident must perform the listed actions in Raymond: vote, register their motor vehicle(s).

Adopted on:

List of Year Round Public and Private Roads Picked		
Up in Raymond (from Pine Tree Waste)		
Anderson Rd		Martin Hgts.
Arbor Woods Rd.		Mass Ave.
Ball Drive		McDermott Rd.
Bayview Drive		Meadow Rd.
Beach Ave		Merrill Rd.
Birch Dr		Mill St.
Blueberry Point Rd		Mountain Rd
Boulder Rd.		No Raymond Rd
Breakwater Lane		Patricia Avenue
Brown Rd		Peterson Rd
Canal		Pine Lane
Cape Rd		Pipeline Rd
Carriage Hill		Plains Rd.
Casselton Road		Plummer Drive
Caton		Pond Rd
Chapel St.		President View
Christina Court		Pulpit Rock Rd
Clearwater Drive		Quarry Cove Road
Conesca Road		Raymond Hill Rd
County Rd		Ridge Rd
Crockett Road		Roosevelt Trail
David Plummer Rd.		Rosewood Drive
Day Road		Rusty Rd.
Deep Cove Rd		Salmond Run
Dolimount Rd		Shady Lane
Egypt Road		Shaker Woods Road
Elizabeth		Shaw Road
Flynn Rd.		Spiller Hill Rd.
Gardner Rd.		Spring Valley rd
Gay Ave.		Swans Rd
Gore Road		Tarkiln Hill Rd
Harmon Road		Tenny Hill Rd
Haskell Ave		Tower Road
Hawthorne Road		Turtle Cove Road
Hayden Brook Rd		Valley Rd.
Island Cove Rd		Viola Street
Kelly Lane		Wawenock Rd
Kings Grant		Webbs Mills Road
Ledge Hill Road		Westview
Lloyds Lane		Whittemore Cove Rd.
Lyn Court		Zephyr Road
Main St.		
Westview		

DRAFT Pine Tree's List of Private Roads Under Consideration *

	Road Name	Empty Lots	Houses	Length	Miles Saved	Time Saved	Alternative Service	Container Size	Drop Point
1.	Berry Cove Road	1	7	614.95	0.1	5	Common drop		Curbside on Webbs Mills Road
2.	Cattle Road Jordan Lane	1 4	0 18	2979.80 2102.11	2.0	18	Dumpster	8 yard	
3.	Dryad Woods Road	5	12	7359.05	3.3	35	Dumpster	10 yard	
4.	Forest Road	4	9	3470.18	1.4	17	Common drop		At curbside on Cape Road
5.	Jones Road Hutchins Road	3 0	8 7	1364.79 1098.79	0.6	10	Common drop		At 'Y' on Jones Road
6.	Lakeside Drive	8	34	2105.21	0.5	17	Common drop		At 'T' on Lakeside Drive
7.	Legacy Road Two Acre Island Road	0 0	10 8	1446.45 360.27	0.5	18	Dumpster	6 yard	
8.	Mawaga Road	2	7	1283.13	0.5	20	Common drop		Curbside on Conesca Road
9.	Murch Landing Road	1	12	2125.07	1.1	15	Common drop		Curbside on Cape Road
10.	Musson Road	6	12	5129.90	1.6	25	Common drop		Curbside on Cape Road
11.	Myron Hall Road	1	15	3848.58	1.6	23	Common drop		Curbside on Webbs Mills Road
12.	Point of Cape Road	1	7	552.75	0.3	12	Dumpster	8 yard	Curbside on Wild Acres Road
13.	River Road	1	13	5579.09	1.8	25	Dumpster	8 yard	
14.	Rosewood Drive Hancock Road	2 9	8 21	5451.18 4656.13	1.5	12	Open gate through access		
15.	Shaw Road at end of town road	5	15	4109.69	0.5	10	Dumpster	8 yard	
16.	Sheehans Island Road (at end of Deep Cove)	6	6	1153.47	0.4	12	Dumpster	8 yard	At Deep Cove & Manor Harbor
17.	Sloans Cove Road (at Cedar Lane)	10	22	6358.56	0.5	10	Dumpster	4 yard	At end of road
18.	South Shore Road	2	12	1907.60	0.8	18	Common drop		At curbside Mill Street
19.	Stark Cove Road	0	6	2642.68	1.0	20	Common drop		Curbside on Cape Road

	Road Name	Empty Lots	Houses	Length	Miles Saved	Time Saved	Alternative Service	Container Size	Drop Point
20.	Sunset Chimneys Road	1	8	3123.49	1.2	12	Common drop		Curbside on Cape Road
21.	Tapley Cove Road	0	3	1151.94	0.2	10	Common drop		Curbside on Cape Road
22.	Turtle Cove Fisherman Lane	4 0	8 2	2392.65 1011.95	0.5	14	Common drop		At Arbor Wood Road
23.	Vista Road	11	14	1648.43	0.6	12	Common drop		Curbside at N. Raymond Road
24.	Wharf Road	1	11	1811.37	0.3	10	Common drop		Curbside on Roosevelt Trail
25.	Windward Shore Road	0	8	2521.53	1.0	14	Common drop		Curbside on Cape Road
	Total Miles Saved				23.80				
	Total Minutes Saved					394			
	Total Hours Saved					6.57			

* This list may not be complete, it is a work in progress.