

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular. The word "shall" is always mandatory. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word "lot" includes the word "plot" or "parcel". The words "used" or "occupied" as applied to any land or building, shall be construed to include the words, "intended, arranged, or designed to be used or occupied."

Except as specifically defined herein, all words in this Ordinance shall carry their customary dictionary meanings. For the purposes of this Ordinance, certain words or terms used herein are to be construed or defined as follows:

"Town" or **"Municipality"** means the Town of Raymond.

Accessory Apartments - A separate dwelling unit of no more than 700 square feet, excluding stairways, either attached or detached, and located on the same parcel with a single family dwelling. The apartment shall contain a kitchen and bathroom which are separate from and not used in common with the principal dwelling unit. *[Amended 06/03/15]*

Accessory Use or Structure - A use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. *[Amended 06/03/15]*

Affordable Housing - Housing which can be afforded by households at or below eighty (80) percent of the Town's median household income, as specified by the Maine Department of Economic and Community Development or the Maine State Planning Office. In making a determination of the affordability of the units, the Planning Board shall find that "shelter expenses" do not exceed thirty (30) percent of the eighty (80) percent median household income figure. Shelter expenses shall include mortgage and/or rental costs, taxes, homeowner/tenant insurance, heat and utilities.

Agriculture - The production, keeping or maintenance for sale or lease, of plants, trees, animals or honeybees, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities.

Alteration to Impervious Area - An alteration to an existing impervious area through addition of low-permeability materials, re-grading of the area or other disturbance, addition or reconfiguration that results in a change in the existing drainage pattern or the functionality of the drainage system, a change in the permeability of the

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

area, a change in the area or pattern of any compaction, or any other change which affects the existing infiltration of stormwater. Alteration to impervious does not mean the paving, blacktopping, sealing, painting, or maintaining of an already impervious surface unless one of the criteria above has been met. *[Adopted 06/02/09]*

Amusement Parks - A permanent recreational park equipped with amusements such as Ferris wheels, waterslides or other such equipment and facilities. Miniature golf courses shall be considered an amusement park for the purposes of this section.

Automobile Graveyard – The definition in Title 30-A, Section 3752, as it may be amended from time to time, is incorporated herein. *[Adopted 3/17/01]*

Automobile Recycling Business – The definition in Title 30-A, Section 3752, as it may be amended from time to time, is incorporated herein. *[Adopted 3/17/01]*

Automobile Storage Lot – A lot or part thereof that is used for the sale and/or storage of any three (3) or fewer automobiles, trucks and/or other motorized vehicles, as defined in Title 29-A, section 101, subsection 42, that are not registered and/or do not have a current state inspection sticker, or parts of such vehicles, and that are not enclosed in a permanent structure. A business that buys and sells vehicles for immediate inspection and registration by new owners after sale is not an automobile storage lot. *[Adopted 3/17/01]*

Back Lots - A lot that does not have street frontage directly on a public or private road. Direct access to a public road, and frontage requirements, are met for back lots through an application for a back lot driveway plan approved by the Planning Board under Article 9, Section T of the ordinance.

Back Lot Driveway - A driveway within a defined location serving access and frontage purposes for no more than two back lots and which originates from a street constructed in accordance with the Town of Raymond Street Ordinance standards for a public or

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

private street, Town accepted street or from a road constructed in accordance with the Town of Raymond Street Ordinance standards for a private street.

Boarding Home - Any dwelling in which lodging is offered for compensation to three (3) or more persons either individually or as families with or without meals.

Buffer Strip - An area or belt of land covered with trees or other vegetation that serves to protect a body of water from the adverse effects of development.

Buildable Area - The portion of the lot remaining after required yards have been provided.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or chattel.

Building Inspector - The inspector of buildings for the Town of Raymond or any duly authorized person.

Campground - Land upon which one or more tents are erected or trailers are parked for temporary recreational use on sites arranged specifically for that purpose. The word "campgrounds" shall include the words "tenting grounds" and "trailer parks."

Camper - For the purposes of this Ordinance, a "camper" shall be treated in all respects as a trailer.

Conditional Use - A use that would not be appropriate generally or without restriction throughout the land use district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in said land use districts as conditional uses, where specific provision for such conditional use is made in this Ordinance. Any land use not listed in the Ordinances must go to the Board of Appeals before approval. *[Adopted 5/20/89]*

Condominium - As defined in the Maine Condominium Act, Chapter 31 of Title 33 of the Maine Revised Statutes, as such may be amended from time to time. *[Amended 8/7/07]*

Developable Area – For individual house lots, developable area is the portion of the lot deemed suitable for building and not comprised of land that is unsuitable for development due to limitations based on the presence of wetlands, floodplains, or steep slopes. For larger parcels or tracts of land proposed for subdivision or other development, the developable area is the amount of land remaining after deductions are made for unsuitable land using the net residential area calculations. In such developments, the developable area is used to determine the maximum number of lots

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

or dwelling units that will be permitted on the land parcel or tract, rather than using the gross acreage. *[Adopted 8/7/07]*

Diversion Ditch - A ditch constructed across the slope to divert water away from the area under development.

Dwelling - A building or part thereof used for living quarters for one (1) or more families.

Dwelling Unit - One (1) or more habitable rooms designed, intended or used for living quarters by one (1) or more persons living together as a family, with living, sleeping, sanitary, and cooking facilities, including within the meaning of cooking facilities a stove, hot plate, microwave oven, or other device for heating or cooking food. The term shall include manufactured houses and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units. *[Adopted 5/16/87]*

1. Permanent or year round - A dwelling unit so constructed as to be suitable for occupancy three hundred sixty-five (365) days of the year.
2. Seasonal - A dwelling unit so constructed as to be suitable for occupancy during the warmer months of the year only.

Duplex – A building with two dwelling units.

Driveway – Access route or right-of-way to any single family dwelling, duplex, or multifamily building if so allowed in a zone, except where such buildings are developed as part of a larger subdivision. For other allowed non-residential uses, the term shall mean any primary access route used for vehicular ingress, or egress from a location off a public or private right-of-way. All non-residential and multifamily dwelling driveways shall conform to the applicable design requirements as provided in Article 10-Site Plan Review, F. Performance Standards. *[Amended 6/7/16]*

Elderly Housing – a building or group of buildings containing three or more dwelling units which are limited for a period of at least 50 years by restrictive covenants recorded

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

in the Cumberland County Registry of Deeds to use only as “housing for older persons,” as defined in the Federal Fair Housing Act, as that act may be amended.¹

Emergency Operations - Emergency operations shall include operations conducted for the public health, safety, or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

Erosion Control - The placement of vegetation, such as grasses and wildflowers, and other materials, such as straw, fiber, stabilizing emulsion, protective blankets, etc., on areas disturbed by grading operations. Erosion control measures reduce the loss of soil due to the action of water or wind and minimize water pollution.

Family - One (1) or more persons occupying a premise and living as a single (1) housekeeping unit as distinguished from a group occupying a boarding house, lodging house, or hotel as herein defined.

Flood Insurance Rate Map - That map identifying areas of special flood hazard within the town prepared by the Federal Emergency Management Agency, as most recently revised, finally approved and effective.

Forest Management Activities - Timber cruising and other forest resources evaluation activities, management planning activities, insect and disease control, timber stand improvement pruning, timber harvesting and other forest harvesting,

¹ Under the definition in the Federal Fair Housing Act in effect at the time of adoption of this ordinance definition (42 U.S.C. § 3607(b)(2)), “housing for older persons” means any one of the following:

- (1) a dwelling which the federal Department of Housing and Urban Development has determined is specifically designed and operated to assist elderly persons under a federal or state government program;
- (2) a dwelling intended for and occupied solely by persons who are 62 years of age or older; or
- (3) a housing facility or community intended and operated for occupancy by persons 55 years of age or older and in which:
 - 1) at least 80% of the occupied units are occupied by at least one person who is 55 years of age or older,
 - 2) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent to operate for occupancy by persons 55 years of age or older, and the housing facility or community complies with rules issued by the Secretary of Housing and Urban Development for verification of occupancy.

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

regeneration of forest stands, and other similar associated activities, but not the construction or creation of roads.

Frontage - See Lot Frontage.

Gross Development Area - Any area disturbed by development such as clearing, cutting, filling, excavation, or paring.

Gross Floor Area - The sum in square feet, of the total horizontal area of all floors of a building, as measured from the interior faces of the outside walls. Non-daylight basements should not be included in the calculation of Gross Floor Area unless it has usable access from the outside and serves a function that would typically provide public access. Daylight basements should be included in calculating Gross Floor Area.

[Adopted 06/02/09]

Height of Building - The vertical measurement from grade to the highest point of the roof beams in flat roofs; to the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two-thirds (2/3) of the distance from the level of the eaves to the highest point of gambrel roofs. For this purpose, the level of the eaves shall be taken to mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves. The height limits of this Ordinance shall not apply to church spires, belfries, cupolas, domes, monuments, water towers, transmission towers, chimneys, conveyors, derricks, radio and television towers, and similar structures not intended for human occupancy. *[Amended 8/7/07]*

Home Occupation - An occupation or profession that is customarily carried on in a dwelling unit and clearly incidental and secondary to the use of the dwelling unit for residential purposes. A home occupation must conform to the standards set forth in Article 9 of this Ordinance.

The following are examples of permitted uses under this definition:

1. Beauty Shop; 2. Arts and Crafts studio or shop; 3. Professional Office; 4. Woodworking; 5. Day Care Center; 6. Seamstress/Tailor; 7. Small engine repair excluding motorized vehicles such as mopeds, motorcycles, ATV's and snowmobiles. No retail sales of repaired goods shall be permitted.

The following uses are specifically prohibited as a home occupation:

1. Auto repair, 2. Auto body repair.

Impervious Area - The area that consists of buildings and associated constructed facilities or areas that will be covered with a low-permeability material, such as asphalt or concrete, and areas such as gravel roads and unpaved parking areas that will be

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

compacted through design or use to reduce their permeability. Common impervious areas include, but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and macadam or other surfaces which similarly impede the natural infiltration of stormwater. *[Adopted 06/02/09]*

Independent Parking Facility- An outdoor storage area for motor vehicles, or enclosed garage or structure for storage of motor vehicles, which is the sole use of the lot or parcel. This definition includes areas such as tow yards or compounds not associated with a garage or vehicle repair use. *[Adopted 06/03/14]*

Industrial Structure - Any building or structure, except a dwelling intended for the making of goods and articles by hand or machinery including assembly, fabrication, finishing, packaging and processing. The term shall include any building or structure, which houses goods or equipment for that purpose.

Industrial Use - The making of goods and articles by hand or machinery including assembly, fabrication, finishing, packaging and processing.

Junk Yard – The definition in Title 30-A, Section 3752, as it may be amended from time to time, is incorporated herein. *[Amended 3/17/01]*

Landscaped Buffer Strip - An area of land comprised of existing vegetation or which is landscaped with grass or bark mulch and shrubs or trees. Crushed rock or materials such as concrete or asphalt and green paint are not acceptable materials for the development of a landscaped green strip. Parking and display of items for sale or trade shall not be permitted in the landscaped buffer strip.

Lot - A parcel of land in single (1) ownership, and having frontage upon a approved street or having a private right-of-way whose width shall not be less than that width used as a minimum standard for public rights-of-way.

Lot Structural Coverage - The portion of a lot that is covered by structures, generally expressed as a percentage of the total lot area. *[Adopted 8/7/07][Amended 6/7/16]*

Lot Frontage - The distance along the front lot lines of a lot, or in the case of an irregular or curved front lot line, the distance along an imaginary straight line connecting the two (2) ends of the front lot line; or in the case of a back lot the frontage shall be measured as described in the definition of Back Lot Driveway and in Article 9 Section T.3 of the Land Use Ordinance. That side of a lot facing a major public water body shall be known as the waterfront; and the side or sides facing a street shall be known as the street front.

Manufactured Housing - A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For the purpose of this section, two types of manufactured housing are included. Those two types are:

1. Those units constructed after June 15, 1976, commonly called "newer mobile homes," or "Type 1 Manufactured Homes" which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development Standards, meaning structures transportable in one or more sections, which in the traveling mode are 14 body feet or more in width and are 750 or more square feet, constructed with a pitched roof, and with frost wall, grade beam or concrete slab, which shall be designed, if a single unit, to accept T or L additions and shall be so sited so that the longest structural dimension is not more than thirty degrees (30) from parallel with the street or road upon which the lot fronts or, on a corner lot, the more heavily traveled street or road upon which the lot fronts. and which are built on a permanent chassis and designed to be used as dwellings, with ~~or without~~ permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

This term also includes any structure, which meets all the requirements of this subparagraph, except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et. seq.; and

2. Those units commonly called "modular homes," or Type 2 Manufactured Homes which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

Mobile Home Park - A parcel of land under unified ownership approved by the Town of Raymond for the placement of three (3) or more manufactured housing units.

Mobile Home Park Lot - The area of land on which an individual home is situated within a mobile home park and which is reserved for use by the occupants of that home.

Mobile Home Park Subdivision or Development – A parcel of land approved by the Town of Raymond for the placement of manufactured houses on individually owned lots.

Multi-Family Dwelling – A building with three or more dwelling units. *[Adopted 5/21/05]*

Municipal Officer – Any member of the Board of Selectmen of the Town of Raymond.

Municipal Official – Any member of any Board appointed by the Board of Selectmen of the Town of Raymond, any administrative employee of the Town and the Board of Selectmen.

Net Residential Area – A calculation that deducts from the total area of a land parcel or tract all land that is not considered buildable or suitable for development, leaving the land area allowed for calculating Net Residential Density. *[Amended 8/7/07]*

Net Residential Density – The maximum number of dwelling units allowed on a parcel or tract of land after performing the Net Residential Area calculation and dividing the resulting area by the minimum lot size for the zoning district where the parcel or tract of land is located. *[Amended 8/7/07]*

Normal High Water Mark of Inland Waters – That line on the shores and banks of non-tidal waters which is apparent because of the contiguous different character of the soil or the vegetation due to the prolonged action of the water. Relative to vegetation, it is that line where the vegetation changes from predominantly aquatic to predominantly terrestrial (by way of illustration, aquatic vegetation includes, but is not limited to the following plants and plant groups water lily, pond lily, pickerelweed, cattail, wild rice, sedges, rushes, and marsh grasses, and terrestrial vegetation includes but is not limited to the following plants and plant groups - upland grasses, aster, lady slipper, wintergreen, partridge berry, sasparilla, pines, cedars, oaks, ashes, alders, elms, and maples). In places where the shore or bank is of such character that the high water mark cannot be easily determined (rockslides, ledges, rapidly eroding or slumping

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

banks) the normal high water mark shall be estimated from places where it can be determined by the above method.

Nursing Home - Any dwelling in which three (3) or more aged, ill, chronically ill, or incurable persons are housed and furnished with meals and nursing care for compensation.

Open Space Subdivision – a subdivision in which the dimensional requirements are reduced below that otherwise required in return for permanently preserved open space.

Owner - Any person, firm, corporation or other legal entity that controls a parcel of land by a fee or less than fee title, or is party to a valid contract or option to purchase said title.

Parking Area – An outdoor storage area for motor vehicles that is not located on a street right of way. *[Adopted 06/03/14]*

Plunge Pool - A stone-lined pool below the elevated outlet of a drainage culvert used to reduce the erosive force of water.

Pond - Any inland body of water which has a surface area in excess of ten (10) acres, except where such body of water is man-made and in addition is completely surrounded by land held by a single owner, and except those privately owned ponds which are held primarily as waterfowl and fish breeding areas or for hunting and fishing.

Privy - A pit in the ground into which human excrement is placed.

Public Places - Public parks; playgrounds; trails; paths; other recreational areas; other public open spaces; scenic and historic sites; schools and other public buildings and structures.

Recent Flood Plain Soils - Recent flood plain soils include the following soils as described and identified by the National Cooperative Soil Survey:
Alluvial land; Hadley silt loam; Limerick fine sandy loam; Ondawa fine sandy loam; Podunk fine sandy loam; Rumney fine sandy loam; Saco Silt loam; Suncook loamy sand; and Winooski silt loam.

Retail Convenience Shops - Any retail business establishment catering primarily to the needs of residents in its vicinity for goods or services housed entirely within a building of which the total floor area does not exceed two thousand (2,000) square feet;

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

the term includes, but is not limited to grocery, hardware, and drug stores, but not eating facilities.

Riprap - Large, loose, angular or rounded stone used as a permanent erosion-resistant ground cover.

River - Any free-flowing body of water from that point at which it provided drainage for a watershed of twenty-five (25) square miles to its mouth.

Road - A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing materials constructed for or created by the repeated passage of motorized vehicles.

Road-Crossing of a Watercourse - That portion of road that traverses a river or a body of standing water.

1. Major Road-Crossing of a Watercourse – A road crossing of a stream or water body that appears on the USGS topographical maps.
2. Minor Road-Crossing of a Watercourse – A road crossing of a stream or water body that does not appear on the USGS topographical maps.

Ruins - Buildings or other structures that are destroyed or damaged by fire or other disasters. *[Amended 8/7/07]*

Secondary Access- Access routes, paths, or ways whose function is to serve a permitted use on a lot for the purpose of emergency response, or maintenance service, or any other non-primary function to serve the lot. Such secondary access shall not meet the requirements or definition of a driveway. *[Amended 6/7/16]*

Sediment Basin - An embankment or shallow excavated pit or pond used to impound water in order to collect and store sediment and/or debris.

Sedimentation Control - Physical practices, such as installation of silt fence, stone check dams, sediment traps, etc., that help reduce the likelihood of eroded soil particles suspended in stormwater from being deposited in a stream, lake or other body of water.

Shipping Container - A roofed or unroofed container placed outdoors and used for the storage of goods, materials or merchandise, which are utilized in connection with a lawful principal or accessory use of the lot. The term storage container includes, but is not limited to, containers such as boxcars, semi-trailers, roll-off containers, slide-off

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

containers, railroad cars and "piggy-back" containers. The term storage container does not include:

1. A garage, barn or storage structure accessory to a principal use provided such structure is not of a type designed, equipped or customarily used for over-the-road transport of goods, materials or merchandise.
2. A “dumpster”-type container that is owned by a licensed waste hauler and is emptied no less than once a month provided that use of such container is incidental to the principal use of the property. *[Adopted 5/15/04]*

Sign - An attached or freestanding structure or part of a structure designed to convey to persons not on the premises some information, knowledge, or idea by means of letters, words, insignia, color, illuminated, or non-illuminated device or illustration. *[Amended 06/02/09]*

Sign Area - For the purposes of this Ordinance, the area of a sign shall be construed to be that part or surface used to convey a message but shall not include poles, standards or other parts that perform solely a weight bearing function.

Silt Fence - A pervious woven or non-woven material that is installed across or at the toe of a slope in order to slow the velocity of water and allow sediment to settle out. Silt fence is supported by metal or wooden stakes and is extended under the soil surface to prevent bypass of drainage water.

Storage Lot – A lot or part thereof that is used for the sale and/or storage of the following, which cover a total aggregate area of less than two hundred fifty (250) square feet and which are not enclosed in a permanent structure:

1. Used plumbing, heating supplies, household appliances and furniture;
2. Used lumber;
3. Old or used copper, brass, rope, rags, batteries, paper trash, rubber debris and tires, waste and scrap iron, steel and other ferrous or nonferrous material; and
4. Used snowmobiles, ATVs, boats and other machinery. *[Adopted 3/17/01]*
[Amended 5/15/04]

Street - A public way which affords the principal means of access to abutting properties, or a proposed way that is intended to be accepted by the Town as a public way in accordance with the Town of Raymond Street Ordinance, or a private street as defined in this ordinance. The word "street" means and includes such ways as alleys,

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

avenues, boulevards, highways, roads, streets and other rights-of-way. The term "street" shall also apply to areas on subdivision plans designated as "streets", etc.

- **Minor Street-** A street designed to serve as primary residential access, and which meets the design standards for Public Streets as outlined in Section 5.5 of the Town of Raymond Street Ordinance.
- **Private Street-** A street designed to serve as primary access to two or more residential lots, which is built to standards as outlined in Section 5.5 Street Design Standards of the Town of Raymond Street Ordinance. Private Streets are to be maintained by an owner, or ownership such as a homeowners association, and shall not be accepted as a public street unless the street is proven to meet the public road standards as determined by the Public Works Director and a State of Maine Professional Engineer.

Structure - Anything built for the support, shelter or enclosure of persons, animals, goods, or property of any kind. For the purpose of this Ordinance, fences and structures such as doghouses, tree houses designed for children's use and bus shelters shall not be considered structures. Antennas shall be considered structures. Utility poles shall be considered structures. Utility poles shall be considered structures for the purpose of

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

required setbacks from the high water mark of any pond, lake, or river. *[Adopted 5/16/87]*

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted.
3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit. *[Adopted 5/16/87]*
6. Multi-family dwelling - A structure containing two (2) or more dwelling units. *[Adopted 5/16/87]*

Subdivision - A subdivision is a division of a tract or parcel of land as defined in Title 30, Section 4956 of the Maine Revised Statutes Annotated.

Subsurface Drainage Structure - Tile, pipe or tubing installed beneath the ground surface to collect and/or convey drainage water.

Temporary Check Dam - Small, temporary stone or log barriers constructed across a swale or drainage ditch to filter sediment out of drainage.

Timber Harvesting - The cutting or removal of timber for the primary purpose of selling or processing forest products. Timber harvesting does not include the clearing of land for approved construction.

Timber Harvesting Activities - Timber harvesting, the construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting.

Travel Trailer - A vehicle designed to be moved on wheels and intended as a temporary dwelling for travel, recreation, and vacation use.

Variance - A variance is a relaxation of the terms of this Ordinance where such will not be contrary to the public interest and where, owing to conditions peculiar to the

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS
ORDINANCE

property and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

Waterbody - A coastal or freshwater wetland, great pond, river, stream or brook, whether seasonal or perennial.

Wetland - Areas enclosed by the normal high water mark of inland waters and areas otherwise identified on the basis of soils, vegetation, or other criteria as inland wetlands including but not limited to swamps, marshes or bogs.