

**ARTICLE 2:** Shall Articles 6 and 7 of the Raymond Adult Business Ordinance, as adopted May 15, 1993, be amended by adding the underscored language as shown below?

The Select Board recommends/does not recommend Article 2

*DESCRIPTION:*

*In reviewing the Miscellaneous Ordinances it was found that the License Fee and the Expiration Date had been left blank when the Adult Business Ordinance was adopted.*

*[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]*

6. License Fee. A license shall be required for each adult business. The fee for each license shall be \$100.00.
7. Term of License. Licenses issued pursuant to this Ordinance shall be for a term of no more than one year and shall expire annually on December 31<sup>st</sup>.

**ARTICLE 3:** Shall the Raymond Barking Dog Ordinance, as adopted May 1984, and amended through March 17, 2001, be further amended by adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends/does not recommend Article 3

*DESCRIPTION:*

*Town staff is recommending to remove the fees from the ordinance and place them in the Fee Schedule to make this ordinance consistent with common practice. Also, the Town of Raymond no longer has a Dog Constable.*

## **BARKING DOGS**

Adopted May 1984

Amended March 1997

Amended March 17, 2001

Amended June 5, 2018

**Definition.** No person shall own, possess or harbor within the Town of Raymond any dog which by loud, and frequent and habitual barking, howling, or yelping disturbs the peace of any person.

**First Offense.** Any person, who shall violate the provisions of this section, shall upon the first occasion thereof be given a written warning which shall include the date and time it was issued.

**Subsequent Offense(s).** Upon ~~conviction~~ of any subsequent violations within a period of six (6) months from such warning, the person found to be in violation shall be punished by a civil penalty as is set forth annually by the Board of Selectmen in the Town Fee Schedule. ~~according to the following schedule:~~

~~First Offence \$ 50.00~~

~~Second Offence 100.00~~

~~Third Offence 200.00 [Amended 3/17/01]~~

~~Plus reasonable attorney costs for prosecution. [Amended 3/97]~~

**Enforcement.** This Ordinance shall be enforced by the Animal Control Officer and any Assistant Animal Control Officer(s) ~~Dog Constable and the other Town Constables~~ of the Town of Raymond.

**ARTICLE 4:** Shall the Raymond Budget and Finance Committee Ordinance, as adopted May 1980, and amended through March 17, 2001, be further amended by adding the underscored language and removing the language in strikeout text as shown below?

The Select Board recommends/does not recommend Article 4

*DESCRIPTION:*

*The Budget and Finance Committee has proposed these changes. The intent was to bring the ordinance up to date using gender neutral language and more official terms like "must be" rather than "who are", etc. The ex officio position for the School on the committee has been removed because the committee no longer reviews the School Budget. The election of a Vice-Chair has been added to make the current practice official.*

## **BUDGET AND FINANCE COMMITTEE ORDINANCE**

Adopted March 1980  
Amended May 19, 1995  
Amended June 5, 2018

### **SECTION 1. Title**

This Ordinance shall be known as the Town of Raymond Budget and Finance Committee Ordinance.

### **SECTION 2. Authority**

This Ordinance is enacted pursuant to 30-A MRS §3001.

### **SECTION 3. Purpose**

The purpose of this Ordinance is to merge the Town Finance Committee and the Town Budget Committee.

### **SECTION 4. Merger**

The Town Budget Committee, as previously established and governed by the terms of the March 1980 Ordinances, and the Town Finance Committee, as established by vote of the Town on March 18, 1978, and governed by the terms of the March 1980 Ordinance, shall be combined into a Budget and Finance Committee.

### **SECTION 5. Powers and Duties**

The Budget and Finance Committee shall have the following powers and duties:

- A. To consider each article for raising, appropriating or borrowing monies to be expended by or for the Town, with opportunity for discussion with those persons proposing the same, and to make recommendations on such articles to the Town Meeting for which they were drawn, which shall appear on the Warrant in substantially the following form, "The Town Budget and Finance Committee recommends approval/disapproval."

- B. To discuss with and make recommendations to the ~~Board of Selectmen~~ Select Board on proposals for specific expenditures.
- C. To investigate and recommend to appropriate Town departments the availability of Federal and State and other grants, loans, guarantees and other assistance for the Town and the types, terms, benefits and disadvantages thereof.
- D. To study and make recommendations on the general financial position, policies and practices of the Town and its departments.
- E. To study and make recommendations on any proposal for payment for services or equipment by bond or note. Any such proposal, with the exception of general tax anticipation notes which will be reviewed under Section (5D), will be accompanied by an impact statement and recommendation for rejection or approval.
- F. To develop and maintain, with the input from all other committees and Boards in Town, a five (5) year moving Capital Improvement Plan.
- G. To study and report to the ~~Board of Selectmen~~ Select Board potential revenue raising opportunities that may require actions by the Board or Town Manager.

## **Section 6. Membership, Quorum, Voting**

- A. The Budget and Finance Committee shall consist of ~~nine (9)~~ seven (7) voting members, plus the Chair of the ~~Board of Selectmen~~ Select Board ~~and the Chair of the School Board~~ who shall be a NON-VOTING EXOFFICIO members. The reduction in number from nine (9) to seven (7) will occur due to attrition. Existing members may continue as voting members on the committee and each may petition to be a candidate on upcoming ballots. The first 2 seats vacated by attrition (seat still open after an election, non-acceptance of the position, resignation, death, removal from the municipality, or recall) will not be filled. When a seat is vacated, the term of office for any open seats will be adjusted at the next election to keep the terms staggered. The number of members will be reduced to seven (7) during the June 2020 Election if attrition has not reduced the membership to seven (7).
- B. The Chair and the Vice-Chair of the Budget and Finance Committee shall be elected by a majority of the Budget and Finance Committee voting members at the first meeting after June 30<sup>th</sup> each year.
- C. ~~Three (3) voting~~ Voting members ~~who are~~ must be residents of the Town of Raymond, and shall be elected annually by the Town via a secret ballot vote at the annual Town Meeting, for a term of three (3) years and have staggered three (3) year terms.
- D. Any vacancy among the voting members shall be filled either via appointment by the Select Board until the next annual Town Meeting secret ballot vote following the creation of that vacancy, or by the Town at the first annual Town Meeting secret ballot vote following the creation of that vacancy.
- E. The Budget and Finance Committee shall officially act only in the presence of a quorum of ~~five (5)~~ four (4) voting members. Official motions will pass only on a majority vote of all voting members of the Budget and Finance Committee, unless the Budget and Finance Committee unanimously votes to adopt other rules at the first meeting of the year after the Annual Meeting and agrees to utilize the revised voting procedure for the full year. No member of the Budget and Finance Committee shall vote on a budget item in which the member has an interest.

F. All members will abide by the rules for Conflict of Interest pursuant to 30-A MRSA §2605.

G. All members will sign upon taking their oath of office and will adhere to the Town of Raymond Code of Ethics for Appointed and Elected Municipal Officials.

### **Section 7. Non-Attendance**

In the event a member of the Budget and Finance Committee fails to attend, without being excused by the Chair of the Budget and Finance Committee, three (3) consecutive regularly scheduled business meetings or two (2) consecutive regularly scheduled Town Budget Review Meetings, the Budget and Finance Committee by unanimous vote of all attending members of that third regularly scheduled business meeting or second regularly scheduled Town Budget Review Meeting may remove the member from office and have the member replaced under the vacancy section of (~~§ 6-D~~) above.

### **Section 8. Severability**

If any part or parts, section or subsection, sentence, clause or phase of this Ordinance is for any reason declared to be unconstitutional or invalid, such shall not affect the validity or constitutionality of the remaining portions of this Ordinance or any rules or regulations promulgated hereunder.

### **Section 9. Effective Date**

This Ordinance shall become effective upon passage by the legislative body of the Town of Raymond at a duly called Town Meeting.

**ARTICLE 5:** Shall the Raymond Cemetery Ordinance, as adopted March 18, 2000, and amended through June 5, 2012, be further amended by adding the underscored language and deleting the language in strikethrough type as shown below?

The Select Board recommends/does not recommend Article 5

*DESCRIPTION:*

*Town staff proposed the following changes to make the ordinance easier to use, as well as more comprehensive.*

## **CEMETERY ORDINANCE**

Adopted March 18, 2000

Amended June 5, 2012

Amended June 5, 2018

### **I. PURPOSE**

To preserve and protect the Cemeteries as peaceful and beautiful areas that serve as reverent symbols of the citizens' respect for the deceased, and for ~~For the mutual protection of lot owners and the cemeteries as a whole,~~ the following Cemetery Ordinance is hereby established for all Raymond Cemeteries owned or operated by the Town.

In formulating this Ordinance, a balance of the interests of the various stakeholders (purchasers and owners of rights of interment; family, friends, and acquaintances of the deceased buried therein); Raymond citizens and taxpayers; maintenance workers; and commercial providers is taken into consideration. In particular, this Ordinance is based upon a proper fit of the Cemeteries in Raymond, aesthetics of the park-like spaces, the cost of maintaining them, historical preservation, civic pride, and most important of all, safety of all who enter these Cemeteries.

All lot owners and persons visiting the cemeteries shall abide by this Ordinance as herein enacted and as hereafter amended, which is intended to assist in maintaining our cemeteries as peaceful and beautiful areas as well as reverent symbols of respect for the dead.

### **II. DEFINITIONS**

- **Corner Markers** – grade level plot or lot identification object made of stone or stone and bronze
- **Grantee** – the Grantee is the individual who has purchased the plot(s) or has inherited the plot(s) from a deceased predecessor Grantee or has purchased the plot(s) from the previous Grantee
- **Lot** – multiple contiguous plots
- **Marker** (also called flush markers/memorials) – any grade level burial site identification object made of stone or stone and bronze
- **Monument** – any above grade level burial site identification object made of stone, or stone and bronze
- **Plot** – the basic unit of space within the Cemeteries used or intended to be used for the

burial of human remains, approximately four (4) feet by eight (8) feet space for one (1) vault/casket burial or up to eight (8) cremains (each in a two (2) foot by two (2) foot space)

### **III. CEMETERY RESPONSIBILITIES**

#### **1. Cemetery Committee**

- a) Survey cemeteries to determine stones that need to be repaired and report to the Cemetery Supervisor
- b) Organize volunteers to clean the stones such that each stone is cleaned at least once in every ten (10) year period
- c) Review Cemetery Ordinance for potential updates/amendments at least once in every five (5) year period

#### **2. Sexton**

- a) For new sale of plots
  - Mark corners with temporary stakes and check that there is not already a burial in the plot that is being sold
  - Work with vendors to ensure stones are set in the correct way
  - Check that the corner markers are set in the correct place
- b) Be available to either dig the hole for burials or recommend a qualified grave digger

#### **3. Cemetery Supervisor**

- a) Data steward for all Cemetery data
  - Build database from existing maps, spreadsheets, and conveyance documents
  - Maintain data ongoing by selling plots via the purchased software and updating with burial information
- b) Oversee all sales of plots
  - Coordinate with Sexton to be sure that the plot is able to be sold (not already occupied, not ledge, etc.)
  - Record sales in database and issue conveyance to buyer
- c) Coordinate with vendor to repair and/or clean stones each year as budget monies allow
- d) Purchase stakes as corner markers for Sexton
- e) Work with Public Works Director to submit a budget each year
- f) Provide stone cleaning materials for the Cemetery Committee volunteers
- g) Maintain a file of certificates of insurance for vendors and update annually

### **IV. GENERAL PROVISIONS**

**1. Name.** This Ordinance shall be known as the Town of Raymond Cemetery Ordinance.

**2. Authority.** This Ordinance is enacted pursuant to Title 30-A, Sections 3001 and 3002.

**3. Liability.** The statement of any employee or agent, unless confirmed in writing by an authorized representative of the Cemeteries or the Town of Raymond shall in no way bind the Cemeteries or the Town of Raymond.

**4. Corrections.** The ~~cemeteries~~ Town reserves the right to correct any errors that may be made by them in making interments, dis-interments, or removals or in the description,

transfer, or conveyance of any lot. Such corrections may include cancelling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Sexton or Cemetery Supervisor, or, in the sole discretion of the Town, by refunding the amount of money paid to the Town on account of said conveyance. Errors of lot owners in failing to specify proper interment position, or of monument dealers in failing to clearly specify monument or marker foundation positions will be subject a fair additional charge in the event a change is required.

34 **5. Enforcement.** The Board of Selectmen and its authorized representatives are hereby empowered to enforce this Ordinance and to exclude from the cemeteries any person(s) deliberately violating this Ordinance. The Board of Selectmen and its authorized representatives shall have charge of the grounds and buildings within the Town of Raymond Cemeteries and shall have supervision and control of employees and all persons visiting the Cemeteries, whether lot owners or otherwise.

**6. Damage or Injury.** The Town expressly disclaims responsibility for any property damage or injury sustained by any person.

33 **7. Effective Date.** This Ordinance shall become effective when enacted/amended by the voters at Town Meeting.

34 **8. Validity.** If any part of this Ordinance is declared invalid, the declaration shall not affect the validity of the remaining portions of the Ordinance.

**9. Enforcement.** Any violation of this Ordinance will be treated as a trespass or nuisance, depending on the violation, and will be referred to the Town Manager or Cumberland County Sheriff or Maine State Police accordingly. Violation of this Ordinance may also lead to prosecution for violation of federal or state laws. Improper conduct or violation of this Ordinance by anyone may result in a request to leave the Cemeteries.

**10. Losses.** Reasonable precautions will be taken to protect Grantees from loss or damage, but the Town will not be responsible for loss or damage from causes beyond their reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, malicious mischief-makers, explosions, unavoidable accidents, invasions insurrections riots, or order of any military or civil authority whether the same be direct or collateral.

**11. Insurance.** All commercial service providers entering the Cemeteries to perform services or deliver commercial products must have liability and workers compensation coverage consistent with the Town's requirements and present proof of insurance to the Cemetery Supervisor. The Cemetery Supervisor shall maintain a file of such proof of insurance and update it annually.

## **V. HOURS OF OPERATION**

3 **1. Open Hours.** The cemeteries will be open from one-half hour prior to sunrise to one-half hour after sunset. 8:00 am until sunset each day, except for November 1<sup>st</sup> to April 1<sup>st</sup> when they will be open from 8:00 am to 4:30 pm, with the expanded hours for interments described in Section 21.



6 **2. Closed Hours.** No person other than a Town employee, the Sexton, or Cemetery Committee member on authorized duties or a person accompanied by an authorized Town employee, the Sexton, or Cemetery Committee member shall enter any cemetery after the hours or times specified.

The cemeteries will be open for interments from sunrise to sunset seven days a week.

## **VI. FEES & PURCHASING PLOTS**

1. **Fees.** All fees are set annually by the Board of Selectmen. ~~4~~ All fees or charges for services are payable at the Town Office, except that interment charges may be payable through the Sexton or an approved funeral director, and any foundation charges for monument or marker emplacement may be payable through an approved monument dealer.

5 **2. Gratuity.** No gratuity shall be accepted by any Town employee.

~~16~~ 3. **Process.** Persons desiring to purchase lots should: ~~visit the cemeteries where they wish to purchase lots and make a selection with a designated person from the Town.~~

- a. Go to the Town Office and ask for a list of plots available and a map for the cemetery of their choice.
- b. Visit the cemetery and choose the plot(s).
- c. Contact the Cemetery Supervisor at the Town Office with their choice(s).
- d. The Cemetery Supervisor will request that the Sexton check the site to be sure it is not already occupied, and that it is not ledge, and mark the corners of the plot(s) with stakes.
- e. The Cemetery Supervisor will issue a Conveyance Certificate (right to bury human remains or to bury the ashes of a human being ("cremated remains" or "cremains") or to memorialize the human dead in a plot in a Raymond Cemetery) upon the payment in full of the current price for such Conveyance.
- f. Any special rules relating to such plot(s) will be explained and a copy of this Ordinance will be provided.

4. **Payment.** Complete payment of the purchase price for the plot(s) must be made to the Town before any burial or marker placement is permitted. No partial payments will be accepted. Upon full payment for the plot(s) the Grantee will be issued a Conveyance Certificate. The purchase price must be paid in full at the time of purchase and receipt for purchase price will be given to the purchaser at the time. A perpetual care bond should be given or sent to the purchaser by the Town. If the Town gives deeds, this should be done within ten (10) days of the giving of the receipt. The Town will give the purchaser a Conveyance Certificate upon payment in full.

32 5. **Violations.** Any person violating any provisions of this Ordinance shall be subject to a civil penalty of not more than \$100.00, plus attorney's fees and costs, provided that if such violation results in damage to cemetery property, appurtenances, fixtures, or other installations therein, such person(s) shall be subject to a civil penalty of not less than \$100.00

but not more than \$2,500.00, plus attorneys' fees and costs. Each day a violation occurs shall be deemed a separate offense.

6. **Lots.** Any contiguous plots purchased will be considered as 1 lot and will include any identified walkways between plots.
7. **Corner Markers.** Once purchased, the outer corners of a single plot or a lot may be marked with grade level Corner Markers.

## VII. OWNERSHIP

- 29 1. **Descent.** The laws of the State of Maine govern the descent of title to Cemetery lots, as well as other matters relating to their ownership. It is important that, on the death of an owner of a lot, the heirs or devisees of such person should file in the office of the respective Cemetery full proof of ownership for the purpose of correcting the record. Notarized statements as to relationship and certified copies of wills are normally sufficient.
2. **Change of Ownership.** It shall be the duty of the Grantee (or Grantee's descendants or assigns) to notify the Town of any change of address or ownership by inheritance. Any purported change in ownership must be supported by adequate evidence to the satisfaction of the Cemetery Supervisor.
3. **Grantee.** The Grantee "owns" the rights, but does not own the real property, just the right to use one or more specific burial sites in the Cemeteries subject to this Ordinance as well as applicable laws and ordinances.
4. **Repurchase.** All sales of plots are final. The Town has no obligation to repurchase plot(s) from Grantees.
- 20 5. **Transfer.** Transfer of lots will not be recognized until the Town of Raymond receives notification and satisfactory proof of the transfer. ~~Transfer receipts or deeds if so given may be obtained from the Town Office. A lost or destroyed receipt or deed will be replaced by the certificate, upon request, upon payment of \$5.00.~~
6. **Exchanges.** The Town may, but is not obligated to, allow exchanges of plot(s) for different burial sites within its Cemeteries.

## VIII. RULES OF CONDUCT & PROHIBITIONS

- 8 1. **Mischief.** No person shall destroy, mutilate, deface, injure or remove any tomb, Monument, gravestone, Marker or other structure placed within any cemetery, or any fence, railing or other work for the protection or ornamentation of any tomb, Monument, gravestone, Marker or other structure aforesaid, or any cemetery lot within any cemetery.
- 40 2. **Substance.** No person shall be in possession of any alcoholic beverage within any Cemetery. No person shall be in possession of or consume any illegal substance within Cemeteries.
- 44 3. **Solicitations.** Whether charitable, political or otherwise, solicitations are prohibited in any Cemetery.

- 42 **4. Waste.** Only refuse related to cemetery usage may be deposited in a Cemetery's waste containers. No sewerage may be deposited on cemetery grounds.
- 43 **5. Dignity.** No person shall behave in a loud, indecent or disorderly manner or create any unnecessary disturbance. No person shall conduct or participate in any sport, game or contest in any cemetery. 7 Any person visiting the cemeteries shall use only the walks and roadways provided and shall not walk upon or across plots unless necessary where walks or roadways are not provided.
- 44 **6. Pets.** No person shall permit any animal, including dogs, owned by him, in his custody, or under his control within any cemetery unless attached to a leash not longer than eight (8) feet held by the person. Persons walking dogs in the Cemeteries must pick up any of their droppings and dispose of it outside of the Cemeteries and will be strictly liable for any personal harm or property damage caused by the dog.
7. Horses. Horses are prohibited from the Cemeteries except for the purpose of funeral, ceremonial, or memorial functions. Owners are responsible for cleaning up after their horses.
- 45 **8. Firearms.** The bringing of firearms into any cemetery, except by a military escort, is prohibited. The discharging or carrying of weapons of any type, or the hurling of rocks or pellets, or discharging fireworks therein is strictly prohibited. This is not to be construed as prohibiting ceremonial volleys with blank charges by properly supervised honor guards as a tribute to a deceased person if such ceremonial has been previously approved by the Town.
- 23 **9. Prohibited.** No glass jars or breakable flower containers shall be placed on lots. True floral containers, recessed holders and baskets are recommended. No eternal flames or any open flames. No groups organized to protest are allowed with in a twenty five (25) foot radius of Cemetery grounds.
10. Functions. The only group functions that are allowed within the Cemeteries are funerals, burials, memorial services, and educational tours. Other types of functions are not permitted unless permission is sought and granted by the Raymond Town Manager or the Raymond Code Enforcement Officer.

## **IX. VEHICULAR TRAFFIC**

- 9 **1. Control.** Motor cars and vehicles must be kept under complete control at all times.
- 2. Funeral Cortege.** When meeting a funeral cortege, ~~they~~ all vehicles must stop until the procession passes. ~~they~~ All vehicles must not pass a funeral cortege, either stopped or in motion.
- 3. Speed.** Maximum speed limit – 10 ~~45~~ miles per hour.
- 4. Cemetery Roads.** No vehicle may be driven or parked upon any grave, lot or lawn. Parking or leaving any vehicle on any road or drive in such a way as to prevent any other vehicle from passing is prohibited.
- 6. Prohibited:**

a. Commercial vehicles that are not directly involved in the business of the Cemeteries are not permitted.

10 b. No snow machines, four wheelers or bicycles shall be allowed in a cemetery. Snowmobiles, unregistered motor vehicles such as dirt bikes and all-terrain vehicles, and bicycles are prohibited within the Cemeteries except as may be in attendance at funerals.

## **X. MAINTENANCE & PLANTS**

1. **General.** The general care of the surface conditions of the Cemeteries is the responsibility of the Town and includes cutting the grass, trimming the bushes and trees, and raking and cleaning the grounds. The Town does not assume the responsibility for caring for or planting flowers or ornamental plants, or repairing or replacing Monuments or Markers.

17 2. **Maintenance.** The Town of Raymond reserves the right to enlarge, reduce, replot or change the boundaries or grading of the cemeteries, or a section or sections thereof, from time to time, including the right to modify or change the location of, or remove or regrade roads, drives or walks, or any part thereof, is hereby reserved.

3. **Access.** The Town Cemeteries reserve to themselves, and to those lawfully entitled thereto, a perpetual right of ingress and egress over lots for the purpose of passing to and from other lots.

~~The substance of this section will appear in the documents conveying cemetery lots.~~

4. **Water.** The Town also reserves the right to lay, maintain and operated, or alter or change, pipe lines or gutters for water systems and drainage purposes and to use cemetery property, but not inconsistent with the rights of the owners of plots already sold.

~~The right to lay, maintain, and operate, or alter or change, pipe lines or gutters for sprinkler systems and drainage purposes is also expressly reserved, as well as is the right to use cemetery property, not sold to Grantees lot owners, for cemetery purposes, including interment of the dead, or for anything necessary, incidental, or convenient thereto.~~

18 5. **Damage.** All reasonable precautions will be taken to protect lot owners and the property right of lot owners within the cemeteries from loss or damage.

22 6. **Plantings.** The cemeteries will undertake to maintain, as may be practicable, the planting of trees and shrubs to preserve its landscape features, but will not undertake to maintain individual plantings, or urns of plants, unless previously arranged under ~~paragraph 21~~ Section XI. Perpetual Care.

24 7. **Removal.** The cemeteries Town shall have the right to remove all floral designs, vases, urns, decorations, wreaths, plants, flowers, weeds, trees, shrubs, plants, or herbage of any kinds from the Cemeteries as soon as, in their judgment, they become unsightly, dangerous, and other materials placed in Cemeteries that, in their opinion, become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained in said Cemeteries.

25 8. **Floral Pieces.** The Cemeteries shall not be responsible for floral pieces, baskets etc. in which or to which floral pieces are placed or attached beyond their acceptance for services

held in the Cemeteries, and shall not be responsible for frozen plants, plants damaged by the elements, thieves, vandals or by other causes beyond their control.

~~26 The cemeteries reserve the right to remove from lots vases or urns damaged or otherwise not cared for or not filled with plants by June 30<sup>th</sup>.~~

9. **Waste.** Individuals who enter the Cemeteries must carry out all waste that they create while in the Cemeteries. Depositing of waste, rubbish, and debris on the grounds of the Cemeteries, or neighboring/adjacent property, is prohibited.

10. **Plants.** The planting of shrubs (including rose bushes), trees, or any planting of a spreading variety is prohibited.

## XI. PERPETUAL CARE

1. **Trust Funds.** The full purchase price of a plot(s) shall be added to the Town's Cemetery Trust Funds. The principal of the Cemetery Trust Funds is nonrefundable and must remain intact in trust in perpetuity for the care of the Cemeteries. It shall be invested and a prudent portion of the net income and appreciation from this Fund shall be applied annually by the Town's Finance Director to the operating costs of the Cemeteries.

~~24~~ 2. **Services Provided.** Perpetual Care includes keeping the turf even and in good condition, the grass properly cut and the present trees and shrubs, as duly authorized, trimmed. The proper care and cleaning of all granite, stone, marble, or bronze structures on the lot at the time care is assumed, as well as any future erections expressly specified, but does not include replacement of any such structures.

~~Lot owners desiring additional care of their lots may arrange for such care with the Town of Raymond who will be glad to give an estimate of the cost of the work desired. This care may be provided for any annual payments made by the lot owner or by the establishment of a Trust Fund under such agreement as may be determined between the said parties.~~

3. **Management.** All Perpetual Care Trust Funds held by the Town of Raymond, whether Trust or Perpetual Care will be invested by the Town of Raymond as provided by law (MRSA Title 13, Section 1223) and will be expended only as provided by the Trust of Perpetual Care Agreement.

## XII. BURIAL REQUIREMENTS

1. **Timing.** Cemeteries shall be open for interments at the discretion of the Sexton.

2. **Notification.** Prior to the interment, Grantees or their heirs or representatives are required to provide the Cemetery Supervisor a written communication as to the location of the burial, including the name and date of death of the decedent.

3. **Directors.** A funeral director must be with all funerals entering the cemeteries and the funeral director is responsible for ensuring that the participants of the funeral abide by this Ordinance. The funeral director must present the necessary burial permit from the Town Clerk to the Town employee in charge of the burial.

22 **4. Grave Liners.** In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden boxes, all burials must be made in outside containers constructed of natural stone, or of metal, or of reinforced concrete, or approved synthetics. All such containers must be made and installed so as to meet the specifications established by the Board of Selectmen. Outside containers may be procured from any source provided they meet the established specifications.

23 **5. Limits.** No interment of two (2) or more bodies shall be made in one (1) grave plot, except in the case of a mother or father and a child, or two (2) infants, buried in one casket (or two caskets if small enough to fit within the burial space), or up to eight (8) cremated remains with no full burial, or one (1) full burial and one (1) cremation. Further variation may be made in the case of cremations within family lots subject to the placing of markers and upon prior approval from the Town.

24 **6. Interment.** When an interment is to be made in a plot, the location shall be designated by the ~~lot owners~~ Grantee or his representative. If this is not done, the Cemeteries reserve the right to make the interment in a location designated by the Town. The Town shall not be responsible for errors from telephone information etc.

25 **7. Disinterment.** Once an interment has been made, graves will be opened only by officials and employees of the Town assigned to the cemeteries or when the cemetery is directed to make disinterment by an order of the court of competent jurisdiction and a certified copy has been filed with the Town. The Town will be limited to opening of the grave only. Disinterment must be made by the person authorized to do so.

**8. Animals.** No Animals domestic or wild will be interred in the Cemeteries.

**9. Cremains.** Each cremain burial will be required to at least have a grade level name Marker placed on top of the site.

### **XIII. MONUMENTS & MARKERS**

27 **1. Size and Number.** The ~~owner~~ Grantee(s) of any one (1) plot shall have the right to erect thereon any proper ~~stone or Monument or Marker~~ upon authorization by the Town. Only one (1) Monument no larger than a thirty-six (36) inch base shall be permitted on a plot, which must be located in the ~~center or center rear of the plot~~, unless special permission is granted by the Town for placing otherwise. Only one (1) individual Marker per grave burial is allowed in any of the Cemeteries. ~~In certain areas, however, a monument and individual headstones are permitted.~~ In the case of a Grantee(s) owning multiple contiguous plots, a single Monument no larger than a sixty (60) inch base shall be permitted in the center of the lot and must be approved by the Cemetery Supervisor and Sexton.

28 **2. Material.** No monument or other structure on a lot above ground shall be constructed of other than cut marble, granite, natural stone, or real bronze. ~~The monument shall not exceed a base size from end to end of sixty percent (60%) of the width of the lot.~~

28 **3. Foundations.** No stone, Monument, tomb, vault, or other superstructure shall be erected until a suitable foundation is laid. All foundations shall be not less than four (4) feet in depth. All tombs, mausoleums, or vaults constructed after the effective date of this Ordinance shall have such provisions made for perpetual care as is adequate in each case.

4. **Placement.** All monuments must be placed such that they face the same direction as the surrounding stones. In most Cemeteries the stones in a row face the nearest road.
5. **Boundaries.** On and after the effective date of this Ordinance, no lot or grave shall be defined by a fence, rail, curb, hedge, trees, or shrubs, or enclosure of any description for the purpose of defining its corner boundaries. Boundaries that existed prior to the adoption of this rule on March 18, 2000, around burial sites may be maintained as a boundary, but no one is allowed to add to or replace them. Grade level corner markers are permissible.
6. **Repair.** Monuments and Markers erected by Grantees shall be maintained in a safe condition by the Grantee (including heirs and assigns), and the repair and replacement of same, after damage from any cause, shall be at the expense of the Grantee. Notwithstanding the primary maintenance responsibility of the Grantee, the Town may, at its sole discretion, undertake to clean and/or repair Monuments and Markers and to resolve safety concerns.

**ARTICLE 6:** Shall a new Finance Ordinance be adopted?

The Select Board recommends/does not recommend Article 6

*DESCRIPTION:*

*Town staff is recommending this ordinance be adopted. Currently the Select Board annually approves a policy to allow one (1) member of the Select Board to approve and sign the weekly Payroll Warrant. This ordinance would make this annual policy unnecessary. All other Treasurer Warrants would still require a majority of the Select Board members to approve and sign in order to disperse funds.*

**FINANCE ORDINANCE**

Adopted June 5, 2018

**I. Payroll Warrants**

- A. Purpose.** To allow at least one (1) of the municipal officers to review, approve, and sign the treasurer's payroll warrants.
- B. Delegation of Authority.** At least one (1) of the municipal officers (selectmen), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants for employee wages and benefits (pursuant to 30-A MRSA § 5603 (2)(A)(1)).
- C. Majority Power.** This ordinance is in addition to, not in lieu of, majority power. Nothing in this ordinance is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for payroll and for accounts payable.



**ARTICLE 7:** Shall the Jones Beach 1, Jones Beach 2, and Jones Beach Parking Ordinances be repealed and a new Raymond Beach Ordinance be adopted in their place?

The Select Board recommends/does not recommend Article 7

*DESCRIPTION:*

*Town staff is recommending the following changes to bring the ordinance up-to-date with current names, use, and practices.*

## **~~JONES BEACH 1~~**

~~March, 1970~~

~~Accept the use of Jones Beach for use by the Town's people and the Raymond Recreation Swim Program providing the Town have insurance coverage. A curfew is to be as follows: The Beach will be closed from 10:00 p.m. to 6:00 a.m.~~

## **~~JONES BEACH 2~~**

~~May, 1984~~

- ~~1. Raymond Residents only — enforced.~~
- ~~2. A responsible adult will be hired to monitor Beach during peak hours of 10:00 a.m. to 4:00 p.m. Person will also maintain Beach.~~
- ~~3. Beach area and restrooms will be properly maintained daily.~~
  - ~~a. Rake Beach;~~
  - ~~b. Dispose of rubbish;~~
  - ~~c. \* Clean restrooms, replace supplies.~~
- ~~4. Permits to be checked. Vehicles will be towed when necessary.~~
- ~~5. No vendors allowed on Beach or in area.~~
- ~~6. Non-resident groups strictly forbidden on Beach and areas surrounding.~~
- ~~7. No dogs allowed in Beach area.~~
- ~~8. Alcoholic beverages and any other intoxicating influences strictly forbidden.~~
- ~~9. No lifeguard on duty.~~
- ~~10. No water craft on the Beach.~~
- ~~11. Closed at 10:00 p.m.~~
- ~~12. Non-residents may have use of ramp at Crescent Beach as long as vehicles and trailers are removed from Beach area.~~

~~\*Not available at Crescent Beach.~~

## **~~JONES BEACH PARKING~~**

~~May, 1984~~

~~Restrict parking within ten feet (10') of tarred roadway and declare an area two hundred feet (200') on both sides of Route 302 from the Jones Beach (to include the Jones Beach area) area which is to be closed to parking and no parking signs shall be posted accordingly.~~

# **Raymond Beach Ordinance**

Adopted June 5, 2018

## **HISTORY**

- March 14, 1970, Town Meeting Article 51, the Town of Raymond voted to accept the use of “Jones Beach”.
- May 19, 1984, Town Meeting Article 23, the Town of Raymond voted to adopt rules for use of “Jones Beach” and Crescent Beach. Also, in Article 24, the Town voted on parking restrictions.
- March 18, 2000, Town Meeting Articles 11 and 12, the Town of Raymond voted to execute a long-term agreement and a license agreement with Maine Department of Transportation and Maine Department of Inland Fisheries for the “Jordan Bay boat launch and beach area” which includes the responsibility for ongoing management and operation of the facility.
- June 6, 2000, the Board of Selectmen voted to change the name of the beach facility to “Raymond Beach.”
- August 2000, the parking area and boat launch opened, but the beach was not opened until the Summer of 2001.
- 2002, Lighting was added to the parking lot.

## **OWNERSHIP & MANAGEMENT**

- Maine Department of Inland Fisheries – Owner
- Town of Raymond – Ongoing management and operation of the facility

## **RULES**

- The Town Manager shall be responsible for setting the rules for the use of the facility.
- The rules shall be posted at Raymond Beach.

## **PARKING**

- Restrict parking within ten feet (10’) of paved roadway and declare an area two hundred feet (200’) along Route 302 on both sides of the road which is to be closed to parking and marked with signage.

**ARTICLE 8:** Shall Articles 6 and 7 of the Raymond Massage Establishment Ordinance, as adopted May 15, 1993, be amended by adding the underscored language as shown below?

The Select Board recommends/does not recommend Article 8

*DESCRIPTION:*

*In reviewing the Miscellaneous Ordinances it was found that the Expiration Date and “on or after” date had been left blank when the Massage Establishment Ordinance was adopted.*

*[Note: The use of the word “Article” within the ordinance does not indicate a separate warrant article.]*

ARTICLE II  
LICENSES

Section 12. Term of License.

Licenses issued pursuant to this Ordinance shall be for a term of no more than one year and shall expire annually on December 31<sup>st</sup>.

Section 14. Applicability to Pending Applications.

Notwithstanding anything to the contrary in 1 M.R.S.A. §302, the provisions of this Ordinance shall apply to any application or request to operate a massage establishment submitted to the Town of Raymond or to any of its officers or employees on or after May 15, 1993.

**ARTICLE 9:** Shall Section VI, Subsections D and F of the Raymond Peddler's Ordinance, as adopted May 21, 1994, and amended through June 4, 2013, be further amended by adding the underscored language and deleting the strikethrough text as shown below?

The Select Board recommends/does not recommend Article 9

*DESCRIPTION:*

*These changes are simply to correct typographical errors.*

Section VI. Application:

- D. No peddler's license shall be issued for the sale of goods on private property located ~~withing~~ within sixty-five feet (65') of any fixed-based retail establishment offering the same substantially similar good, unless the owner of the fixed-base retail establishment is also the peddler's license applicant.
- F. Licenses shall be issued annually on May 1<sup>st</sup>, or the first business day thereafter. Applications shall be submitted no later ~~that~~ than April 1<sup>st</sup>. If there are more than two qualified applicants, licenses shall be selected by ~~by~~ staff through a lottery, prior to recommending license approvals to the Board of Selectmen.

**ARTICLE 10:** Shall the Raymond Racing Boat Ordinance be repealed?

The Select Board recommends/does not recommend Article 10

*DESCRIPTION:*

*This ordinance is outside the jurisdiction of the Town of Raymond.*

## **~~RACING BOATS~~**

~~Prohibit, within the Town boundaries the use of outboard racing motors; also outboard motors on which exhaust manifolds have been altered from the manufacturers basic design; also inboard motors not exhausted through water muffled tubes to reduce exhaust noise.~~

**ARTICLE 11:** Shall Article II, Section 11 of the Raymond Regulating Persons and Establishments Providing Services Similar to Massage Therapy Ordinance be amended by adding the underscored language as shown below?

The Select Board recommends/does not recommend Article 11

*DESCRIPTION:*

*In reviewing the Miscellaneous Ordinances it was found that the Expiration Date had been left blank when the Regulating Persons and Establishments Providing Services Similar to Massage Therapy Ordinance was adopted.*

*[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]*

ARTICLE II. LICENSES

Section 11. Term of License.

Licenses issued pursuant to this Ordinance shall be for a term of no more than one year and shall expire annually on December 31<sup>st</sup>.

**ARTICLE 12:** Shall Article II, Section 2.1 of the Raymond Special Amusement Ordinance as adopted May 15, 1993, be amended by adding the underscored language and deleting the strikethrough text as shown below?

The Select Board recommends/does not recommend Article 12

*DESCRIPTION:*

*This change is simply to correct a typographical error.*

*[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]*

ARTICLE II  
GENERAL

Section 2.1 Permit Required.

No licensee for the sale of liquor to be consumed on his licensed premises shall permit, on his licensed premises, any music, except, radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained ~~from~~ from the municipality in which the licensed premises are situated a special amusement permit signed by at least a majority of the municipal officers.

**ARTICLE 13:** Shall the Raymond Town Bodies Ordinance as adopted March 1980, and amended through March 1982, be further amended by adding the underscored language and deleting the strikethrough text as shown below?

The Select Board recommends/does not recommend Article 13

*DESCRIPTION:*

*The following changes are to bring the ordinance up-to-date with current labels and practices.*

**TOWN BODIES BOARDS, COMMITTEES, & COMMISSIONS MEMBERSHIP**

Adopted March 1980  
Amended March 1982  
Amended June 5, 2018

**Purpose.** This Ordinance shall govern the membership of the boards, committees and commissions of the Town of Raymond specified herein.

**Elected Officials.** No person shall hold more than one elective office of the Town, i.e. as a member of the Board of Selectmen, the School Board RSU #14 Board of Directors or the Budget and Finance Committee, ~~and no~~ **No** person holding one such elective office shall be a voting or associate member of the Zoning Board of Appeals, or the Planning Board ~~or the Finance Committee~~ of the Town of Raymond. However, a person holding an elective office may serve as a non-voting, ex-officio member of any body as otherwise specifically provided by ordinance ~~\*\*\*~~ and may serve as the moderator at any Town Meeting. ~~\*\*\*~~

~~\*\*\* = Added by vote of Town Meeting March 1982.~~

**Membership on Multiple Appointed Bodies.** No person shall be a voting or associate member of more than one of the following Town bodies: the Zoning Board of Appeals, or the Planning Board ~~or the Finance Committee~~, but a member of any such body may be a member of any other appointed body of the Town.

**Conflict of Interest.** All members will abide by the rules for Conflict of Interest pursuant to 30-A MRSA §2605. ~~No member of any board, committee, or other such body of the Town shall vote upon any matter in which he has a personal interest or other conflict of interest.~~