

Addendum 1

ARTICLE 12: Referendum Question J: To see if the Town will vote to appropriate **\$283,164** from the tax increment of the Pipeline/RT 302 Tax Increment Financing District for FY 2020-2021 project proposed in the Tax Increment Financing District Development Program (*for details see Addendum 1*).

Select Board recommends Article 12
 Budget-Finance Committee recommends Article 12

Tax Increment Finance (TIF)	2019-2020 Budget	2020-2021 Proposed	\$ Change	% Change
Salaries	\$6,825.00	\$7,700.00	\$875.00	12.82%
Mapping & GIS	\$15,000.00	\$15,000.00	-	0.00%
Ordinance Updates	\$5,000.00	-	(\$5,000.00)	100.00%
Planning Services	\$26,500.00	\$26,500.00	-	0.00%
Revaluation	\$100,000.00	\$100,000.00	-	0.00%
Street Light Fixtures	\$6,000.00	-	(\$6,000.00)	100.00%
Cable Negotiations	\$5,200.00	-	(\$5,200.00)	100.00%
Advertising	\$2,000.00	\$4,100.00	\$2,100.00	105.00%
Historical Society	\$1,800.00	\$1,800.00	-	0.00%
RWPA Milfoil	\$16,000.00	\$16,000.00	-	0.00%
Street Flag Replacement	\$1,000.00	\$1,100.00	\$100.00	10.00%
Hawthorne House	\$1,000.00	\$1,000.00	-	0.00%
Rte 302 Maintenance	\$35,000.00	\$37,000.00	\$2,000.00	5.71%
Hydrant Rental	\$6,672.00	\$6,864.00	\$192.00	2.88%
Supplies General	\$500.00	\$1,000.00	\$500.00	100.00%
Street Lights	\$21,000.00	\$5,100.00	(\$15,900.00)	-75.71%
Paving/Roads	-	\$60,000.00	\$60,000.00	n/a
Total	\$249,497.00	\$283,164.00	\$33,667.00	13.49%

Addendum 2

ARTICLE 24: Referendum Question V: Shall Section 16 (Administration) of the Raymond Shoreland Zoning Provisions, Section G, (Appeals), 2. Variance Appeals (f)(2) as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underlined text as in Addendum 2?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 24

Select Board recommends Article 24

DESCRIPTION:

- *Add to item 2. Variance Appeals, f. 2 the words "an existing" for clarification to which type of residential dwelling is principal structure.*

Section 16 ADMINISTRATION

G. Appeals

Appeals from decisions under the Shoreland Zoning provisions and variances from the Shoreland Zoning provisions are governed by the appeals and variance procedures contained in the Shoreland Zoning provisions and are not governed by Article 6 of the Land Use Ordinance.

2. Variance Appeals – Variance may be granted only under the following conditions.

- f. The Board of Appeals may grant reductions from the minimum setback requirements set forth in Section 15 (A) of these provisions according to all of the following criteria:
 - 2) Setback reduction appeals may only be granted and are only available for lots with an existing residential dwelling as the principal structure.

Addendum 3

ARTICLE 25: Referendum Question W: Shall Article 13 A, 13 B, and 13 C of the Raymond Land Use Ordinance, (Article 13-Open Space Subdivisions) as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikethrough text as in Addendum 3?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 25
Select Board recommends Article 25

DESCRIPTION:

- *Add new policy language for road connectivity under Article 13 A 1.*
- *Add new purpose under Article 13 A 2 as item k. describing road connectivity purposes.*
- *Add and revise Article 13 C 4 d 2 to include safe turning curves where connecting to adjoining lands for possible future Rights of Way, when offering for possible road acceptance.*

ARTICLE 13 – OPEN SPACE SUBDIVISIONS

A. Introduction

1. Policy

It is the policy of the Town of Raymond to encourage the use of open space subdivisions in order to preserve a sense of space, provide for sustainable agriculture and forestry as well as recreational land, preserve other resources identified in the Town of Raymond Comprehensive Plan, and harmonize new development with the traditional open, wooded, agricultural, rural and village landscapes of the Town, while promoting neighborhood connectivity through cross linkages of vehicular and pedestrian access and providing opportunities for future access connections to adjoining undeveloped parcels.

This performance standard is intended to implement that policy by providing incentives that afford flexibility to landowners in road and lot layout ~~and~~ design, support roads constructed for public acceptance, and revise road frontage requirements ~~and~~ by allowing the Planning Board to expedite procedure and to waive or reduce certain otherwise applicable standards and provisions of this Land Use Ordinance and the Subdivision Regulations if such landowners commit to the permanent preservation of important open space resources. These incentives are designed to encourage greater flexibility and more innovative approaches to housing and environmental design for the development of single and multi-family residential areas, will utilize creative road design to promote efficient lot development while supporting neighborhood connectivity for other adjoining or nearby future developable lands, and that will equally promote the most appropriate use of land and will preserve, as permanent open space, agricultural or forestry land, important natural features, wildlife habitat, water resources,

ecological systems, and historic and scenic areas for the benefit of present and future residents.

2. Purposes

To qualify as an open space subdivision, that Planning Board must find that the subdivision will achieve all of the following purposes that are applicable to its specific circumstances:

j. Attainment of planned variety and coordination in the location of structures, architectural styles, and building forms and relationships.

j. k. Provide considerate design for public roads acceptance, and striving for connectivity to adjoining developable land parcels for the purposes of vehicular and pedestrian access loops, or interconnective road systems in efforts to improve traffic and emergency access safety, reduce environmental impacts, and promote interconnection of neighborhoods.

C. General Requirements

4. Space Standards

d. Minimum road frontage requirements of the Land Use Ordinance and Subdivision Regulations may be waived or modified by the Planning Board provided that:

- 1) Any applicable provisions regarding Roads in the Street Ordinance are satisfied.
- 2) Adequate road curvature design access and turnaround termini, to and from all parcels ~~by for~~ fire trucks, ambulances, police cars and other emergency vehicles meets minimal safe turning radii requirements over all can be ensured by private roads and /or common driveways internal access streets, ways, or driveways. Roads shall consider extension of Rights of Way to adjoining lands where development is possible in the future, and Planning Board will promote the offering of such open space subdivision streets and Rights of Way for public acceptance.
- 3) No common driveway shall provide access to more than three (3) lots, except as provided in Article 13, Section C.6.

Addendum 4

ARTICLE 26: Referendum Question X: Shall Section 4 (Application Procedures) and Section 5 (Street Design Standards) of the Raymond Street Ordinance as adopted May 18, 2002, and amended through June 4, 2013, be further amended by adding the underscored language and removing the language in ~~strikeout text~~ as in Addendum 4?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 26

Select Board recommends Article 26

DESCRIPTION:

Section 4

- *Add to Section 4.2 Plans, item G, to include language that all street centerlines shall be field surveyed or if using LIDAR or satellite or aerial topographic imagery that at least 3 separate locations shall be field verified to land survey tied to elevational data of NAVD 88.*
- *Add item M that all plans shall be provided with a site benchmark for construction with posted elevation using NAVD88 Datum, and the plan shall have at least 3 roadside monuments that are tied to Maine State Grid Coordinates or can be used for GIS mapping.*

Section 5

- *Revising and adding to the standards table under 5.5 Street Design Standards relating to minimal width of shoulders (grassed, gravel and paved for collector, minor, private streets and backlot driveways.*
- *Add to section 5.7 Dead End Streets for language for conditions when to allow the Planning Board the ability to waive Right of Way continuation to adjoining lots.*
- *Adjusting Table in Section 5.10 Street Construction standards to increase pavement thicknesses to accommodate current pavement practices and MDOT specifications.*

4. Application Procedures

4.2 Plans

G. Centerline gradients as determined using field topographic and location survey data. Designs based off aerial imagery, such as but not limited to aerial survey from data collected via Satellite (LIDAR), airplane, or drone shall be field verified by at least three (3) land survey base location/control points to confirm the data is tolerant or in agreement of NAVD 88 elevation datum.

M. Road design plans shall be provided with a site benchmark for construction, posting elevational information meeting NAVD 88 Datum, from which the site shall use elevation data for construction. Also, the Plan shall include on the Right of Way plan to be recorded, location coordinates for at least three (3) roadside monuments that are tied to Maine State Grid Coordinates, or can be used for GIS mapping by the Town of Raymond.

5. Street Design Standards

5.5 Street Design Standards

A. The following standards apply to new public and private streets, as well as back lot driveways (see Appendix A for illustration of typical street sections by type of street):

Description	Type of Street				
	Arterial	Collector	Minor Street	Private Street (1)	Back Lot Driveway
Minimum Right-of-way Width	80'	60'	50'	50'	50' ⁽³⁾
Minimum Travel Way Width	44'	22'	20'	18'	12'
Sidewalk Width	N/A	N/A	N/A	N/A	N/A
Minimum Grade	.5%	.5%	.5%	.5%	N/A
Maximum Grade	5%	6%	8%	10%	12%
Minimum Centerline Radius	500'	230'	150'	150'	N/A
Minimum Tangent between Curves of reverse alignment	200'	100'	50'	N/A	N/A
Roadway Crown	¼"/ft	¼"/ft	¼"/ft	¼"/ft	N/A
Minimum Angle of Street Intersections (2)	90°	90°	75°	75°	75°
Maximum Grade within 75 ft. of Intersection	2%	2%	2%	2%	N/A
Minimum Curb Radii at Intersections	30'	20'	15'	15'	N/A
Minimum ROW Radii at Intersections	20'	10'	10'	10'	10'
Minimum Width of <u>Gravel/Grassed</u> Shoulders (<u>one each</u> side)	5'	5'	5'	3'	<u>4'2'</u>
<u>Minimum Width of Paved Shoulders</u>	<u>N/A</u>	<u>5'</u>	<u>4'</u>	<u>See note 1</u>	<u>See note 4</u>

- Minimum Width of Gravel/Grassed Shoulders ~~A private street~~ which will serve fewer than 4 residents shall have a minimum travel way of 12 feet with two 2-foot gravel/grassed shoulders and a maximum grade of 12% (3% for the first 50 ft). a private street which will serve 4-10 residences will have a minimum travel way of 16 feet with two 3-foot gravel/grassed shoulders and a maximum road grade of 12%. No paved shoulders are required.
- Street intersection angles shall be as close to 90° as feasible, but no less than the listed angle.
- Unless a right-of-way of lesser width is approved by the Reviewing Authority pursuant to Article 9, Section T.1 of the Land Use Ordinance.
- 3.4. Minimum Width of gravel/grassed for backlot driveways shall be 2 feet on both sides of the travel way. No paved shoulders are required.

5.7 Dead End Streets

In addition to the design standards above, the design of the turn-around for dead end streets proposed as public ways shall be approved by the Director of Public Works. The Board may require the reservation of a 20-foot easement in line with the street to provide continuation of pedestrian traffic or utilities to the next street. The Board may also shall require the reservation of a 50-foot easement in line with the street to provide continuation of the road where future subdivision is possible. The Board may waive such requirements for Right of Way continuation where it is not feasible for connectivity to adjoining lots, where feasibility is highly unlikely due to restriction of natural land features, topography, or other unique land or use restrictions of, or the adjoining land is determined undevelopable by circumstances not created by the subdivider/owner.

5.10 Street Construction Standards

Street Materials

Street Materials	Minimum Requirements				
	Arterial	Collector	Minor Street	Private Street	Back Lot Driveway
Aggregate Sub-base Course (maximum sized stone 4")	18"	18"	18"	12"	12"
Crushed Aggregate Base Course	4"	3"	3"	3"	
Hot Bituminous Pavement					
Total Thickness	3 <u>4</u> 1/4"	2 <u>3</u> 1/2"	2 <u>1 1/2</u> 3"		
Surface Course	1 <u>2</u> 1/2"	1 <u>1 1/2</u> "	1 <u>1 1/4</u> "		
Base Course	1 <u>2</u> 3/4"	1 <u>1 1/2</u> 2"	1 <u>1 1/2</u> 3/4"		

Addendum 5

ARTICLE 27: Referendum Question Y: Shall Article 1 J of the Town of Raymond Subdivision Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 5?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 27
Select Board recommends Article 27

DESCRIPTION:

- *Add to the Purpose and Review Criteria section under Article 1 J to include compliance with Net Residential Area for determining allowable number of proposed lots.*

ARTICLE 1 – PURPOSE AND REVIEW CRITERIA

J. Is in conformance with the subdivision ordinance, comprehensive plan, zoning ordinance, floodplain management ordinance or other duly adopted town ordinance or regulation. In making this determination, the municipal review authority may interpret these ordinances and plans:

1. The subdivision shall comply with the Net Residential Area and Area for computing the allowable number of proposed lots for the entire subdivision.

Addendum 6

ARTICLE 28: Referendum Question Z: Shall Article 4 A, C, and D of the Raymond Land Use Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 6?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 28
Select Board recommends Article 28

DESCRIPTION:

- *Add Timber Harvesting as an allowed use under Article 4 A Village Residential District, 2. Permitted Uses and adding as "n."*
- *Add Timber Harvesting as an allowed use under Article 4 C Rural District, 2. Permitted Uses and adding as "k."*
- *Add Timber Harvesting as an allowed use under Article 4 D Rural Residential District, 2. Permitted Uses and adding as "k."*
- *Striking the previous language in paragraph under Article 4 A Village Residential District, 4. Spec and Bulk Regulations, b. 2 and 3 and replaced with a new 2 that redefines minimum lot area per dwelling unit for single family duplex and multi-family units.*

ARTICLE 4 – DISTRICT REGULATIONS

A. Village Residential District (VR)

2. Permitted Uses

m. Elderly Housing

n. Timber harvesting (Permits must be acquired through the Maine Department of Conservation)

4. Space and Bulk Regulations – The following space and bulk regulations are minimum requirements:

a. The minimum lot area shall be forty thousand (40,000) square feet.

b. Minimum Lot Area per Dwelling Unit

1) One-family dwelling or modular home – Forty thousand (40,000) square feet per unit

~~2) Duplex – Twenty thousand (20,000) square feet per unit~~

~~3) Multi Family Dwelling – Forty thousand (40,000) square feet for the first two units on the lot plus an additional fifteen thousand (15,000) square feet per each additional dwelling unity on the lot.~~

2) For a structure with more than one dwelling unit, (duplex and multi -family) the first two (2) units will each require twenty thousand (20,000) square feet per unit on the lot, and then for each *additional* unit will require fifteen thousand (15,000) square feet per unit on the lot.

C. Rural District (R)

2. Permitted Uses

- i. Mobile/Manufactured home fourteen (14) feet wide with a pitched roof, manufactured in 1976 or later, 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.
- n. Timber harvesting (Permits must be acquired through the Maine Department of Conservation)
- j-

D. Rural Residential District (RR)

2. Permitted Uses

- k. Timber harvesting (Permits must be acquired through the Maine Department of Conservation)

Addendum 7

ARTICLE 29: Referendum Question AA: Shall Article 12 – Applicability and Definitions of Terms Used in This Ordinance of the Raymond Land Use Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 7?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 29
Select Board recommends Article 29

DESCRIPTION:

- *Add to definition of "Accessory Apartments" to include that single family lot density shall not apply to a single family home adding one accessory apartment.*

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

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. For the purposes of lot size, net density shall not apply to a single family home adding one accessory apartment.

Addendum 8

ARTICLE 30: Referendum Question AB: Shall Section IV Definitions, 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 removing the language in strikeout text as in Addendum 8?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 30

Select Board recommends Article 30

DESCRIPTION:

- Add "mobile unit vendors" to Section IV B. as part of the peddler's definition.
- Revise under Section IV C. Size Restriction, strike out "150 sf for occupied space" and revise to "200 sf for size restriction".
- Strike and revise language for Licenses (Section IV F), revise to "Licenses shall be issued by the Board of Selectman, and application must be submitted a minimal of 30 days prior to the regular monthly scheduled Board of Selectmen Meeting."

Section IV. Definitions:

- B. The word "peddler" as used herein shall include any person selling or offering for sale, tangible commodities, including food, beverages and non-food goods, wares and merchandise. The word "peddler" shall include the words "hawker", "huckster", "street vendor", "mobile unit vendors" and "itinerant vendors". The definition of the word "peddler" for this Ordinance does not include but is not limited to the following exceptions:

A temporary yard sale occurring no more than four weekends in one calendar year, a fruit stand a minor or children's enterprise, the sale of camp firewood, and a car or boat for sale.

- C. Size Restriction: No peddler's cart set up, including any cart, tables, serving counter, food storage, coolers or preparation areas or ancillary features shall occupy a space greater than ~~150 sq. ft~~200 sq. ft. The Town may waive the size restriction if it finds that, due to the proposed location of activity, the size of the set up will not interfere with public safety or the use and enjoyment of public property
- F. Licenses shall be issued ~~annually on May 1st, or the first business day thereafter, by the Board of Selectmen.~~ Applications ~~shall~~must be submitted a minimum of 30 days prior to the regular monthly scheduled Board of Selectmen meeting. ~~no later than April 1st. If there are more than two qualified applicants, licenses shall be selected by staff through a lottery, prior to recommending license approvals to the Board of Selectmen.~~

Addendum 9

ARTICLE 31: Referendum Question AC: Shall Article 5, Section K Fines, of the Raymond Land Use Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 9?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 31

Select Board recommends Article 31

DESCRIPTION:

- *Strike out current wording and replace the language that is consistent with language from the Shoreland Zoning Ordinance relating to Fines for consistency.*

ARTICLE 5 – ADMINISTRATION

K. Fines

Any person, including but not limited to a landowner, a landowner's agent, or a contractor, who violates provisions or requirements of this Ordinance shall be penalized in accordance with 30-A, M.R.S.A., section 4452. ~~Any person who continues to violate any provisions of this Ordinance, after receiving notice of such violation, shall be guilty of a misdemeanor subject to a fine of up to \$100.00 for each violation. Each day such a violation is continued is a separate offense.~~

Addendum 10

ARTICLE 32: Referendum Question AD: Shall Article 6 Board of Appeals, Section C Appeals Procedure of the Raymond Land Use Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 10?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 32
Select Board recommends Article 32

DESCRIPTION:

- *Strike out current wording describing scheduling of meeting "on the last Monday of the month" and replace with allowing the Board of Appeals to schedule meetings as necessary.*

ARTICLE 6 – BOARD OF APPEALS

C. Appeals Procedure

1. The Board of Appeals shall meet as needed and as routinely scheduled following the Schedules and Deadlines on the last Monday of the month and as established by the Board of Appeals annually prior to the effective calendar year.

Addendum 11

ARTICLE 33: Referendum Question AE: Shall Article 9, Section L Signs of the Raymond Land Use Ordinance as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 11?

(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk's Office, on the Town's website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 33
Select Board recommends Article 33

DESCRIPTION:

- *In L. Signs 2. Signs permit, an application information, strike out current word "content" and replace with "types of message (fixed or electronic)".*
- *In L. Signs 3.a. Remove word/line "political".*
- *In L. Signs 3.i. Remove entire line "Bulletin boards, reader boards, connection with church, etc"*
- *In L. Signs 8 Temporary Signs and Temporary Advertising Feature, b. remove entire Temporary Political signs and content under the subsection.*
- *In L. Signs 11 Non-conforming Signs, remove subsection e. "section is outdated/appears irrelevant"*

ARTICLE 9 – MINIMUM STANDARDS

L. Signs

2. Sign Permits

b. Application Information

Applications shall include a signage plan which contains information on the location and design of the proposed sign or alteration. The plans shall show the design, size, location, color, materials, ~~contents~~ types of message (fixed or electronic) and type of lighting for each proposed sign.

Unless, waived by the Reviewing Authority, applications proposing installation or alteration of a fixed sign in the Commercial District shall be prepared by a design professional experienced in commercial signage.

3. Exceptions

Permits are not required for:

~~a.~~ Political signs

~~b.a.~~ Trespass signs allowed under subsection 9.e

~~c.b.~~ Temporary real estate signs allowed under subsection 8.c

~~d.c.~~ Temporary development or construction site signs allowed under subsection 8.d

~~e.d.~~ Temporary signs giving notice allowed under subsection 8.a

~~f.e.~~ Identification signs

- ~~g.f.~~ Name signs not exceeding one (1) square foot in area identifying occupants of the premises where such sign is located
- ~~h.g.~~ Signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulations
- ~~i.~~ ~~Bulletin boards, reader boards or similar signs in connection with any church, museum, library, school or similar public structure~~
- ~~j.h.~~ Sandwich boards allowed under subsection 8.f
- ~~k.i.~~ Flags and banners allowed under subsection 8.e
- ~~l.j.~~ Changes to the content of established reader boards
- ~~m.k.~~ Signs that are located and displayed inside a building, whether visible outside of the building through a window or door.

8. Temporary Signs & Temporary Advertising Features

The following temporary signs are allowed and shall conform to these standards and other municipal, state or federal ordinances, statutes or regulations:

a. Temporary Signs Giving Notice

Signs of a temporary nature such as advertisements of charitable functions, notices of meetings and other non-commercial signs of a similar nature, are permitted for a period not to exceed twenty-one (21) days and shall be removed by the person(s) who posted the signs within forty-eight (48) hours after fulfilling its function. Temporary signs specified in this section shall not be attached or painted to fences, trees, or other natural features, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public.

~~b.~~ ~~Temporary Political Signs~~

~~Temporary political signs may be placed in any district, except in a floodplain, are not subject to lot line setbacks, and may be placed in a public right of way or on public property but not within 150 feet of an intersection or in such locations as will create a safety hazard. Political signs may not be placed within a right of way or elsewhere prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one week after Election Day. The maximum size of temporary political signs shall be 4 feet by 4 feet.~~

~~c.b.~~ Temporary Real Estate Signs

One temporary real estate sign attached to a building or free standing may be erected advertising the sale, lease or rental of the premises upon which the sign is located. This sign shall be located on the property that is advertised for sale. Temporary real estate signs shall be removed from the premises within thirty (30) days after the property is sold or leased.

~~d.c.~~ Temporary Development or Construction Site Sign

One temporary development or construction sign, attached to a building or free standing, may be erected provided such sign shall be limited to a general identification of the project and shall be removed within thirty (30) days after completion of the project.

e.d. Banners & Flags

A banner or flag, the dimensions of which do not exceed twenty-four square feet and on which there is only the word "open" and no other lettering or numbering, may be displayed by any retail business or service establishment (except home occupations) during the hours such business is open for customers and shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. This subparagraph does not prohibit or restrict displays of the United States Flag or the State of Maine Flag.

f.e. Sandwich Boards

One temporary sandwich board is allowed for each business provided it meets the requirements of this section. Sandwich boards shall not exceed three (3) feet in height or a total of nine (9) square feet per side in size. Sandwich boards shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. Sandwich boards may not include any source of illumination. Sandwich boards are allowed to be displayed outside only during the hours of operation of the business. Sandwich boards are not subject to lot line setbacks, and may be placed in the portion of a public right of way abutting the property containing the business as long as they are not placed in a travel way or on a public sidewalk and do not create a hazard.

g.f. Temporary Commercial Signs

One temporary sign for commercial purposes (including but not limited to advertising or announcing a new or relocated business) up to thirty-two (32) square feet of total façade area but no more than sixteen (16) square feet per side, shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary signs are allowed in addition to any sign permitted by this section. The area of the temporary sign shall not count toward the maximum sign area allowed for an individual property.

A temporary commercial sign is not subject to lot line setbacks but shall be located within the boundaries of the property on which the business is located. A temporary commercial sign shall not be placed in a travel way or on a public sidewalk and shall not create a hazard for pedestrians or vehicles.

Temporary commercial signs shall not be installed or displayed on the same property or on adjoining properties under the control of a single person or entity for more than four (4) thirty (30) day periods per calendar year, and such periods must be non-consecutive. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods. When more than one business is located on the same property or on adjoining properties under the control of a single person or entity, the limitations of this paragraph shall apply separately to each business.

The Code Enforcement Office shall issue permits for temporary commercial signs (“temporary sign permit”) for each non-consecutive thirty (30) day period which set out the expiration date of the permit. Temporary signs shall be removed on or before the expiration date set out in the temporary sign permit.

In addition to being subject to penalties and other sanctions for violations of this Ordinance, any business that allows a temporary sign to remain in place more than the thirty (30) consecutive days allowed by this section will forfeit the permit deposit to the town.

~~h.g.~~ Temporary Advertising Features

One temporary advertising feature shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary advertising features are allowed in addition to any sign permitted by this section. The area of the temporary advertising feature shall not count toward the maximum sign area allowed for an individual property.

A temporary advertising feature shall be located so that it does not create a hazard for pedestrians or vehicles. A temporary advertising feature shall not be placed in a travel way or on a public sidewalk.

Temporary advertising features shall not be installed or displayed, on the same property or properties under the control of a single person or entity, more than four (4) non-consecutive ten (10) day periods per calendar year. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods.

The Code Enforcement Office shall issue permits for temporary advertising features (“temporary advertising feature permit”) for each non-consecutive 10 day period, which set out the expiration date of the permit. Temporary advertising features shall be removed on or before the expiration date set out in the temporary advertising feature permit.

Any business that allows a temporary advertising feature to remain in place more than the ten (10) consecutive days allowed by this section will forfeit the permit deposit to the town.

11. Non-Conforming Signs

~~c. Any temporary or portable sign existing as of June 2, 2009, that does not conform to the regulations and requirements of this Section shall be removed no later than December 2, 2011.~~

Addendum 12

ARTICLE 34: Referendum Question AF: Shall a new ordinance entitled “Town of Raymond Business License Ordinance” enacted?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.raymondmaine.org, or at the polling place prior to voting.)

Planning Board recommends Article 34

Select Board recommends Article 34

DESCRIPTION:

- *For non-home occupations*
- *5-year license with annual review including possible renewal/revoke consideration*
- *Must be current with all Town fees, taxes, and inspections*
- *Must be current with all State and Town required licensing*

Town of Raymond Business License Ordinance

Section 1. Purpose.

The purpose of this Ordinance is to provide reasonable regulations for businesses, other than home occupations, operating in the Town of Raymond and to protect and promote the health, welfare and safety of Town residents and the general public.

Sec. 2. License required; expiration.

- (a) The Board of Selectmen are authorized to grant, grant subject to conditions, or deny licenses for any business in accordance with the terms of this Ordinance. The Town Clerk is authorized to renew licenses and refer any license renewal applications to the Board of Selectmen for public hearing and action if, in the Town Clerk's judgment, the application merits such scrutiny.
- (b) Any such license shall expire on March 1 of each year, unless otherwise provided therein, except that a license for which a renewal application filed prior to March 1 shall continue in effect until the Town Clerk or the Board of Selectmen, if Board action is required under Section 7, has acted on the renewal application.
- (c) No person shall operate or conduct any business, except for home occupations, without first obtaining a license therefore, nor shall any person operate or conduct any business except in compliance with the terms of this Ordinance and any conditions imposed upon the license issued.

Sec. 3. Application.

- (a) Any person who owns, operates or conducts any business in the Town of Raymond shall make an application for a license to conduct such business by submitting the following to the Town Clerk:

- (1) A description of the business which the applicant proposes to operate or conduct and the location at which the licensed activity or business will occur.
 - (2) A statement that the applicant has secured or is in the processing of securing all state or local permits required for the licensed business, provided that any license issued by the Board of Selectmen prior to the receipt of such other permits shall not authorize the operation of the business until all such other permits are obtained.
 - (3) A statement that the business and the premises are in compliance with all local ordinances other than this Ordinance.
 - (4) Evidence of satisfactory resolution of any public health, safety or welfare problems occurring in the operation of that or a similar business at the same location in the immediately preceding year, including but not limited to neighborhood complaints, disorderly customers, and excessively loud or unnecessary noise that initiate complaints to or require a response from the sheriff's department, fire department or other municipal regulatory body or employee.
 - (5) A nonrefundable application processing fee as specified in Town Fee Schedule, unless the applicant has previously received a license under this Ordinance for the same business at the same location and the license had been applied for prior to the last day of February of the expiration year.
- (b) The Board of Selectmen may require further documentation of any of the information provided in the license application whenever the Board determines that such documentation is needed to process the application.

Sec. 4. - Denial; imposition of conditions for issuance.

- (a) Failure to provide any of the information required by Section 3 to the Town Clerk in a timely manner shall be cause for a denial of a license application.
- (b) The Board of Selectmen shall consider information provided by the applicant, the code enforcement officer, the town manager, the sheriff's department, the fire chief or any other municipal employee or the general public in determining whether to issue, issue subject to conditions, or deny any license requested. The Board of Selectmen may deny a license application if it finds that:
 - (1) The applicant does not have the legal right to occupy the premises for which the license is sought;
 - (2) Required state or local permits have not been obtained or applied for;
 - (3) The business or the premises are not in compliance with other local ordinances;
 - (4) Any public health, safety or welfare problems which occurred in the operation of the business or a similar business on the premises during the immediately preceding year were not satisfactorily resolved and are likely to recur;
 - (5) The applicant for the license has, during the immediately preceding year, committed or permitted, in the course of conducting a business subject to this Ordinance, an act or omission which constitutes a violation of this Ordinance;
 - (6) The applicant is delinquent in paying any personal or real property tax assessed by the Town, unless there is pending at the time of application for the license a request for abatement of the tax or an appeal of the tax assessment;
 - (7) The licensed location has had three or more documented and relevant disturbances as verified by the sheriff's department within the previous licensing period, which documentation shall be provided to the Town Clerk by the sheriff's department;
 - (8) The applicant owes any fine, penalty or judgment to the Town as a result of any violation of this Ordinance and the fine, penalty or judgment, with any accrued interest, has not been paid in full; or

- (9) The applicant owes any amount to the Town for services rendered by the Town or by Town employees to the applicant or the applicant's property, is in default on any performance guarantee or contractual obligation to the Town, or is otherwise delinquent in any financial obligation to the Town.
- (c) The Board of Selectmen may also impose conditions on the operation of any licensed business, such as restrictions on the hours of operation, a requirement of trash removal at specified intervals, or implementation of particular forms of crowd control, where the public interest so requires.
- (d) When the Board of Selectmen denies a license, written notice of the decision shall be provided to the applicant within ten days thereof, which shall set forth the reasons for the denial. The licensee shall receive written notice in the same manner of any conditions imposed upon the license whenever conditions are imposed, and any such conditions shall be noted on the license records maintained by the Town Clerk.

Sec. 5. - Effective date; payment of full fee required.

- (a) A license issued pursuant to this Ordinance shall be effective as of the date issued or as of the date payment of the appropriate license fee is received by the Town Clerk, whichever is later.
- (b) Payment in full of the license fee is required prior to the issuance of a license.

Sec. 6. - Inspections.

- (a) A licensee, as a condition of receipt of a license under this Ordinance, must also allow any Town official who is authorized to determine compliance with federal, state or town law or ordinance and who presents valid identification to enter at any reasonable time any portion of the licensed premises which the licensee has the right to enter or occupy.
- (c) Failure to allow entry required by this section shall constitute a violation of this Ordinance and shall constitute cause for nonrenewal, suspension or revocation of this license.

Sec. 7. - Renewals.

- (a) The Town Clerk is authorized to renew, without further action by the Board of Selectmen, the license of any person holding a license pursuant to this Ordinance, referred to as the "licensee," upon receipt of the required fee and of a written statement from the licensee that there has been no material change in the information provided in the licensee's previous application. The Town Clerk may not renew a license, but must refer the application to the Board of Selectmen, if:
 - (1) The license has been suspended or revoked by the Board of Selectmen during the preceding licensing cycle;
 - (2) The Town Clerk has received, during the past licensing cycle, any written complaint from any person charging that the licensee has violated the terms of this Ordinance or any other section of this Code or Town ordinance;
 - (3) The applicant is delinquent in paying any personal or real estate property tax assessed by the Town, unless there is pending at the time of application for the license a request for abatement of the tax or an appeal of the tax assessment; or
 - (4) The licensed location has had three or more documented and relevant disturbances as verified by sheriff's department within the previous licensing cycle.

- (b) Notwithstanding the provisions in Section 7(a) above, a license must be reviewed and renewed by the Board of Selectmen every five years.

Sec. 8. - Suspension or revocation.

- (a) The Board of Selectmen, upon notice and after hearing, for cause, may suspend or revoke any license issued pursuant to this Ordinance. The term "cause" shall mean the violation of any license condition, any section of this Ordinance, any condition constituting a threat to the public health or safety, or the revocation or suspension of any state or local license that is a condition precedent to the issuance of a license pursuant to this Ordinance. The term "cause" shall also include any of the grounds for denying a license application under Section 4. Licenses may be temporarily suspended without prior notice and hearing if, in the judgment of the code enforcement officer, the town manager, or the Board of Selectmen, the continued operation of the licensed business constitutes an immediate and substantial threat to the public health and safety, provided the licensee receives written notification of the suspension and the reasons therefore, prior to its taking effect, and a hearing is scheduled as soon as possible thereafter.

Sec. 9. - Violation and Penalties.

- (a) Any person who operates or conducts any business for which a license is required under this Ordinance without first obtaining such license commits a civil violation and shall be subject to a fine not to exceed \$100.00 for the first day the offense occurs. The second day the offense occurs, the fine amount shall not exceed \$250.00. The third day and subsequent days thereafter, the fine amount shall not exceed \$500.00. Each day such violation continues shall be considered a separate violation.
- (b) All fines shall be recovered upon complaint for use by the Town and shall be placed in the town treasury.

Sec. 10. - Enforcement.

The code enforcement officer shall investigate any alleged violation of this Ordinance. Upon verification of the alleged violation, the Board of Selectmen may initiate any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, attorneys fees, and costs, that may be appropriate and necessary to enforce the provisions of this Ordinance in the name of the Town.